



Planning Commission

Regular Meeting **AGENDA**

Please join my meeting from your computer, tablet or smartphone.

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United States: [+1 \(408\) 650-3123](tel:+14086503123); Access Code: 678-443-853

July 14, 2021 - 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.a. Approval of the Draft Minutes of June 23, 2021, a Regular Meeting.

Recommended Action: Approve the Draft Minutes of June 23, 2021. a Regular Meeting.

Attachments:

1. June 23, 2021 PC Draft Minutes

5. APPEAL PROCESS

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by July 26, 2021.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Planning Commission welcomes input from the audience. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments.

7. SITE VISIT VERIFICATION

8. VERIFICATION OF NOTICE

9. PLANNING COMMISSIONERS REPORT

10. DIRECTOR'S REPORT

11. CONSENT CALENDAR

12. NEW BUSINESS

- 12.a. Consideration and Possible Recommendation regarding Draft Resolution Approving an Initial Study/Negative Declaration and General Plan Amendment to Allow for Increased Density and Lot Coverage in Compliance with the General Plan and State Housing Laws; and draft Ordinance Amending Division 9, Chapter 2 of the City Code to Execute General Plan Housing Element Implementation Tasks and to Comply with New State Housing Laws

Recommended Action: Staff recommends the Planning Commission approve a recommendation of approval to the City Council of the Draft Initial Study and Negative Declaration, draft General Plan Text Amendment, and Draft Ordinance Amending Division 9, Chapter 2 of the City Code to Execute General Plan Housing Element Implementation Tasks and to Comply with State Housing Laws.

Attachments:

1. Draft Ordinance
2. Draft Resolution
3. Housing Element Goals and Tasks
4. Div. 9, Ch. 2, Art. 3 R-1 Single-Family Residential
5. Div. 9, Ch. 2, Art. 4 R-2 Medium Density Residential
6. Div. 9, Ch. 2, Art. 5 R-3 High Density Residential
7. Div. 9, Ch. 2, Art. 6 C-N Neighborhood Commercial
8. Div. 9, Ch. 2, Art. 7 C-1 Community Commercial mgt
9. Div. 9, Ch. 2, Art. 8 C-2 Heavy Commercial mgt
10. Div. 9, Ch. 2, Art. 20 Admin and Procedures
11. Div. 9, Ch. 2, Art. 21 Definitions mgt
12. Div. 9, Ch. 2, Art. 5.2 Objective Standards
13. Flexible Parking Options
14. Draft Initial Study_Negative Declaration

13. UNFINISHED BUSINESS

14. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available at the Civic Center 300 Seminary Ave. Ukiah, CA 95482; and online at: www.cityofukiah/meetings/ at the end of the next business day.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

July 9, 2021
Stephanie Abba
Planning Commission Secretary

**CITY OF UKIAH
PLANNING COMMISSION MINUTES
Regular Meeting**

Virtual Meeting Link: <https://global.gotomeeting.com/join/678443853>

Ukiah, CA 95482

June 23, 2021

6:00 p.m.

1. CALL TO ORDER

The City of Ukiah Planning Commission held a Regular Meeting on June 23, 2021, having been legally noticed on June 18, 2021, which was called to order by Chair Hilliker at 6:01 p.m. on the following virtual link: <https://global.gotomeeting.com/join/678443853>

CHAIR HILLIKER PRESIDING

2. ROLL CALL

Roll was taken with the following **Commissioners Present:** Rick Johnson, Michelle Johnson, and Chair Mark Hilliker, and. **Commissioners Absent:** Commissioners Van Antwerp and Christensen: **Staff Present:** Craig Schlatter, Community Development Director; and Stephanie Abba, Planning Commission Secretary.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited

4. APPROVAL OF MINUTES

a. Approval of June 09, 2021, Regular Meeting Minutes.

Motion/Second: R. Johnson/M. Johnson to approve the Minutes of June 09, 2021, a Regular Meeting, as submitted. Motion **carried** by the following roll call vote: AYES: R. Johnson, M. Johnson, and Chair Hilliker. NOES: None. ABSENT: Commissioners Van Antwerp and Christensen. ABSTAIN: None

5. APPEAL PROCESS

No matters eligible for appeal were received.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

7. SITE VISIT VERIFICATION

Verified by Commissioners.

9. PLANNING COMMISSIONERS' REPORT

No report was received

8. VERIFICATION OF NOTICE

Confirmed by Staff

10. DIRECTOR'S REPORT

Presenter: Craig Schlatter, Community Development Director.

Report Received.

11. CONSENT CALENDAR

No items on consent calendar.

12. NEW BUSINESS

a. Recommendation to City Council of Approval of Proposed Ordinance Amending Division 9, Chapter 2 of the Ukiah Municipal Code to Execute General Plan Housing Element Implementation Tasks and Comply with New State housing Laws.

Staff recommends the Commission Continue this item to its Regular Meeting on Wednesday, July 14, 2021.

Motion/Second: M. Johnson/R. Johnson to continue this agenda item to the meeting on Wednesday, July 14, 2021. Motion **carried** by the following roll call vote: AYES: R. Johnson, M. Johnson, and Chair Hilliker. NOES: None. ABSENT: Commissioners Van Antwerp and Christensen. ABSTAIN: None

13. UNFINISHED BUSINESS

No Unfinished Business

14. ADJOURNMENT

There being no further business, the meeting adjourned at 6:17 P.M.

Stephanie Abba, Planning Commission Secretary



DATE: July 9, 2021

TO: Planning Commission

FROM: Craig Schlatter, Community Development Director;
Mireya G. Turner, Planning Manager

SUBJECT: Consideration of Draft General Plan Text Amendment and Draft Ordinance Amending Division 9, Chapter 2 of the City Code to Execute General Plan Housing Element Implementation Tasks and to Comply with New State Housing Laws

ATTACHMENTS

1. Draft Ordinance
2. Draft Resolution Approving the Draft IS/ND and General Plan Amendment
3. 2019-2027 Housing Element, Section 7 Goals, Policies, and Implementing Programs
4. UCC Division 9, Chapter 2, Article 3 "R-1" Single-family Residential
5. UCC Division 9, Chapter 2, Article 4 "R-2" Medium Density Residential
6. UCC Division 9, Chapter 2, Article 5 "R-3" High Density Residential
7. UCC Division 9, Chapter 2, Article 6 "C-N" Neighborhood Commercial
8. UCC Division 9, Chapter 2, Article 7 "C-1" Community Commercial
9. UCC Division 9, Chapter 2, Article 8 "C-2" Heavy Commercial
10. UCC Division 9, Chapter 2, Article 20 Administration and Procedures
11. UCC Division 9, Chapter 2, Article 21 Definitions
12. UCC Division 9, Chapter 2, Article 5.2 Objective Design and Development Standards for New Residential Construction
13. Flexible Parking Options
14. Draft Initial Study and Negative Declaration for Housing Related Zoning Code Updates

SUMMARY

In 2017, the City Council approved a Housing Strategy to develop programs and tools designed to stimulate the Ukiah housing market for affordable and middle-income households. This Affordable-Income Strategy resulted in the creation of the Ukiah Housing Trust Fund (UHTF), a housing trust and revolving loan fund targeting households with incomes of no more than 80% of Area Median Income.

The Middle-Income Housing Strategy included removing impediments to housing development through regulatory relief, and researching innovative zoning practices. The analysis performed for this Strategy resulted in multiple Implementation Tasks included in the 2019-2027 General Plan Housing Element Update.

The attached draft Ordinance and Resolution will execute five (5) Housing Element Implementation Tasks designed to streamline the permitting process (Task 1e & 2h); increase density and maximum

Staff Report
Housing-Related Zoning Code Amendments

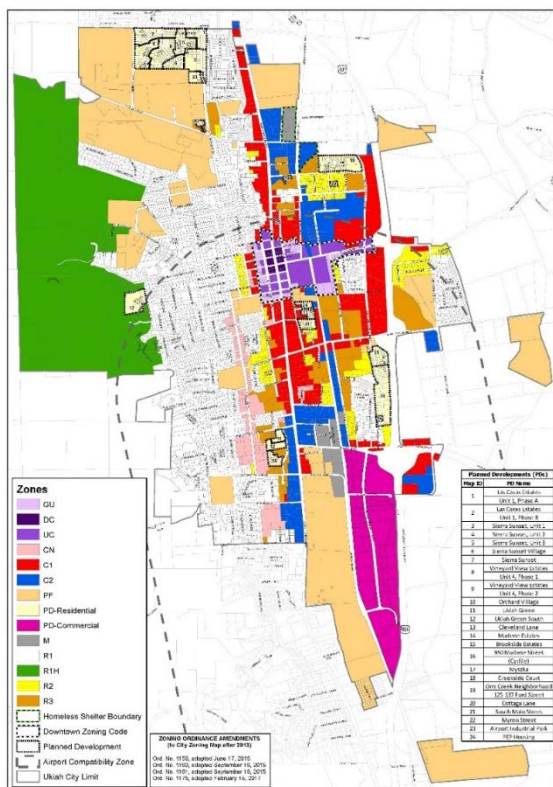


allowable height, reduce setbacks and minimum site area (Task 3a); develop flexible parking policies (Task 3b); and add Supportive Housing as a use by-right in all zones where multifamily and mixed uses are permitted (Task 2l). These Tasks are described further in the Background section of this staff report.

The proposed amendments affect the Zoning Districts listed below and are displayed in the City's Zoning Map, Figure 1 below:

- "R1" Single-family Residential
- "R2" Medium Density Residential
- "R3" High Density Residential
- "CN" Neighborhood Commercial
- "C1" Community Commercial
- "C2" Heavy Commercial

Figure 1: City of Ukiah Zoning Map



The draft ordinance also includes updates to comply with State Housing laws that were not included in the Housing Element Update, some of which were signed into law by the Governor after the adoption and certification of the City's 2019-2027 Housing Element. These laws are further described in the Background section of this staff report.



The draft ordinance is included as **Attachment 1**. The draft Resolution approving the Initial Study/Negative Declaration, and amending the General Plan is included as **Attachment 2**. The 2019-2027 Housing Element Goals and Implementation Tasks are included as **Attachment 3**. The proposed amendments to the Zoning Code Articles are included, in strikethrough version, as **Attachments 3 – 11**. The Objective Design and Development Standards, approved in concept by the City Council on November 4, 2020, is included as **Attachment 12**. The Flexible Parking Options document is included as **Attachment 13**. The Draft Initial Study/Negative Declaration is included as **Attachment 14**.

BACKGROUND

The 2019-2017 Housing Element Update, recommended for approval by the Planning Commission on August 14, 2019, approved by the City Council on October 23, 2019, and certified by the state Department of Housing and Community Development (HCD) on December 15, 2019, contains five goals, with a total of 30 Implementation Tasks to accomplish those goals. Many of these tasks resulted from Housing Strategy research for permit streamlining and innovative zoning practices, as well as input from the public, Planning Commission, and Council. The proposed Zoning Code amendments address the following five Housing Element Implementation Tasks:

- 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.
- 2h: Ensure capacity of adequate sites for meeting Regional Housing Needs Assessment (RHNA)
 - Update C-1 and C-2 Zones to allow by-right housing development, with objective design and development standards.
 - Update the R-2 Zone to allow up to 15 dwelling units per acre instead of 14 dwelling units per acre.
 - Update the C-N Zone to increase residential density and allow similar housing types as those allowed in R-2.
 - By-right housing program for select parcels (accomplished by the “HOZ” Housing Overlay Zone established at 210 E. Gobbi St.).
- 2l: Review existing City processes for compliance with AB 2162 (allowing supportive housing by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses).
- 3a: Research, review and amend the development standards in the zoning code for opportunities to maximize housing development.
 - Increasing maximum allowable height for new residential buildings.
 - Increasing density.
 - Reducing yard setbacks.
 - Reducing minimum site area.
 - Upzoning R-1 (Single-family Residential) and R-1-H (Single-family Residential-Hillside Combining) zoning districts to allow by-right and/or permit other residential building types



and densities. (Although identified in Implementation Task 3a, the Hillside Overlay District is not included in the proposed amendments at this time.)

- 3b: Develop flexible parking policies for new residential development.

The proposed Zoning Code amendments also address the following Housing-Related State Laws:

- Senate Bill 2 (Approved by the Governor 10/13/2007), amended the State Government Code (GC) to add definitions of supportive and transitional housing to GC. This amendment adds the same definitions to Ukiah City Code (UCC), Article 21: Definitions.
- Senate Bill 234 (Approved by Governor 9/5/2019) mandates that jurisdictions not require discretionary permits for large or small family daycares in any zoning district allowing for primary residential use. The UCC previously listed large family daycares as a Permitted Use, requiring an approved Use Permit. The draft ordinance places both small and large family daycares under Allowed Uses in all appropriate zoning districts.
- Assembly Bill 101 (Approved by Governor 7/31/19) adds Low Barrier Navigation Centers as a use by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if the Center meets specified requirements.
- Assembly Bill 3182 (Approved by Governor 9/28/20) (amendment to UCC Section 9016) mandates ministerial approval of one Accessory Dwelling Unit (ADU) and one Junior Accessory Dwelling Unit (JADU) per parcel with a primary residence. The UCC previously allowed one ADU or one JADU.

The term “Homeless Shelter” has been modified to “Emergency Shelter” to reflect current terminology in State law. Further Zoning Code updates to comply with current Government Code regulations for emergency shelters are not included in this draft Ordinance; but will come before the Planning Commission for review at a future date.

A summary of the proposed amendments are provided in Table 1 below. Frequently used Planning terms and acronyms relevant to this Staff Report are defined below:

- Accessory Structure: A structure which supports the primary use of a parcel. Sheds and detached garages are considered accessory structures on a residential parcel.
- Allowed Use: A land use which does not require a conditional use permit. Also known as a “by-right” use.
- du/ac: dwelling units per acre (used to measure and describe density)
- Low Barrier Navigation Center: A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities. A Low Barrier Navigation Center shall provide case managers to connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.
- Lot coverage: The total area of a lot covered with structures.
- Multi-family residential development: Includes duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, SROs, and rooming or boarding houses.
- Permitted Use: A land use which requires an approved conditional use permit



- Primary Structure: A structure dedicated to the primary use of the parcel. A residence is considered a primary structure in a residential zoning district.
- Supportive Housing: Housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community.
- Transitional Housing: Rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined further point in time, which shall be no less than six (6) months from the beginning of the assistance.
- Unbundled Parking: Parking spaces in a multi-family residential development which are not immediately available to the residents but can be rented as an extra option.
- UP: Use Permit, a conditional (discretionary) permit for a proposed land use, either Minor or Major
- SDP: Site Development Permit. A conditional (discretionary) permit for the design of a proposed project, either Minor or Major.



Table 1, Summary of Proposed Zoning Code Amendments

PROPOSED ZONING CODE AMENDMENTS							
Zoning District							
Development Standard		R1	R2	R3	CN	C1	C2
Density		6 dwelling units per acre (du/ac). No change proposed.	Changing from 14 du/ac to 15 du/ac	28 du/ac. No change proposed.	Changing from 6 du/ac to 15 du/ac	28 du/ac. No change proposed.	28 du/ac. No change proposed.
Height		30 ft and for accessory buildings a maximum height of twenty feet (20') or the maximum height of the main building whichever is less). No change proposed.	Changing from 30 ft to 35 ft for main buildings. No change to accessory structures (20 ft or the maximum height of the main building whichever is less)	Changing from 40 ft to 50 ft for main structures, unless abutting R1 or R2 (then 35 ft). No change to accessory structures (30 ft)	Changing from 30 ft to 35 ft for main bldgs. No change to accessory (20ft)	No change (50ft)	Changing from 40 ft to 50 ft for primary structures and 20 ft to 30 ft for accessory structures



PROPOSED ZONING CODE AMENDMENTS						
Zoning District						
Development Standard	R1	R2	R3	CN	C1	C2
Setbacks	Reducing front from 20 ft to 15 ft for primary structures, and 30 ft to 25 ft for garage and accessory structures); Side Setback: No change proposed.	No change for SFDs. Reducing for multi-family structures: Front-15 ft to 10 ft; Sides-10 ft to 5 ft; Rear- 15 ft to 10 ft (but 15 ft for multi-story); Corner parcels- 10 ft. Reducing distance between structures 15 ft to 10 ft	No change for SFDs. Reducing for multi-family structures: Front- 15 ft to 10 ft; No change to side and rear setbacks. Corner parcels- 15 ft to 10 ft. Reducing distance between structures 15 ft to 10 ft	No change proposed to front; Reducing side from 10 ft to 5 ft. No change proposed to rear.	No change proposed.	No change proposed.



PROPOSED ZONING CODE AMENDMENTS							
Zoning District							
Development Standard		R1	R2	R3	CN	C1	C2
Required Site Area		No change	Removing required minimum area	Removing required minimum area	Removing minimum required area for residential and Mixed-Use. No change proposed for commercial use.	Residential and Mixed-Use. Removing required minimum site area; Commercial: Establishing 6,000 sf for each building or group of buildings & a minimum parcel width of sixty feet (60') on interior lots; 7,000 sf & 70 ft parcel width for corner lots	No change



PROPOSED ZONING CODE AMENDMENTS						
Zoning District						
Development Standard	R1	R2	R3	CN	C1	C2
Allowed/ Permitted Uses	<i>Allowed Uses:</i> Adding supportive and transitional housing Adding Multiple-family residential dwellings in the form of duplexes on corner lots. Adding Multifamily that complies with the objective design and development standards. Allowed: Adding Family daycares, large	<i>Allowed Uses:</i> Adding manufactured/modular homes, transitional housing, and supportive housing. Adding multiple-family dwellings that comply with the objective design and development standards. Adding Family daycares, large <i>Permitted Uses:</i> Adding Multiple-family dwellings that do not comply with the objective design and	<i>Allowed Uses:</i> Adding manufactured/modular homes, transitional housing, and supportive housing. Adding Multiple-family dwellings that comply with the objective design and development standards. Adding Family daycares, large <i>Permitted Uses:</i> Multiple-family dwellings that do not comply with the objective design and	<i>Allowed Uses:</i> Adding Low Barrier Navigation Centers Allowed: Multiple-family dwellings that comply with the objective design and development standards. Adding Family daycares, large Changing name of small homeless facilities to small	<i>Allowed Uses:</i> Adding Low Barrier Navigation Centers Adding Multiple-family dwellings that comply with the objective design and development standards. Adding Family daycares, large Changing name of small homeless shelters to small emergency shelters; <i>Permitted Uses:</i> Changing name of large homeless	<i>Allowed Uses:</i> Adding Low Barrier Navigation Centers Adding Multiple-family dwellings that comply with the objective design and development standards. Adding Family daycares, large and small (This was inadvertently omitted from the strikethrough



AGENDA ITEM NO. 12a
 Department of Community Development
 Planning Division
 300 Seminary Ave.
 Ukiah, CA 95482

	<i>Permitted Uses:</i> Adding multiple-family dwellings in the form of duplexes, transitional and supportive housing that do not comply with the objective design and development standards.	development standards.	development standards.	emergency shelters <i>Permitted Uses:</i> Changing name of large homeless shelters to large emergency shelters Adding Multiple-family dwellings that do not comply with the objective design and development standards.	shelters to large emergency shelters Adding Single-family dwelling (i.e., single-family home, manufactured/modular home, transitional housing, and supportive housing) that do not comply with the objective design and development standards. Adding Manufactured/modular home compliance requirement with the additional development standards Adding Multiple-family dwellings that do not comply with the objective design and development standards.	version of the Article, but is included in the draft ordinance.) Permitted Uses: Adding Multiple-family dwellings that do not comply with the objective design and development standards.
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PROPOSED ZONING CODE AMENDMENTS						
	Zoning District					
Development Standard	R1	R2	R3	CN	C1	C2
Parking	Removal of required parking for ADUs. Adding Duplex parking of 1.5 spaces/unit (The City Council Ad Hoc Committee later recommended a reduction in duplex parking to 1 space/unit.)	Reducing duplex parking from 2 spaces/unit to 1.5/unit; Reducing multifamily from 2/2-bedroom unit to 1/unit regardless of number of bedrooms, with option for additional unbundled parking	Reducing duplex from 2 spaces/unit to 1.5/unit; Reducing multifamily from 2/2-bedroom unit to 1/unit regardless of number of bedrooms, with option for additional unbundled parking	Adding SFD-2/unit; Duplex-1.5/unit; and Multifamily-1/unit, with option for additional unbundled parking Removing ADU parking requirement	Adding SFD-2/unit; Duplex-1.5/unit; and Multifamily- 1/unit, with option for additional unbundled parking Removing ADU parking requirement	Adding Multifamily-1/unit, with option for additional unbundled parking
Other	Adding standards for manufactured homes	Adding standards for manufactured homes.	Adding standards for manufactured homes.	Increasing lot coverage from 40% to 60%. Adding standards for manufactured homes.	Clarifies language for ensuring privacy. Adding standards for manufactured homes.	Clarifies language for ensuring privacy. Adding standards for manufactured homes.



Portions of the proposed Zoning Code Amendments were previously reviewed by the City Council Ad Hoc Committee, Design Review Board, Planning Commission and City Council, as well as agency review. Input from these groups was also incorporated into the proposed draft zoning code amendments.

At the August 12, 2020 meeting, the Planning Commission approved a recommendation of approval of the Objective Design and Development Standards. The City Council approved these standards, in concept, at their November 4, 2020 meeting. The Planning Commission made a recommendation of Moderate Parking Reductions, with Unbundled Parking Option for multi-family residential housing. This recommendation was approved by the City Council on November 4, 2020. The Flexible Parking Options document is included as **Attachment 13**.

In regards to the parking standards recommendation, at the City Council Ad Hoc meeting of April 22, 2021, the Ad Hoc recommended the required parking for a duplex be further reduced, from 1.5 spaces per unit, to 1 space per unit.

The timeline for all portions of the draft Ordinance are listed in Table 2, below.

Table 2, Proposed Zoning Code Amendments – Review Timeline

PROPOSED ZONING CODE AMENDMENTS - REVIEW TIMELINE						
Item		Agency Review (start date)	Design Review Board	Ad Hoc Committee	Planning Commission	City Council
Objective Design and Development Standards		6/1/2020	6/25/2020	10/1/20, 10/15/20	8/12/2020	11/4/2020
Flexible Parking Options		6/1/2020	6/10/2020	10/1/20, 10/15/20	6/10/2020	11/4/2020
Zoning Code Amendments		4/19/2021	n/a	4/22/2021		

STAFF ANALYSIS

GENERAL PLAN CONSISTENCY

The 1995 Ukiah General Plan consists of thirteen elements, each describing a different aspect of the community's vision. This vision guides development for the Ukiah community, as well as provides the Community Development Department with priorities vetted by the public and approved by the City Council, as listed in the goals and implementing programs. The Housing Element Update, recommended for approval by the Planning Commission on August 14, 2019,



approved by the City Council on October 23, 2019, and certified by HCD on December 15, 2019, is an Element of the Ukiah General Plan. Certification by the HCD established that the 2019-2027 Housing Element Update was in full compliance with state Housing Element law (Article 10.6 of the Government Code).

The proposed Zoning Code Amendments reflect the completion of five Housing Element Implementation Tasks. As Housing Element Implementing Tasks, the standards are consistent with the General Plan Housing Element. However, increasing the density in “R-2” Medium Density Residential to fifteen dwelling units per acre (Implementation Task 2h), and the increase in maximum lot coverage for residential use in Commercially designated parcels (Implementation Tasks 2h and 3a), require amendments to the General Plan Medium Density Residential and Commercial sections in order to achieve consistency between the General Plan Land Use and Housing Elements.

ZONING ORDINANCE.

When approved by the City Council, the various Zoning Code amendments will establish consistency between the Zoning Ordinance and the General Plan, as required by state law.

AIRPORT LAND USE COMPATIBILITY

The Mendocino Airport Land Use Commission (ALUC) determined the General Plan – 2019-2027 Housing Element to be consistent with the Mendocino County Airport Comprehensive Land Use Plan (ACLUP). As these zoning code amendments reflect the implementation of the Housing Element, further review by the ALUC is not required.

To ensure no further comment was outstanding, however, Staff sent the draft Zoning Code amendments to Mendocino County ALUC staff on April 21, 2021. No comments were received.

AGENCY COMMENTS

An Administrative Review Draft of the Objective Standards was circulated to the City of Ukiah Community Development Department – Building Division, Public Works Department, Electric Utility Department, and Police Department, Ukiah Valley Fire Protection District, Mendocino County Planning and Building Department, and the United States Air Force, Army, Marine Corps, and Navy. No comments were received by the reviewing agencies.

ENVIRONMENTAL DOCUMENTATION

Staff completed an Initial Study for the proposed zoning code amendments and determined the project impacts were less than significant. The draft Initial Study and Negative Declaration public review period notification was posted at the Mendocino County Recorder's Office and the City's CEQA webpage (www.cityofukiah.com/ceqa) on June 7, 2021, and published in the Ukiah Daily Journal on June 12, 2021.

No comments were received during the review period, which ended on July 7, 2021. The full draft Initial Study and Negative Declaration is included as **Attachment 14**.

Staff Report
Housing-Related Zoning Code Amendments



NOTICE

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9262(C):

Published as a 1/8th page notice in the Ukiah Daily Journal on June 12, 2021

Posted at the Civic Center (glass case) no less than 72 hours prior to the public hearing

RECOMMENDATION

Staff recommends the Planning Commission review and approve a recommendation of approval to the City Council of the draft Initial Study and Negative Declaration, draft General Plan Text Amendment and Draft Ordinance Amending Division 9, Chapter 2 of the City Code to Execute General Plan Housing Element Implementation Tasks and to Comply with New State Housing Laws.

ORDINANCE NO.

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH
AMENDING DIVISION 9, CHAPTER 2 OF THE CITY CODE TO
EXECUTE GENERAL PLAN HOUSING ELEMENT IMPLEMENTATION
TASKS AND TO COMPLY WITH NEW STATE HOUSING LAWS.**

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

SECTION ONE.

Division 9, Chapter 2, Article 3 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

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

* * *

§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 neighborhoods in the community. The R-1 zone 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 thousand (6,000) to ten thousand (10,000) square feet in size. This zone is consistent with the LDR (low density residential) land use designation of the city general plan.

§9016 ALLOWED USES

The following uses are allowed in low density residential (R-1) districts:

Accessory buildings.

Accessory dwelling units (ADU) or junior accessory dwelling units (JADU) on lots developed with a primary single-family or multifamily residence or for which a primary residence is proposed subject to the following standards/criteria:

* * *

G. Accessory dwelling units may be attached to existing single-family or multiple-family residences or detached as separate structures. Accessory dwelling units shall incorporate the same or substantially similar architectural features, height, building materials and colors as the main dwelling unit or compatible dwellings located on adjacent properties. Architecture not similar to the architecture of the principal dwelling or buildings on adjacent properties shall be subject to the use permit process.

* * *

W. Applications for a building permit within any zoning district where residential uses are allowed by right shall be approved ministerially to develop any of the following:

1. One ADU and one JADU per lot with a proposed or existing single-family dwelling if all of the following apply:

- a. The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than one hundred fifty (150) square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
- b. The space has exterior access from the proposed or existing single-family dwelling.
- c. The side and rear setbacks are sufficient for fire and safety.
- d. The JADU complies with the requirements of this section.

2. One detached, new construction, ADU that does not exceed four foot (4') side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described in subsection W1 of this section.

3. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. The number of ADUs permitted within an existing multifamily dwelling structure shall be capped at twenty-five percent (25%) of the existing units in the multifamily dwelling, or one ADU, whichever is greater.

4. Not more than two (2) ADUs that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to four foot (4') rear and side yard setbacks.

* * *

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 Article 5.75 of this Chapter are permitted by right.

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

Small and large family daycare homes.

§9017 PERMITTED USES

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

Accredited public or private schools.

Bed and breakfast establishments.

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

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

Condominiums.

Multiple-family dwellings in the form of duplexes, transitional housing, and supportive housing that do not comply with the design and development standards set forth in Article 5.75 of this Chapter.

Outdoor sales establishments.

Parks, community gardens, and playgrounds.

Public buildings and places of temporary public assembly.

§9018 BUILDING HEIGHT LIMITS

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

- A. For single-family dwellings, two-family dwellings and attached accessory dwelling units, a maximum height of thirty feet (30').
- B. For accessory buildings a maximum height of twenty feet (20') or the maximum height of the main building whichever is less.
- C. The height limits for both dwelling units and accessory structures may 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.

§9020 REQUIRED YARD SETBACKS

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

- A. Front: Fifteen feet (15') for residences and accessory structures, and twenty-five feet (25') for garages and accessory structures.
- B. Sides: Ten feet (10') for residences and five feet (5') for accessory structures.
- C. Rear: Fifteen feet (15') for residences, and five feet (5') for accessory structures.
- D. Corner Lots: On corner lots, there shall be a front setback line of fifteen feet (15') on each street side of a corner lot.

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

* * *

§9021 REQUIRED PARKING

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

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.
2. Duplex: One and half (1.5) on-site parking spaces per unit.
3. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of section 9198 of this code.

B. Each required on-site parking space or garage space for single-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth.

C. Each required on-site parking space or garage space for single-family residential uses shall open directly onto a driveway or aisle and be designed to provide safe and efficient ingress and egress for vehicles accessing such parking space. The maximum width for such driveways shall be twelve feet (12') for single wide driveways, and twenty feet (20') for double wide driveways and access lanes to parcels with no street frontage.

D. All driveways on corner lots shall be located a minimum distance of twenty feet (20') from the curb return.

§9022 ADDITIONAL REQUIREMENTS

A. Manufactured homes certified under the national manufactured home 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 state 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.

§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 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 planning director shall find as follows:

1. The use would not be incompatible with other existing or allowed uses in the R-1 zoning district;
2. The use would not be detrimental to the continuing residential development of the area in which the use would be located; and

3. The use would be in harmony and consistent with the purpose of the R-1 zoning district.
4. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the planning director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses.

SECTION TWO.

Division 9, Chapter 2, Article 4 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§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:

Accessory buildings and accessory uses.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Community care facility (maximum clients – 6).

Home occupations (as defined in section 9301 of this chapter).

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Single-family dwellings, including manufactured/modular homes, transitional housing, and supportive housing. Manufactured/modular home shall comply with the additional development standards in set forth in Section 9037 of this Code.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartments 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 Article 5.75 of this Chapter are permitted by right.

Small and large family child daycare homes.

§9032 PERMITTED USES

The following uses may be permitted in medium density residential (R-2) zoning districts subject to first securing a use permit:

Accredited public or private schools.

Bed and breakfast establishments.

Churches, chapels, and other places of religious assembly.

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

Dwelling groups.

Multiple-family dwellings that do not comply with the design and development standards set forth in Article 5.75 of this Chapter.

Outdoor sales establishment.

Parks, community gardens, and playgrounds.

Professional office converted from a single-family residence.

Rest homes, convalescent services, and other residential medical facilities.

Single-family dwelling on a three thousand (3,000) square foot lot (1 side 0 lot line and 1 side 5 foot setback provided that "0" lot lines are contiguous).

Social halls, lodges, public buildings, and places of temporary public assembly.

Temporary uses meeting the purpose and intent of the R-2 zoning district. The temporary use shall be for a maximum period of six (6) months, and shall be subject to permit renewal/time extension at the discretion of the planning director.

§9033 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in medium density residential (R-2) districts:

- A. For main buildings a maximum height of thirty-five feet (35').
- B. For 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.

§9034 REQUIRED SITE AREA

In medium density residential (R-2) districts there is no required building site area.

§9035 REQUIRED YARD SETBACKS

In Medium Density Residential (R-2) Districts, yards shall be required in the following minimum widths, as measured from the street right of way:

- A. Front:
 - 1. Single-family dwellings: Fifteen feet (15') for primary and accessory structures, and twenty-five feet (25') for garages.
 - 2. Multiple-family dwellings: Ten feet (10') for multiple-family primary and accessory structures, and twenty-five feet (25') for garages.

B. Sides:

1. Single-family dwellings: Ten feet (10'), except as provided in Section 9032 of this Article.
2. Multiple-family dwellings: Five feet (5') for multiple-family dwellings except for those multiple-family projects that comply with all the design and development standards set forth in Article 5.75 of this Chapter.

C. Rear:

1. Single-family dwellings: Ten feet (10').
2. Multiple-family dwellings, single-story: Ten feet (10').
3. Multiple-family dwellings, multi-story: Fifteen feet (15').

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

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

E. Special Yards and Distances between Buildings: Minimum widths shall be as follows:

1. 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: Two (2) on-site parking spaces per unit.
2. Duplex: One and half (1.5) on-site parking spaces per unit.
3. Multiple-Family Dwelling: One (1) on-site parking space per unit.
5. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of Section 9198 of this Code.

B. Each required off-street parking space or garage space for multiple-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth. Thirty percent (30%) of the parking stalls in a parking lot with ten (10) or more stalls shall be compact sized (8 feet in width and 16 feet in length).

- C. Each required off-street parking space or garage space for multiple-family residential uses shall open directly onto a driveway or aisle and be designed to provide safe and efficient ingress and egress for vehicles accessing such parking space. The maximum width for such driveways shall be twelve feet (12') for single-wide driveways, and twenty feet (20') for double-wide driveways and access lanes to parcels with no street frontage.
- D. All driveways on corner lots shall be located a minimum distance of twenty feet (20') from the curb return.
- E. Relief from the parking requirements in the R-2 Zoning District may be approved through the discretionary review process, provided a finding is made that a reduced number of spaces would not adversely impact the health, safety, or general welfare of the public.

§9037 ADDITIONAL REQUIREMENTS

A. A site development permit is required for development of more than a single duplex. However, multiple-family residential projects described in Section 9031 of this Code that are in compliance with the design and development standards set forth in Article 5.75 of this Chapter are exempt from this requirement.

B. 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:

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 state Health and Safety Code.
2. Utilities: All utilities to the manufactured home shall be installed pursuant to city standard practices and policies.
3. Permits: All applicable building, site development, and encroachment permits associated with development of residential property shall be secured prior to any on site construction.

C. All development projects that are not multiple-family residential projects, or that do not comply with the design and development standards set forth in Article 5.75 of this Chapter, 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. Native species are strongly encouraged.
 - b. Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

c. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

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

e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

f. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the City Engineer, based upon safety and maintenance factors.

g. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, it would be unreasonable and illogical. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

h. Landscaping plans shall include an automatic irrigation system and lighting plan.

i. All required landscaping for residential development projects shall be adequately maintained.

j. All healthy existing mature trees on development project sites shall be preserved and incorporated into the proposed landscaping plan, if feasible.

k. The 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.

* * *

SECTION THREE.

Division 9, Chapter 2, Article 5 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

* * *

§9045 PURPOSE AND INTENT

The purpose of the R-3 zoning district is to implement the general plan policies for high density residential areas as a transition zone between low and medium density

residential and commercial land uses with the emphasis upon residential uses. It is intended to provide opportunities for a mix of multiple-family residential development and low intensities commercial land uses. The R-3 zoning district is consistent with the HDR (high density residential) general plan land use designation.

§9046 ALLOWED USES

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

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

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

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

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

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.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

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

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 Article 5.75 of this Chapter are permitted by right.

Small and large family daycare homes.

§9047 PERMITTED USES

The following uses may be permitted in high density residential (R-3) districts subject to first securing a use permit:

Barbershops, beauty shops.

Churches, chapels, and other places of religious assembly.

Coin operated laundromat.

Dwelling groups.

Florist.

Hotels, motels, and bed and breakfast establishments.

Mobile home parks.

“Mom and pop” convenience grocery stores, delicatessens, bakeries, and coffee shops.

Multiple-family dwellings that do not comply with the design and development standards in Article 5.75 of this Chapter.

Nursery schools

Parks, community gardens, and playgrounds.

Professional offices.

Public buildings.

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

Video rentals/sales.

§9048 BUILDING HEIGHT LIMITS

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

- A. For main buildings a maximum height of fifty feet (50'), unless abutting an R-1 or R-2 lot in which case a maximum height of thirty-five feet (35').
- B. For accessory buildings, a maximum height of thirty feet (30') or the maximum height of the main building whichever is less.

§9049 REQUIRED SITE AREA FOR MOBILE HOME PARKS

- A. In High Density Residential (R-3) Districts there is no required building site area.
- B. The required building site 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 Chapter:

- A. Front:
 - 1. Single-family dwellings: Fifteen feet (15') for dwellings and accessory structures, and twenty-five feet (25') for garages.
 - 2. Multiple-family dwellings: Ten feet (10') for multiple-family dwellings and accessory structures, and twenty-five feet (25') for garages.
- B. Sides: Five feet (5'), except for those multiple-family dwelling projects that comply with all the design and development standards in Article 5.75 of this Chapter.
- 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. 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.

§9051 REQUIRED PARKING

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

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.

2. Duplex: One and half (1.5) on-site parking spaces per unit.

3. Multiple-Family Dwelling: One (1) on-site parking space per unit.

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

B. Each required off-street parking space or garage space for multiple-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth. Thirty percent (30%) of the parking stalls in a parking lot with ten (10) or more stalls shall be compact sized (8 feet in width and 16 feet in length).

C. Each required off-street parking space or garage space for multiple-family residential uses shall open directly onto a driveway or aisle and be designed to provide safe and efficient ingress and egress for vehicles accessing such parking space. The maximum width for such driveways shall be twelve feet (12') for single-wide driveways, and twenty feet (20') for double-wide driveways and access lanes to parcels with no street frontage.

D. All driveways on corner lots shall be located a minimum distance of twenty feet (20') from the curb return.

E. Relief from the parking requirements in the R-3 Zoning District may be approved through the discretionary review process, provided a finding is made that a reduced number of spaces would not adversely impact the health, safety, and general welfare of the public.

§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 Chapter, excluding multiple-family residential projects, as described in Section 9046, that comply with the design and development standards in Article 5.75 of this Chapter.

B. 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 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 state Health and Safety Code.
2. Utilities: All utilities to the manufactured home shall be installed pursuant to city standard practices and policies.
3. Permits: All applicable building, site development, and encroachment permits associated with development of residential property shall be secured prior to any on site construction.

C. All development projects that are not multiple-family residential projects, or do not comply with the design and development standards in Article 5.75 of this Chapter , 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. Native species are strongly encouraged.

b. Deciduous trees shall constitute fifty-one percent (51%) of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

c. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

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

e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

f. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the City Engineer, based upon safety and maintenance factors.

g. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel as determined the Planning Director. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

h. Landscaping plans shall include an automatic irrigation system and lighting plan.

i. All required landscaping for commercial development projects shall be maintained.

j. All healthy existing mature trees on development project sites shall be preserved and incorporated into the proposed landscaping plan, if feasible.

k. The 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.

* * *

SECTION FOUR.

Division 9, Chapter 2, Article 6 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

* * *

§9060 PURPOSE AND INTENT

The purpose of the Neighborhood Commercial (C-N) Zoning District is to encourage and promote a balanced mix of low intensity professional office, commercial, single-family and multiple-family residential, and quasi-public land uses. The maximum residential density is one to fifteen (15) dwelling units per gross acre of land. Large and incompatible commercial retail stores, such as supermarkets, chain drugstores, convenience stores, and discount clothing stores, are not allowed or permitted. Similarly, highway-serving commercial uses, such as motels, and gas stations/automotive repair businesses are not allowed or permitted. The C-N District is intended to provide low intensity commercial services, such as medical offices, small retail stores, and personal services to the adjacent and integrated residential community. Additionally, the provisions of this Article are intended to assure that development is compatible with the surrounding community, in terms of both design and use, and does not adversely impact surrounding properties.

§9061 USES ALLOWED

The following uses are allowed in Neighborhood Commercial Zoning Districts:

Accessory uses to any of the uses allowed in this district.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Home occupations.

Low barrier navigation centers.

Professional and medical offices, barbershop, beauty shop, drugstore, florist, delicatessen (seating/tables permitted), small grocery store, and all other uses which, in the opinion of the planning director, are similar. The planning director may refer a determination regarding similar uses to the planning commission for a decision.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Single-family dwelling, including manufactured/modular homes, transitional housing, and supportive housing. Manufactured/modular home shall comply with the additional development standards in Section 9068 of this Code.

Small and large family daycare homes.

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 Article 5.75 of this Chapter are permitted by right.

Emergency shelters, small.

A mix of any of the above allowed uses.

§9062 USES PERMITTED WITH SECURING OF A USE PERMIT

The following uses may be permitted in neighborhood commercial (C-N) districts, subject to first securing a use permit pursuant to provisions contained in section 9262 of this chapter:

Bakery.

Bed and breakfast establishment.

Bookstore.

Coffee shop.

Emergency shelters, large.

Medical care facility or hospital.

Multiple-family dwellings that do not comply with the design and development standards set forth in Article 5.75 of this Chapter.

Personal service establishment.

Places of religious worship, assembly or instruction.

Public or private schools.

Retail stores not listed in section 9061 of this article, except for large commercial retail stores, such as department stores, supermarkets, chain drugstores, and discount clothing stores.

Sit down restaurant or cafe (no drive-thru restaurants shall be permitted).

Small and large family child daycare homes.

Tailor shop.

A mix of any of the above permitted uses.

Other uses which, in the opinion of the planning director, are similar. The planning director may refer a determination regarding similar uses to the planning commission for a decision.

§9063 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in neighborhood commercial (C-N) districts:

- A. For main buildings, a maximum height of thirty-five feet (35').
- B. For accessory buildings, a maximum height of twenty feet (20').
- C. To exceed the height limit, a use permit must first be secured.

§9064 BUILDING SITE AND LOT AREA REQUIREMENTS

In neighborhood commercial (C-N) districts, the building site area shall be as follows:

- A. Commercial. For each main building a minimum of seven thousand (7,000) square feet of area, and a width of seventy feet (70').
- B. Residential and Mixed-Use. No minimum building site area.
- C. Existing lots as of the date of ordinance 1006, under seven thousand (7,000) square feet are considered legal building sites.
- D. All newly created parcels shall have a minimum of seven thousand (7,000) square feet of area.

§9065 FRONT SETBACK LINES

The provisions for front setback lines in Neighborhood Commercial (C-N) Districts shall be as follows:

- A. On interior lots, the front setback line shall be a minimum of ten feet (10') measured from the street right-of-way line fronting such lot.
- B. On corner lots, there shall be a front setback line on each street side of a corner lot. The front setback line shall be a minimum of ten feet (10') measured from the street right-of-way line adjacent to such lot.

§9066 YARD REQUIREMENTS

In Neighborhood Commercial (C-N) Districts, yards shall be required in the following widths:

- A. Front Yards For Single-Story Buildings: On both interior and corner lots the front setback line shall be a minimum of ten feet (10') measured from the street right-of-way line fronting such lot.
- B. Front Yards For Multiple-Story Buildings: On both interior and corner lots the front setback line shall be a minimum of ten feet (10') for the first story and fifteen feet (15') for the second story measured from the street right-of-way line fronting such lot.
- C. Side Yards: The minimum depth required shall be five feet (5').
- D. Rear Yards: The minimum depth required shall be ten feet (10').

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

§9067 PARKING REQUIREMENTS

The minimum parking area and number of on-site parking spaces required in the Neighborhood Commercial (C-N) Zoning District shall be as follows:

- A. Commercial Uses.
 - 1. Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable space.
 - 2. Personal Services And Personal Improvement Facilities: One parking space for each three hundred fifty (350) square feet of gross floor area.
 - 3. Restaurant: One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.
 - 4. Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined through the discretionary review process that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off-street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.
- B. Residential Uses. The minimum parking areas are required for the following residential uses:
 - 1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.
 - 2. Duplex: One and half (1.5) on-site parking spaces per unit.
 - 3. Multiple-Family Dwelling: One (1) on-site parking space per unit.
- C. Other Uses: All other uses are subject to the provisions contained in Article 17 of this Chapter.
- D. Exceptions: Relief from the parking requirements in the C-N Zoning District may be approved through the discretionary review process, provided a finding is made that there is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected.

E. Rear or Side Lots: If parking is to be provided on the rear or sides of lots, fencing and landscaping shall be required to effectively screen the development from adjoining properties.

§9067.5 LOT COVERAGE

The maximum lot coverage shall be sixty percent (60%) of the gross size of the parcel(s). Relief from the lot coverage standard can be approved through the discretionary review process, based upon the size, scope, and intensity of the development proposal.

§9068 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the Neighborhood Commercial (C-N) Districts:

A. A site development permit shall be required for development projects in the Neighborhood Commercial (C-N) Zoning District, pursuant to the requirements of subsection 9261B of this Chapter, excluding multiple-family residential projects as described in Section 9061 that comply with the design and development standards in Article 5.75 of this Chapter.

B. No fence shall be constructed over three feet (3') in height in any required front yard.

C. 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 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 state Health and Safety Code.

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

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

D. All development projects that are not multiple-family residential projects or do not comply with the design and development standards in Article 5.75 of this Chapter for multiple-family projects and that require discretionary review in the C-N Zoning District shall include a proposed landscaping plan commensurate with the size and scale of the proposed development project and surrounding area. 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. Native species are strongly encouraged.

- b. Deciduous trees shall constitute 51 percent (51%) of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

c. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

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

e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

f. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the City Engineer, based upon safety and maintenance factors.

g. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel as determined by the Planning Director. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

h. Landscaping plans shall include an automatic irrigation system and lighting plan.

i. All required landscaping for commercial development projects shall be maintained.

j. The 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.

E. All commercial land uses shall be limited in hours of operation from seven o'clock (7:00) A.M. to six o'clock (6:00) P.M., except where the Planning Commission approves alternative hours through the discretionary permit review process.

F. Existing development as of the date hereof inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the provisions of Section 9209 of this Chapter.

* * *

SECTION FIVE.

Division 9, Chapter 2, Article 7 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

* * *

§9080 PURPOSE AND INTENT

The purpose of the Community Commercial Zoning District is to provide a broad range of commercial land use opportunities along the primary transportation corridors within the City. It is intended to promote and provide flexibility for commercial development, to encourage the establishment of community-wide commercial serving land uses, and provide opportunities to integrate multiple-family housing and mixed-use projects. The Community Commercial (C-1) Zoning District is consistent with the Commercial (C) General Plan land use designation.

§9081 ALLOWED USES

The following uses are allowed in the Community Commercial (C-1) Zoning District:

Accessory uses to any of the uses allowed in this district.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in Section 9016 of this Code.

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

Condominiums.

Emergency shelters, small.

Hotels, motels, and bed and breakfast establishments.

Low barrier navigation centers.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, transitional housing, supportive housing, single-room occupancies (SROs)), and that comply with the design and development standards in Article 5.75 of this Chapter are permitted by right.

Personal improvement and personal service establishments.

Places of religious worship, assembly or instruction.

Professional offices and banks.

Public or private schools.

Restaurants.

Retail stores.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Small and large family child daycare homes.

§9082 PERMITTED USES

The following uses require approval of a use permit pursuant to the provisions contained in section 9262 of this chapter:

Auto repair shop, auto body and painting shop, car wash, auto service (gas) station, and new and used car sales.

Bar, dance hall, live entertainment establishment and nightclub.

Billiard parlor, amusement arcade, and bowling alley.

Cabinet shop.

Cannabis manufacturing – Level 1.

Cannabis microbusiness.

Cannabis nursery.

Cannabis retailer.

Cannabis testing laboratory.

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

Emergency shelters, large.

Machine shop.

Mini/convenience storage.

Outdoor sales establishments that occur for no more than thirty (30) days within a twelve (12) month period may be considered by the zoning administrator. All other applications shall be heard by the planning commission.

A. All outdoor sales establishments shall comply with the following criteria:

1. Parking: Parking shall be designated for a minimum of three (3) automobiles, located off the public right of way with no automobile maneuvering permitted in the public right of way. The use permit may require additional parking, depending on the nature of sales proposed.
2. Signage: A maximum of twenty five percent (25%) of the largest side of the vehicle or structure used in the sales operation. In addition, one sandwich board or A-frame sign pursuant to subsection 3227A5 of this code.
3. Utilities: The need for sanitary sewer, water, and electrical services shall be determined through the use permit process, and all hookups shall comply with this code.
4. Business License: Business license must be prominently displayed at all times, and the operator shall have proof of board of equalization sales permit.

Parking lot.

Single-family dwelling (i.e., single-family home, manufactured/modular home, transitional housing, and supportive housing). Manufactured/modular home shall comply with the additional development standards in Section 9087 of this Code.

Multiple-family dwellings that do not comply with the design and development standards in Article 5.75 of this Chapter.

Mobile home parks.

Social halls and lodges.

Theater.

Veterinarian.

§9083 BUILDING HEIGHT LIMITS

The maximum height of any building in a community commercial (C-1) district shall be fifty feet (50'). (Ord. 1006, §1, adopted 1998)

§9084 BUILDING SITE AREA REQUIRED

A. Commercial. For each building or group of buildings a minimum of six thousand (6,000) square feet in area and a minimum width of sixty feet (60') on interior lots; a minimum of seven thousand (7,000) square feet in area and a minimum width of seventy feet (70') on corner lots.

B. Residential and Mixed-Use. No minimum building site area.

C. Mobile Home Parks. Minimum of two (2) acres.

§9085 REQUIRED YARD SETBACKS

In community commercial (C 1) districts, yards shall be required in the following minimum widths:

A. Front yards for single story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting such lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

B. Front yards for multiple story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting such lot (generally being the edge of sidewalk). On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

C. Rear and side yards: None required except where the rear or side of a lot abuts on an R 1, R 2, or R 3 district, in which case such rear or side yard shall be that of the adjoining zone.

§9086 REQUIRED PARKING

The minimum parking area required in the community commercial (C-1) zoning districts shall be as follows:

A. Commercial Uses.

1. Retail Stores, Professional Offices, and Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.

2. Personal Services And Personal Improvement Facilities: One parking space for each three hundred fifty (350) square feet of gross leasable floor area.

3. Commercial Recreation And Public Assembly: One parking space for each four (4) person capacity.

4. Restaurant: One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.

5. Bicycle Parking: Safe bicycle parking facilities shall be provided in all commercial developments, where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.

B. Downtown Parking District: All parcels within the downtown parking district no. 1 are not subject to the C 1 zoning district parking standards. These parcels shall comply with the provisions of the downtown parking improvement program.

C. Residential Uses: The minimum parking areas are required for the following residential uses:

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.

2. Duplex: One and half (1.5) on-site parking spaces per unit.

3. Multiple-Family Dwelling: One (1) on-site parking space per unit.

D. Other Uses: All other uses are subject to the provisions contained in Article 17 of this Chapter.

E. Exceptions: Relief from the parking requirements in the C 1 zoning district may be approved through the discretionary review process, provided a finding is made that there is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected.

§9087 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the community commercial (C-1) zoning district:

A. A site development permit shall be required for development projects in the community commercial (C-1) zoning district, pursuant to the requirements of subsection 9261B of this chapter, excluding multiple-family residential projects as described in Section 9081 that comply with the design and development standards in Article 5.75 of this Chapter

B. Any balcony, window, or door shall use at least one of the following development approaches to lessen the privacy impacts onto adjacent properties. These techniques include, use of obscured glazing, landscaped/privacy buffer in the required setback with a minimum of five feet (5'), window placement above eye level, or locating balconies, windows, and doors facing toward the street and backyard. Trees and landscaping used as a landscaped/privacy buffer shall be planted and maintained by the property owner to preserve the privacy of adjacent property owners.

C. 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 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 state Health and Safety Code.
2. Utilities: All utilities to the manufactured home shall be installed pursuant to city standard practices and policies.
3. Permits: All applicable building, site development, and encroachment permits associated with development of residential property shall be secured prior to any on site construction.

D. All development projects that are not multiple-family residential projects, or that do not comply with the design and development standards in Article 5.75 of this Chapter, 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. Properties within the downtown master plan (DMP) area are exempt from the landscaping requirements.

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. Native species are strongly encouraged.

b. Deciduous trees shall constitute 51 percent (51%) of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

c. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

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

e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

f. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the city engineer, based upon safety and maintenance factors.

g. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless because of the small size of a parcel as determined by the Planning Director. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

h. Landscaping plans shall include an automatic irrigation system and lighting plan.

i. All required landscaping for commercial development projects shall be maintained in a viable condition.

j. The 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.

E. No fence shall be constructed over three feet (3') in height in any required front yard setback area.

F. Existing development as of the date of this article inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the nonconforming provisions contained in this chapter.

* * *

SECTION SIX.

Division 9, Chapter 2, Article 8 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

* * *

§9095 PURPOSE AND INTENT

The purpose of the heavy commercial zoning district is to provide opportunities for commercial service, wholesale activities, auto repair shops, agricultural supply stores, and other activities which are generally inappropriate in areas developed with professional offices and retail stores. The heavy commercial zone also encourages the integration of multiple-family housing. The heavy commercial (C-2) zoning district is consistent with the commercial (C) general plan land use designation.

§9096 ALLOWED USES

The following uses are allowed in the Heavy Commercial (C-2) Zoning District:

* * *

Family daycares, large and small

Laundry service and laundromat.

Low barrier navigation centers.

Mini/convenience storage.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, transitional housing, supportive housing, single-room occupancies (SROs)), that comply with the design and development standards in Article 5.75 of this Chapter are permitted by right.

New and used automobile sales.

Recycling facility.

Safety service.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Service (gas) station, automobile repair, automobile body and painting shop, and car washing facility.

Transportation service.

Warehousing and distribution (limited).

Wholesale store.

§9097 PERMITTED USES

The following uses require approval of a use permit pursuant to the provisions contained in section 9262 of this chapter:

* * *

Light industrial and manufacturing uses.

Mobile home parks.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, transitional housing, supportive housing, single-room occupancies (SROs)), that do not comply with the design and development standards in Article 5.75 of this Chapter.

* * *

§9098 BUILDING HEIGHT LIMITS

The maximum height of any building in a C-2 district shall be as follows:

- A. Fifty feet (50') for primary buildings.
- B. Thirty feet (30') for accessory buildings.
- C. To exceed the height limits for primary and accessory buildings, a use permit must first be secured.

§9099 YARDS REQUIRED

In C-2 districts yards shall be required in the following minimum widths:

- A. Front yards for single-story buildings: On both interior and corner lots the front setback line shall be a minimum of five feet (5') measured from the street right of way

line fronting such lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

B. Front yards for multiple-story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting each side of the lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

C. Rear and side yards: None required except where the rear or side of a lot abuts on an R-1, R-2, or R-3 district, in which case such rear or side yard shall be that of the adjoining zone.

§9100 PARKING REQUIRED

The minimum parking area required in the heavy commercial (C-2) zoning district shall be as follows:

A. Commercial Uses.

1. Wholesale Stores: One parking space for each four hundred (400) square feet of gross leasable space.

2. Automobile Sales: One space for each five hundred (500) square feet of floor area plus one space for each two thousand (2,000) square feet of outdoor display area.

3. Cabinet Shop, Machine Shop, And Sign Shop: One space for each employee on the maximum shift plus required space for office areas. Two (2) spaces are also required for customer parking, and one space for each vehicle operated from or on the site.

4. Warehouse, Mini/Convenience Storage: One parking space for each two thousand five hundred (2,500) square feet. Four (4) additional spaces are also required for customers, one parking space for each two (2) employees at maximum shift, and one space for each vehicle operated from or on the site.

5. Retail Stores, Professional Offices, and Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.

6. Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.

B. Residential Uses: The minimum parking areas are required for the following residential uses:

1. Multiple-Family Dwelling: One (1) on-site parking space per unit.

C. Other Uses: All other uses are subject to the provisions contained in article 17 of this chapter.

D. Exceptions: Relief from the parking requirements in the C-2 zoning district may be approved through the discretionary review process, provided a finding is made that there

is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected.

§9101 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the heavy commercial (C-2) zoning district:

A. A site development permit shall be required for development projects in the heavy commercial (C-2) zoning district, pursuant to the requirements of subsection 9261B of this Chapter, excluding multiple-family residential projects as described in Section 9096 that comply with the design and development standards set forth in Article 5.75 of this Chapter.

B. Any balcony, window, or door shall use at least one of the following development approaches to lessen the privacy impacts onto adjacent properties. These techniques include, use of obscured glazing, landscaped/privacy buffer in the required setback with a minimum of five feet (5'), window placement above eye level, or locating balconies, windows, and doors facing toward the street and backyard. Trees and landscaping used as a landscaped/privacy buffer shall be planted and maintained by the property owner to preserve the privacy of adjacent property owners.

C. All development projects in the C-2 zoning district that are not multiple-family residential projects or do not comply with the design and development standards set forth in Article 5.75 of this Chapter require discretionary review in the and 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. Native species are strongly encouraged.

b. Deciduous trees shall constitute 51 percent (51%) of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

c. Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

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

e. Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

f. Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the city engineer, based upon safety and maintenance factors.

g. All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel as determined by the Planning Director. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

h. Landscaping plans shall include an automatic irrigation system and lighting plan.

i. All required landscaping for commercial development projects shall be maintained in a viable condition.

j. The 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. No fence shall be constructed over three feet (3') in height in any required front yard setback area.

E. Existing development as of the date of this article inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the nonconforming provisions contained in this chapter.

* * *

SECTION SEVEN.

Division 9, Chapter 2, Article 20 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”):

§9260 PURPOSE

The purpose of this Article is to establish the development permit and rezoning/prezoning processing procedures, and to establish the process and legal procedures associated with the enforcement of the provisions of this Chapter. Additionally, this Article establishes the office of the Zoning Administrator.

§9261 DISCRETIONARY PLANNING PERMITS

The City's discretionary planning permits include use permits, site development permits, and variances.

A. Use Permits: A use permit is an entitlement that permits a certain use of land in a zoning district where the use is not allowed by right. Each zoning district contains both allowed and permitted land uses. “Allowed” land uses are allowed without a use permit, while “permitted” uses can only be established with the securing of a use permit. Use

permits are usually issued with “conditions”, and are intended to provide flexibility by permitting land uses that will not have an adverse impact on surrounding land uses or the general public. The detailed provisions for use permits are contained in Section [9262](#) of this Article.

B. Site Development Permits: Site development permits are required for the construction of new multiple-family residential (see exemption B(1) below), commercial, and industrial structures, or the substantial exterior modification of existing multiple-family residential, commercial, and industrial structures. Projects exempt from the site development permit process include interior building remodels, repair and maintenance of structures or parking areas, minor alterations on building exteriors, and minor accessory structures to established, multiple-family residential, commercial, and industrial buildings. Upon request, the Planning Director shall determine whether a project is exempt under this subsection in accordance with the following standards:

1. Multiple-family residential projects that comply with all the design and development standards in Article 5.75 of this Chapter are exempt; or
2. The project involves an addition of less than one hundred fifty (150) square feet to an existing structure, and the addition would not be highly visible from any public street; or
3. The project involves minor facade modifications that would not significantly change the architectural character or appearance of the structure.

The detailed provisions for site development permits are contained in Section [9263](#) of this Article.

* * *

SECTION EIGHT.

Section 9278 of Division 9, Chapter 2, Article 21 of the Ukiah City Code is hereby amended to read as follows (unchanged text is omitted and is shown by “* * *”) :

§9278 DEFINITIONS

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

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

* * *

EMERGENCY SHELTER. A building or group of buildings designed or adaptable for human occupation operated by a public agency, not for profit organization, or charitable organization to provide emergency or temporary shelter for homeless or displaced persons.

EMERGENCY SHELTER, SMALL. Facilities for up to 12 persons and a maximum of two permanent live in staff.

EMERGENCY SHELTER, LARGE. Facilities with 13 or more persons.

* * *

LOW BARRIER NAVIGATION CENTER. A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities. A Low Barrier Navigation Center shall provide case managers to connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

LOW BARRIER. A standard for best practices to reduce barriers to entry into shelters, and may include, but is not limited to, allowing or providing the following:

- (1) The presence of partners, provided that the shelter is not a population-specific site, such as a shelter intended to serve survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

* * *

SINGLE ROOM OCCUPANCY (SRO). Any residential structure containing more than five (5) units intended or designed to be used, rented, or hired out to be occupied for sleeping purposes, generally for one person per unit. Individual units typically share communal features, (e.g., kitchen, bathroom, or entertainment area).

* * *

SUPPORTIVE HOUSING. Housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community.

Supportive housing units are residential uses allowed in any zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

* * *

TRANSITIONAL HOUSING. Rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months from the beginning of the assistance. Transitional housing units are residential uses allowed in any residential zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

* * *

SECTION NINE.

1. Publication: Within fifteen (15) days after its adoption, this Ordinance shall be published once in a newspaper of general circulation in the City of Ukiah. In lieu of publishing the full text of the Ordinance, the City may publish a summary of the Ordinance once 5 days prior to its adoption and again within fifteen (15) days after its adoption.

3. Effective Date: The ordinance shall become effective thirty (30) days after its adoption.

Introduced by title only on _____, 2021, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Adopted on _____, 2021, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Juan V. Orozco, Mayor

ATTEST:

Kristine Lawler, City Clerk

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH APPROVING AN INITIAL STUDY/NEGATIVE DECLARATION AND GENERAL PLAN AMENDMENT NO. 21-01 TO ALLOW FOR INCREASED DENSITY AND LOT COVERAGE IN COMPLIANCE WITH THE GENERAL PLAN HOUSING ELEMENT AND STATE HOUSING LAWS.

WHEREAS:

1. State Planning Law allows any mandatory element of the General Plan to be amended as many as four times in a calendar year; and
2. A duly noticed Planning Commission hearing was held on June 23, 2021 to consider the Draft General Plan Amendment and Negative Declaration, and after receiving testimony, considering the staff report, and due deliberation, the Planning Commission formulated a recommendation to the City Council to adopt the General Plan Amendment and Negative Declaration; and
3. The City Council has reviewed the Draft General Plan Amendment and Negative Declaration and conducted a public hearing; and
4. The Initial Study and Negative Declaration adequately assesses the impacts of this General Plan Amendment

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Council hereby approves the Final Initial Study/Negative Declaration dated June 7, 2021 prepared for General Plan Amendment No. 21-01, attached hereto as Exhibit A and the Findings to Adopt a Negative Declaration for General Plan Amendment No. 21-01 pursuant to the Requirements of the California Environmental Quality Act (CEQA), attached hereto as Exhibit B.
2. The City Council hereby approves General Plan Amendment No. 21-01 (Exhibit C).

PASSED AND ADOPTED this ____ day of July, 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Juan V. Orozco, Mayor

ATTEST:

Kristine Lawler, City Clerk

SECTION 7: HOUSING PLAN

The Housing Plan identifies the City's housing goals, policies, and implementing programs. It consolidates existing strategies and policies into one Plan and presents a balanced and diverse array of policies that cover housing needs identified through this Update, input from the public, and four overall areas of concern: construction, rehabilitation, conservation, and administration. The goals and policies of the Housing Element were organized into concise goal and policy directives. A review of the 2014-2019 Housing Element accomplishments is included in Appendix G and a summary of the below 2019-2027 Goals, Policies and Implementing Programs can be found in Appendix H.

A. Goals, Policies, and Implementing Programs

Goal H-1

Conserve, rehabilitate, and improve the existing housing stock to provide adequate, safe, sustainable, and decent housing for all Ukiah residents.

Policies to Support Goal H-1

- Policy 1-1:** Encourage the rehabilitation of existing residential units.
- Policy 1-2:** Promote the use of sustainable and/or renewable materials and energy technologies (such as solar and wind) in rehabilitated housing and new housing construction; and reduce greenhouse gas emissions.
- Policy 1-3:** Preserve at-risk housing units.
- Policy 1-4:** Promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing quality.
- Policy 1-5:** Continue to implement effective crime prevention activities.

Implementing Programs

- 1a: Implement a residential rehabilitation program.** Emphasize rehabilitation of mobile homes, detached single-family dwelling units, and lower-income multifamily housing projects. Prioritize funding for health and safety repairs, energy efficiency improvements, and ADA accommodations. Assist in completing the rehabilitation of at least 25 lower income housing units in the planning period.

Responsibility: Community Development Department, Housing Services Division

Funding: CDBG, HOME, and/or other local, state or federal sources

Schedule: Ongoing, as funding is available

- 1b: Continue the City's Energy Efficiency Public Benefits Fund and renewable energy and energy efficiency rebate programs.**

Responsibility: Electric Utility Department

Funding: Energy efficiency and renewable energy rebate program funds

Schedule: Ongoing, as funding is available

1c: **Support funding or other applications that would preserve/conserv**
mobile home parks. This might include programs such as the Mobile Home Park
Rehabilitation and Resident Ownership Program.

Responsibility: Community Development Department, Housing Services Division.

Funding: N/A – application support through technical assistance.

Schedule: Ongoing, as needed.

1d: **Continue providing informational materials to the public through the Green
Building Information Center and at the public counter.** Provide updated information
regarding sustainable and green building practices and materials, and provide
information on the maintenance of residential units.

Responsibility: Community Development Department, Building Services Division

Funding: Departmental budget

Schedule: Ongoing, as new and relevant information is available.

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.

Responsibility: Community Development Department, Planning Services Division

Funding: General Funds and/or other funding if available.

Schedule: Establish development standards and design guidelines by the end of
calendar year 2020.

1f: **Develop an At-Risk Units Program.** Maintain an inventory of at-risk affordable housing
units and work with property owners and non-profit affordable housing organizations to
preserve these units by identifying and seeking funds from Federal, State, and local
agencies to preserve the units.

Responsibility: Community Development Department, Housing Services Division

Funding: Ukiah Housing Trust Fund, CDBG, HOME, and/or other funding sources
as available and as needed

Schedule: Develop At-Risk Program by the end of calendar year 2020.

- 1g: **Tenant Education and Assistance for Tenants of At-Risk Projects.** Require property owners to give notice to tenants of their intent to opt out of low-income use restrictions. Provide tenants of at-risk units with education regarding tenant rights and conversion procedures.

Responsibility: Community Development Department, Housing Services Division

Funding: Departmental budget

Schedule: Develop education program and notification procedures by June 30, 2020; implement program on an ongoing basis throughout the 2019-2027 planning period.

Goal H-2

Expand housing opportunities for all economic segments of the community, including special needs populations.

Policies to Support Goal H-2

- Policy 2-1:** Continue to allow placement of manufactured housing units on permanent foundations in residential zoning districts.
- Policy 2-2:** Encourage the development of a variety of different types of housing.
- Policy 2-3:** Ensure that adequate residentially designated land is available to accommodate the City's share of the Regional Housing Need. In order to mitigate the loss of affordable housing units, require new housing developments to replace all affordable housing units lost due to new development.
- Policy 2-4:** Pursue State and Federal funding for very low, low, and moderate income housing developments.
- Policy 2-5:** Facilitate the production of housing for all segments of the Ukiah population, including those with special needs.
- Policy 2-6:** Expand affordable housing opportunities for first time homebuyers.

Implementing Programs

- 2a: **Update the inventory of vacant and underutilized parcels.** Make copies of the inventory available on the City's website and at the public counter for distribution.

Responsibility: Community Development Department, Planning Services Division.

Funding: Departmental budget.

Schedule: Updated annually, by June 30 of each year; posted on the City's website and at the public counter.

- 2b: **Monitor the rate of conversion of primary residences to short-term rental units.** Research ordinances limiting short-term rentals and present report to City Council.

Responsibility: Community Development Department, Planning Services Division; City Council.

Funding: General Funds.

Schedule: Develop monitoring program by June 30, 2020; annually track number of short-term rentals and present information along with annual progress report to City Council each year; short-term rental ordinance research report due June 30, 2025.

2c: **Monitor the conversion of single family residential homes to commercial uses.** If conversions continue and the City's vacancy rate for homeownership is greater than three percent citywide, the City will design an ordinance that restricts the conversion of single family residences to commercial uses.

Responsibility: Community Development Department, Planning Services Division.

Funding: Departmental budget.

Schedule: Gather data and report findings to City Council by June 30, 2021.

2d: **Pursue additional funding sources to augment the Ukiah Housing Trust Fund, creating a permanent source of funding for affordable housing.** Utilize funding to develop and support affordable housing programs and projects, providing financial assistance to private developers and nonprofit agencies, principally for the benefit of extremely low-income, very low-income, and low-income households. Prepare and/or support the preparation of at least eight applications for additional funding within the 2019-2027 planning period.

Responsibility: Community Development Department, Housing Services Division.

Funding: Low and Moderate Income Housing Asset Fund; other local, State, and Federal funding sources as they become available.

Schedule: Ongoing.

2e: **Continually engage with a variety of housing developers who specialize in providing housing to each economic segment of the community.** This effort is designed to build long-term development partnerships and gain insight into specialized funding sources, particularly in identifying the range of local resources and assistance needed to facilitate the development of housing for extremely low-income (ELI) households and households with special needs, including persons with disabilities and persons with developmental disabilities. This policy is also designed to encourage the production of a variety of housing types, including multi-family supportive, single room occupancy, shared housing, and housing for the "missing middle."

Responsibility: Community Development Department, Housing Services Division; City Manager's Office- Economic Development Section

Funding: Departmental budget.

Schedule: Ongoing community and stakeholder outreach, occurring at least on a quarterly basis and continuing throughout the 2019-2027 planning period.

2f. **Amend the zoning code as follows:**

- **Emergency Shelters.** The City will amend the Zoning Code to redefine homeless facilities as emergency shelters, according to State Government Code.
- **Transitional/Supportive Housing.** Pursuant to SB 2, the City must explicitly allow both supportive and transitional housing in all zones that allow residential uses and supportive and transitional housing is to be only subject to those restrictions applicable to other residential dwellings of the same type in the same zone (note: this is not limited to residential zones). The City will amend the Zoning Code to specifically define transitional/supportive housing as defined in Government Code.
- **Single-Room Occupancy Housing.** The City will amend the Zoning Code to allow Single-Room Occupancy (SRO) units in the medium density residential (R-2) and high density residential (R-3) zoning districts for the purpose of increasing the number of units affordable to extremely low, very low, and low-income persons.
- **Manufactured/Factory-Built Homes.** The City will amend the Zoning Code to define and allow manufactured and factory-built homes in the same manner and use as all other types of residential dwellings in all zoning districts.

Responsibility: Community Development Department, Housing Services Division

Funding: Departmental budget

Schedule: Complete draft Zoning Code amendments by December 30, 2020; secure adoption by June 30, 2021.

2g: **Facilitate the consolidation of smaller, multi-family parcels by providing technical assistance to property owners and developers in support of lot consolidation.** Research and present a report on possible lot consolidation incentives to the Planning Commission and City Council.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Present report to Planning Commission and City Council, with recommendations, by June 30, 2026.

2h: **Ensure capacity of adequate sites for meeting RHNA.** The City of Ukiah has been assigned a Regional Housing Needs Allocation (RHNA) of 239 units for the 2019-2027 Housing Element. To accomplish this mandate by the State, the City will:

- **Update C1 and C2 Zones to allow by-right housing development, with objective design and development standards.** Units allowed by-right will include multifamily, SROs, duplexes, triplexes, and fourplexes.

- **Update the R-2 Zone to allow up to 15 dwelling units per acre instead of 14 dwelling units per acre.**
- **Update the C-N Zone to increase residential density and allow similar housing types as those allowed in R-2.**
- **By-right housing program for select parcels.** Specific to APNs 00304077, 00304078, and 00304079, rezone these parcels at the default density of 15 du/ac. Also rezone these parcels to allow residential use by-right for developments with at least 20% of the units affordable to lower income households.

Responsibility: Community Development Department, Planning Services Division; Planning Commission; City Council

Funding: Departmental budget

Schedule: Develop objective design and development standards per schedule associated with Implementing Program 1e; pursue amendments to the Zoning Code as outlined above by June 30, 2021.

2i: **Monitor residential capacity (no net loss).** Proactively monitor the consumption of residential acreage to ensure an adequate inventory is maintained for the City's RHNA obligations. Implement a project evaluation procedure pursuant to Government Code 65863. Should residential capacity fall below the remaining need for lower income housing, the City will identify and if necessary rezone sufficient sites to accommodate the shortfall and ensure "no net loss" in capacity to accommodate the RHNA.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Ongoing, with annual reports to HCD and the City Council; develop and implement a project evaluation procedure pursuant to Government Code 65863, by June 30, 2021.

2j: **First Time Homebuyer Assistance.** The City of Ukiah offers assistance to eligible first-time homebuyers to purchase new or existing single-family or condominium units in the City. The program utilizes a combination of HOME, CalHome, CDBG, and/or other resources as they become available- through the Ukiah Housing Trust Fund. Restrictions apply and funds are available on a first-come, first-served basis.

Responsibility: Community Development Department, Housing Services Division

Funding: CDBG, HOME, Low and Moderate Income Housing Assets Funds, CalHome, and/or other funding sources as available

Schedule: Ongoing

2k: **Collaborate with local service providers on addressing homelessness.** Continue participation in the Mendocino County Continuum of Care.

Responsibility: City Manager's Office

Funding: N/A

Schedule: Ongoing

2l: **Review existing City processes for compliance with AB 2162.** Revise zoning codes/processes to allow supportive housing by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Complete review of existing City processes by June 30, 2020; revise zoning codes/processes by December 31, 2020

2m: **Housing Units Replacement Program.** The City will require replacement housing units subject to the requirements of Government Code, section 65915, subdivision (c)(3) on sites identified in the site inventory when any new development (residential, mixed-use or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to 1) non-vacant sites; and 2) vacant sites with previous residential uses that have been vacated or demolished.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: The replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.

2n: **Homeless Shelter Overlay District Evaluation.** Evaluate the Homeless Shelter Overlay District to determine suitability for accommodating the identified number of homeless persons. At the minimum, this evaluation will include an analysis of environmental conditions, physical features, location, and capacity of the zone to accommodate the identified number of homeless persons. Depending on the results of this evaluation, the City will consider options including possible amendment of the District to maintain compliance with SB 2.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Complete evaluation of overlay district on a bi-annual basis, with the first report due to Planning Commission by June 30, 2020. Depending on results of evaluation(s), make recommendations to Planning Commission and/or City Council for options including possible amendment of the District within 6 months of the date the report is due.

Goal H-3	Remove governmental constraints to infill housing development.
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Policies to Support Goal H-3

Policy 3-1: Improve building and planning permit processing for residential construction.

Policy 3-2: Encourage the use of density bonuses and provide other regulatory concessions to facilitate housing development.

Policy 3-3: Encourage the development of mixed residential and commercial uses in the commercial zoning districts where the viability of the commercial activities would not be adversely affected.

Implementing Programs

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.**
- **Upzoning R-1 (Single-family Residential) and R-1-H (Single-family Residential-Hillside Combining) zoning districts to allow by-right and/or permit other residential building types and densities.**

Responsibility: Community Development Department, Planning Services Division; Planning Commission; City Council

Funding: Departmental budget

Schedule: Complete draft Zoning Code amendments by December 30, 2021; secure adoption by June 30, 2022

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.

Responsibility: Community Development Department, Planning Services Division; Planning Commission; City Council

Funding: Departmental budget and other funding sources as available

Schedule: Complete draft policy by June 30, 2020

3c: **Explore other policies and regulations that facilitate new infill housing development.** Produce report with recommendations and present to Planning Commission and City Council. Possible areas of research include, but are not limited to, the following:

- Temporary housing options.
- Low Impact Development offsite mitigation.
- Community benefit zoning.

Responsibility: Community Development Department, Planning Services Division; Planning Commission; City Council

Funding: Departmental budget

Schedule: Complete draft report by June 30, 2026

3d: **Facilitate improvements to permit processing to streamline housing development.**

- Continue to work on improving processing procedures and by June 30, 2021 develop a brochure to guide developers through City processes.
- Continue to offer a pre-application conference with project applicants to identify issues and concerns prior to application submittal.

Responsibility: Community Development Department, Planning Services Division, Building Services Division

Funding: Departmental budget

Schedule: Pre-application conferences ongoing; City processing procedures brochure developed by June 30, 2021

3e: **Continue to apply the CEQA infill exemption to streamline environmental review.**

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Ongoing

3f: **Review Site Development Permit and Use Permit Processes.** Produce report for City Council analyzing processes and making recommendations for how to revise processes and/or Ukiah City Code such that project approval process is accelerated.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Report due to City Council by December 31, 2020; process and/or code improvements to be implemented immediately thereafter.

Goal H-4

Promote well-planned and designed housing opportunities and projects for all persons, regardless of race, gender, age, sexual orientation, marital status, or national origin.

Policies to Support Goal H-4

Policy 4-1: Promote fair housing practices in the sale or rental of housing with regard to race, color, national origin, ancestry, religion, disability/medical conditions, sex, age, marital status, familial status, source of income, sexual orientation/gender identify, or any other arbitrary factors.

Policy 4-2: Promote and facilitate community awareness of the City of Ukiah's goals, tools, available resources and programs for lower income households.

Implementing Programs

4a: Continue to collaborate with the Ukiah Police Department and property owners and managers to keep housing safe. Support the Crime Prevention through Environmental Design standards through continued referral of residential new construction projects to the Ukiah Police Department.

Responsibility: Community Development Department, Planning Services Division, Building Services Division; and Ukiah Police Department

Funding: General Funds

Schedule: Ongoing

4b: Continue to refer housing discrimination complaints to Legal Services of Northern California, State Fair Employment and Housing Commission, and the U.S. Department of Housing and Urban Development (HUD).

Responsibility: Community Development Department, Housing Services Division

Funding: Departmental budget

Schedule: Ongoing

4c: Develop project referral procedural for referral of all proposed General Plan amendments to the appropriate military office for review and comment. Revise the planning permit application form to include this step of referral.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget

Schedule: Develop referral procedure and revise planning permit application form by December 31, 2019; implement on January 1, 2020.

Policies to Support Goal H-5

- Policy 5-1:** Pursue annexation efforts that lead to an orderly expansion of growth, where services are adequate for future residential development.
- Policy 5-2:** Continue to encourage and facilitate public participation in the formulation and review of the City's housing and development policies.
- Policy 5-3:** Assume a leadership role in the development of all types of housing in the community.

Implementing Programs

- 5a: **Maintain a housing resources webpage.** Included on the webpage are resources such as funding sources and programs, affordable housing developers, and a list of publicly assisted housing providers.

Responsibility: Community Development Department, Housing Services Division

Funding: Departmental budget

Schedule: Updated regularly, as new and relevant information is available.

- 5b: **Complete the update of the 2020 Sphere of Influence, Municipal Service Review, and Ukiah 2040 General Plan.** Include an annexation policy.

Responsibility: Community Development Department, Planning Services Division

Funding: Departmental budget, other funding as available

Schedule: 2020- Sphere of Influence and Municipal Service Review; 2021- Ukiah 2040 General Plan.

- 5c: **Work collaboratively with stakeholder jurisdictions for opportunities to lessen or remove development constraints, and update the housing plan accordingly.**

Responsibility: Community Development Department, in conjunction with stakeholder jurisdictions.

Funding: Departmental budget, other funding as available

Schedule: Ongoing, at least on an annual basis.

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

SECTION:

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

§9015 PURPOSE AND INTENT

The purpose of the regulations in the ~~single-family~~low density residential (R-1) district is to preserve, enhance, and protect the low density residential neighborhoods in the community. The R-1 zone 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 thousand (6,000) to ten thousand (10,000) square feet in size. This zone is consistent with the LDR (low density residential) land use designation of the city general plan.

§9016 ALLOWED USES

The following uses are allowed in ~~single-family~~low density residential (R-1) districts:

Accessory buildings.

Accessory dwelling units (ADU) or junior accessory dwelling units (JADU) on lots developed with a primary single-family or multifamily residence or for which a primary residence is proposed subject to the following standards/criteria:

- A. The requirements of this subsection are applicable to all existing ADUs and JADUs as well as those proposed after the effective date hereof, except for legal nonconforming units, or as is otherwise specifically provided herein. Existing ADUs or JADUs as of the date hereof inconsistent with the provisions listed herein shall be considered legal nonconforming; provided, that they were legal at the time of their creation.
- B. Pursuant to California Government Code 65852.2(a)(1)(C) and 65852.22(d) and (e), ADUs and JADUs shall be deemed not to exceed the allowable density for the residential lot upon which an ADU or JADU is located, and ADUs and JADUs are deemed a residential use that is consistent with the existing general plan and zoning designation for the residential lot on which an ADU or JADU is located.
- C. These regulations do not allow the division of property upon which an accessory dwelling unit is located unless all requirements of the applicable zoning district and any other requirements of this code are met.
- D. The accessory dwelling unit or JADU may be used for rental purposes. The minimum term of a lease for an accessory dwelling unit or JADU shall be thirty (30) days.
- E. The ADU or JADU may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.
- F. For development of an ADU or JADU, the applicant shall record a deed restriction, which shall run with the land. A copy showing recordation with the Mendocino County Recorder shall be filed with the City, and shall include both of the following:
 - 1. A prohibition on the sale of the ADU or JADU separate from the sale of the primary residence, including a statement that the deed restriction may be enforced against future purchasers.
 - 2. For a JADU only, a restriction on the size and attributes of the JADU that conforms with this section.
- G. Accessory dwelling units may be attached to existing single-family or ~~multiple-multi~~family residences or detached as separate structures. Accessory dwelling units shall incorporate the same or substantially similar

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architectural features, height, building materials and colors as the main dwelling unit or compatible dwellings located on adjacent properties. Architecture not similar to the architecture of the principal dwelling or buildings on adjacent properties shall be subject to the use permit process.

H. Junior accessory dwelling units are installed within a legally established bedroom within the existing walls of a fully permitted single-family dwelling or proposed single-family dwelling. In the case of a legal, nonconforming single-family dwelling unit, the applicant must demonstrate adequate septic capacity for the bedroom count, if the dwelling uses a septic system, and utilize an existing, fully permitted bathroom. A separate entrance to the junior accessory dwelling unit shall be provided. A junior accessory dwelling unit may include a full bathroom, or the occupant(s) may use a full bathroom inside the remainder of the single-family dwelling. A junior accessory dwelling unit shall contain an efficiency kitchen, which shall include a cooking facility for preparation and sanitation of food with appliances (e.g., microwave, toaster oven, hot plate) and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU. The efficiency kitchen must be removed when the JADU use ceases.

I. The maximum size of an accessory dwelling unit shall be one thousand two hundred (1,200) square feet. The maximum size of a junior accessory dwelling unit shall not exceed five hundred (500) square feet in floor area. If the bathroom is shared with the remainder of the single-family dwelling, it shall not be included in the square footage calculation.

J. Parking:

1. Parking requirements for the ADU shall be one off-street space (independently accessible or tandem) for each bedroom or ADU, whichever is less, in addition to the two (2) independently accessible parking spaces required for the existing single-family or multifamily residence. If the primary residence was legally constructed at a time when on-site parking was not required, then only the parking space(s) for the ADU shall be required. No off-street parking space shall be required for a JADU.

2. Off-street parking shall be permitted in setback areas in compliance with the definition of "off-street parking" found in section 9278B of this code or through tandem parking.

3. Parking standards will not be imposed for an ADU in any of the following instances:

- a. The ADU is located within one-half mile of public transit.
- b. The ADU is located within an architecturally and historically significant historic district.
- c. The ADU is part of the existing primary residence or an existing accessory structure.
- d. When on-street parking permits are required but not offered to the occupant of the ADU.
- e. When there is a car share vehicle located within one block of the ADU.

4. If a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, the City shall not require that those off-street parking spaces be replaced.

K. An ADU must meet all applicable building and fire codes, and shall have electric, water and sewer or septic service with the type of meter arrangement at the property owner's option. Water, sewer, and electrical services shall be available prior to the issuance of a building permit for an ADU. No new water or sewer connection fees may be required for ADUs that are contained within the existing space of a single-family or multifamily residence or accessory structure as provided in sections 3731A and 3861B of this code, unless the ADU is constructed with a new single-family home. ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence.

L. A junior accessory dwelling unit shall not be considered a separate or new dwelling unit for purposes of applying building codes, fire codes, collection of impact fees, or the provision of water, sewer, and power, including connection fees that might otherwise be associated with the provision of those services. Junior accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

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- M. The ADU or JADU shall comply with all applicable requirements of this code.
- N. The maximum height for ADUs shall be eighteen feet (18'), except for attached ADUs, which shall have a maximum height of thirty feet (30'), pursuant to section 9018 of this code. Taller units may be approved through the use permit process.
- O. The following yard setback requirements shall apply to ADUs:
1. Front Yard: The same as the existing primary residence, but no closer than five feet (5').
 2. Side Yard Or Rear Yard, Single-Story Or Two-Story: Four feet (4').
 3. No setback shall be required for an existing living area, garage, or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an ADU or to a portion of an ADU.
- P. The proposed ADUs shall have a separate front door, which, in the event of an attached unit, shall not be located along the front of the existing single-family or multifamily residence unless it is not obviously visible from the street in front of the residence.
- Q. For a JADU, either the primary single-family residence or the JADU shall be occupied by the property owner. Owner occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization.
- R. Any balcony, window or door of an ADU shall utilize techniques to lessen the privacy impacts onto adjacent properties. These techniques may include use of obscured glazing, window placement above eye level, or locating balconies, windows and doors toward the existing on-site primary residence. In addition, trees shall be planted and maintained in a viable condition by the property owner, where appropriate, to preserve the privacy of neighboring property owners.
- This requirement will not apply to an ADU that is contained within the existing space of a single-family or multifamily residence or accessory structure.
- S. Driveways accessing ADUs shall be set back a minimum of five feet (5') from any structure on an adjoining lot that has a bedroom adjacent to the proposed driveway.
- T. The minimum width of a driveway serving an ADU shall be twelve feet (12'), unless the City Fire Marshal determines that adequate fire protection can be provided to the ADU even though the driveway has a width less than twelve feet (12').
- U. Unless otherwise indicated, relief from the above criteria and standards may be pursued through the use permit process pursuant to Chapter 2, Article 20 of this division.
- V. Applications for a building permit for an ADU or a JADU shall be considered ministerially without discretionary review or a hearing within sixty (60) days after receiving the application if there is an existing primary dwelling on the lot. If the permit application to create an ADU or a JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU shall be considered without discretionary review.
- W. Applications for a building permit within any zoning district where residential uses are allowed by right shall be approved ministerially to develop any of the following:
1. One ADU ~~or and one~~ JADU per lot with a proposed or existing single-family dwelling if all of the following apply:
 - a. The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than one hundred fifty (150) square feet beyond the same physical dimensions as the existing accessory structure. An

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expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

- b. The space has exterior access from the proposed or existing single-family dwelling.
- c. The side and rear setbacks are sufficient for fire and safety.
- d. The JADU complies with the requirements of this section.

2. One detached, new construction, ADU that does not exceed four foot (4') side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described in subsection W1 of this section.

3. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. The number of ADUs permitted within an existing multifamily dwelling structure shall be capped at twenty-five percent (25%) of the existing units in the multifamily dwelling, or one ADU, whichever is greater.

4. Not more than two (2) ADUs that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to four foot (4') rear and side yard setbacks.

X. For the development of ADUs and JADUs described in subsection W of this section, no additional parking or other development standards as set forth in subsections I, J, N through P, and R through U of this section shall be applied except for building code requirements.

Y. The City shall not require, as a condition for ministerial approval of a permit application for the creation of an ADU or JADU, the correction of nonconforming zoning conditions. For purposes of this section, "nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

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.

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 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).

~~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.~~

**Ukiah City Code Division 9, Chapter 2, Article 3:
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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 Article 5.75 of this Chapter are permitted by right.

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

Small family child daycare home, which provides care for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home. (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)Small and large family daycare homes.

§9017 PERMITTED USES

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

Accredited public or private schools.

Bed and breakfast establishments.

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

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

Condominiums.

Large family child daycare home for a minimum of seven (7) to fourteen (14) children inclusive, including children under the age of ten (10) years who reside at the home.

Multiple-family dwellings in the form of duplexes, transitional housing, and supportive housing that do not comply with the design and development standards set forth in Article 5.75 of this Chapter).

Outdoor sales establishments.

Parks, community gardens, and playgrounds.

Public buildings and places of temporary public assembly.

§9018 BUILDING HEIGHT LIMITS

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

A. For single-family dwellings, two-family-dwellings, and attached accessory dwelling units, a maximum height of thirty feet (30').

B. For accessory buildings a maximum height of twenty feet (20') or the maximum height of the main building whichever is less.

C. The height limits for both dwelling units and accessory structures may 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 thousand (6,000) net square feet, and the required lot width is sixty feet (60').

B. Corner Lots: The required site area for corner lots in the R-1 zoning district is seven thousand (7,000) net square feet, and the required lot width is seventy feet (70').

**Ukiah City Code Division 9, Chapter 2, Article 3:
Markup Version**

- 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 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 ensure open spaces, and a low density appearance to single-family residential neighborhoods. In single-family residential (R-1) districts, yards shall be required in the following minimum widths, as measured from the street right of way:

- A. Front: ~~Twenty-Fifteen~~ feet (1520') for residences and accessory structures, and ~~thirty-twenty-five~~ feet (25'30') for garages and accessory structures.
- B. Sides: Ten feet (10') for residences and five feet (5') for accessory structures.
- C. Rear: ~~Twenty-Fifteen~~ feet (1520') for residences, and five feet (5') for accessory structures.
- D. Corner Lots: On corner lots, there shall be a front setback line of ~~twenty-fifteen~~ feet (1520') 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.
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.

**Ukiah City Code Division 9, Chapter 2, Article 3:
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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.

§9021 REQUIRED PARKING

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

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.

2. Duplex: One and half (1.5) on-site parking spaces per unit.

3. Accessory Dwelling Unit: Accessory dwelling units (ADUs) require one additional on-site independently accessible parking space per ADU or per bedroom, whichever is less, except as provided in section 9016 of this code.

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

~~two (2) on-site independently accessible spaces for each dwelling unit. Accessory dwelling units (ADUs) require one additional on-site independently accessible parking space per ADU or per bedroom, whichever is less, except as provided in section 9016 of this code. 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.

§9022 ADDITIONAL REQUIREMENTS

A. Manufactured homes certified under the national manufactured home 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 state 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 eCity 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.

§90232 DETERMINATION OF APPROPRIATE USE

A. Whenever a use is not listed in this ~~article~~ **Article** as a use permitted by right or a use subject to a use permit in the R-1 zoning district, the 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 planning director shall find as follows:

1. The use would not be incompatible with other existing or allowed uses in the R-1 zoning district;

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

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

SECTION:

- | §9030 Purpose ~~and~~ Intent
- | §9031 Allowed Uses
- | §9032 Permitted Uses
- | §9033 Building Height Limits
- | §9034 Required Site Area
- | §9035 Required Yard Setbacks
- | §9036 Required Parking
- | §9037 Additional Requirements
- | §9038 Determination ~~Of~~ 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, multiple-family residential development, and duplexes. The maximum density is one to ~~fourteen-fifteen~~ (14)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:

Accessory buildings and accessory uses.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Community care facility (maximum clients – 6).

Home occupations (as defined in section 9301 of this chapter).

~~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.~~

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Single-family dwellings, including manufactured/modular homes, transitional housing, and supportive housing). Manufactured/modular home shall comply with the additional development standards in set forth in Section 9037 of this Code; duplexes, condominiums, apartment houses, and rooming or boarding houses.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartments 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 Article 5.75 of this Chapter are permitted by right.

~~Small family child daycare home (maximum clients – 6). (Ord. 1001, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1205, §6, adopted 2020)~~Small and large family child daycare homes.

**Ukiah City Code Division 9, Chapter 2, Article 4:
Markup Version**

§9032 PERMITTED USES

The following uses may be permitted in medium density residential (R-2) zoning districts subject to first securing a use permit:

Accredited public or private schools.

Bed and breakfast establishments.

Churches, chapels, and other places of religious assembly.

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

Dwelling groups.

~~Large family child daycare home for a minimum of seven (7) to fourteen (14) children inclusive, including children under the age of ten (10) years who reside at the home.~~

~~Multiple-family dwellings that do not comply with the design and development standards set forth in Article 5.75 of this Chapter.~~

Outdoor sales establishment.

Parks, community gardens, and playgrounds.

Professional office converted from a single-family residence.

Rest homes, convalescent services, and other residential medical facilities.

Single-family dwelling on a three thousand (3,000) square foot lot (1 side 0 lot line and 1 side 5 foot setback provided that "0" lot lines are contiguous).

Social halls, lodges, public buildings, and places of temporary public assembly.

Temporary uses meeting the purpose and intent of the R-2 zoning district. The temporary use shall be for a maximum period of six (6) months, and shall be subject to permit renewal/time extension at the discretion of the planning director.

§9033 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in medium density residential (R-2) districts:

- A. For main buildings a maximum height of thirty-five feet (35').
- B. For 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.

§9034 REQUIRED SITE AREA

In medium density residential (R-2) districts there is no required building site area, shall be as follows:

~~A. For each building or group of buildings a minimum of six thousand (6,000) square feet in area and a minimum width of sixty feet (60') on interior lots; a minimum of seven thousand (7,000) square feet in net area and a minimum width of seventy feet (70') on corner lots.~~

~~B. For each family unit intended to occupy any building or group of buildings on such building site area, a minimum of three thousand (3,000) square feet of net area.~~

**Ukiah City Code Division 9, Chapter 2, Article 4:
Markup Version**

~~C. — A two (2) parcel land division is allowed for a duplex structure provided both parcels meet site area requirements.~~

~~D. — In existing density cases, there is no minimum site area. (Ord. 1001, §1, adopted 1998)~~

§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: ~~Fifteen feet (15') for dwellings and accessory structures, and twenty five feet (25') for garages.~~

1. Single-family dwellings: Fifteen feet (15') for primary and accessory structures, and twenty-five feet (25') for garages.

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

B. Sides: ~~Ten feet (10'), except as provided in Section 9032 of this Article.~~

1. Single-family dwellings: Ten feet (10'), except as provided in Section 9032 of this Article.

2. Multiple-family dwellings: Five feet (5') for multiple-family dwellings except for those multiple-family projects that comply with all the design and development standards set forth in Article 5.75 of this Chapter.

C. Rear: ~~Fifteen feet (15').~~

1. Single-family dwellings: Ten feet (10').

2. Multiple-family dwellings, single-story: Ten feet (10').

3. Multiple-family dwellings, multi-story: Fifteen feet (15').

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

D. Corner Lots: On corner lots, there shall be a front setback line of ~~fifteen~~ten feet (~~15'~~10') on each street side of a corner lot.

E. Special Yards And Distances Between Buildings: Minimum widths shall be as follows:

1. The distance between any ~~buildings-structures~~ in any dwelling group shall be a minimum of ten feet (10') for single-story and multi-story structures ~~and fifteen feet (15') if one or more of the structures is taller than a single-story.~~

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

~~The minimum parking required in Medium Density Residential (R-2) Districts shall be as follows:~~

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

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.

2. Duplex: One and half (1.5) on-site parking spaces per unit.

**Ukiah City Code Division 9, Chapter 2, Article 4:
Markup Version**

3. Multiple-Family Dwelling: One (1) on-site parking space per unit.

4. Accessory Dwelling Unit: Accessory dwelling units (ADUs) require one additional on-site independently accessible parking space per ADU or per bedroom, whichever is less, except as provided in section 9016 of this code.

5. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of sSection 9198 of this eCode.

~~A. Single family dwellings: two (2) on-site independently accessible parking spaces for each dwelling unit.~~

~~B. Duplexes: two (2) on-site independently accessible parking spaces per unit.~~

~~C. Multiple family dwellings and condominiums: one on-site independently accessible parking space for one-bedroom units; two (2) on-site independently accessible parking spaces for two (2) or more bedrooms per unit.~~

~~D. All other allowed or permitted uses shall be subject to the parking requirements contained in Section 9198 of this Chapter.~~

BE. Each required off-street parking space or garage space for multiple-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth. Thirty percent (30%) of the parking stalls in a parking lot with ten (10) or more stalls shall be compact sized (8 feet in width and 16 feet in length).

CF. Each required off-street parking space or garage space for multiple-family residential uses shall open directly onto a driveway or aisle and be designed to provide safe and efficient ingress and egress for vehicles accessing such parking space. The maximum width for such driveways shall be twelve feet (12') for single-wide driveways, and twenty feet (20') for double-wide driveways and access lanes to parcels with no street frontage.

DE. All driveways on corner lots shall be located a minimum distance of twenty feet (20') from the curb return.

EH. Relief from the parking requirements in the R-2 Zoning District may be approved through the discretionary review process, provided a finding is made that a reduced number of spaces would not adversely impact the health, safety, or general welfare of the public.

§9037 ADDITIONAL REQUIREMENTS

A. A site development permit is required for development of more than a single duplex. However, multiple-family residential projects described in Section 9031 of this Code that are in compliance with the design and development standards set forth in Article 5.75 of this Chapter are exempt from this requirement.

B. 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:

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 state Health and Safety Code.

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

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

BC. All development projects that are not applicable multiple-family residential projects, or that do not comply with the design and development standards set forth in Article 5.75 of this Chapter) for multiple-family projects, and require a discretionary review in the R-2 Zoning District requiring 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.

**Ukiah City Code Division 9, Chapter 2, Article 4:
Markup Version**

1. All proposed landscaping plans shall comply with the following standards:

~~a. Landscaping shall be proportional to the building elevations.~~

~~ba.~~ Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.

~~c. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.~~

~~db.~~ Deciduous trees shall constitute the majority of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

~~ec.~~ Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

~~fd.~~ Parking lots shall have a perimeter planting strip with both trees and shrubs.

~~ge.~~ Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

~~hf.~~ Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the City Engineer, based upon safety and maintenance factors.

~~gi.~~ All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, it would be unreasonable and illogical. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

~~jh.~~ Landscaping plans shall include an automatic irrigation system and lighting plan.

~~ki.~~ All required landscaping for residential development projects shall be adequately maintained.

~~lj.~~ All healthy existing mature trees on development project sites shall be preserved and incorporated into the proposed landscaping plan, if feasible.

~~mk.~~ The 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.

§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 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 Planning Director shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the R-2 Zoning District;

B. That the use would not be detrimental to the continuing residential development of the area in which the use would be located; and

C. That the use would be in harmony and consistent with the purpose of the R-2 Zoning District.

Ukiah City Code Division 9, Chapter 2, Article 4:
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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 Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as allowed uses.

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

SECTION:

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

§9045 PURPOSE AND INTENT

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

§9046 ALLOWED USES

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

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

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

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

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

~~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 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.~~

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.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

~~Single-family dwellings, including manufactured/modular homes, transitional housing, and supportive housing)., Manufactured/modular home shall comply with the additional development standards in Section 9052 of this Code., duplexes, condominiums, apartment houses, and rooming or boarding houses.~~

~~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 Article 5.75 of this Chapter are permitted by right.~~

**Ukiah City Code Division 9, Chapter 2, Article 5:
Markup Version**

~~Small family child daycare home, which provides care for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home. (Ord. 1001, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1205, §7, adopted 2020)~~Small and large family ~~child~~ daycare homes.

§9047 PERMITTED USES

The following uses may be permitted in high density residential (R-3) districts subject to first securing a use permit:

Barbershops, beauty shops.

Churches, chapels, and other places of religious assembly.

Coin operated laundromat.

Dwelling groups.

Florist.

Hotels, motels, and bed and breakfast establishments.

Mobile home parks.

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

~~Multiple-family dwellings that do not comply with the design and development standards in Article 5.75 of this Chapter..~~

~~Nursery schools and large family child daycare homes for a minimum of seven (7) to fourteen (14) children inclusive, including children under the age of ten (10) years who reside at the home.~~

Parks, community gardens, and playgrounds.

Professional offices.

Public buildings.

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

Video rentals/sales.

§9048 BUILDING HEIGHT LIMITS

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

A. For main buildings a maximum height of ~~forty-five~~ feet (~~40'50'~~), unless abutting an R-1 or R-2 lot in which case a maximum height of thirty-five feet (~~30'35'~~).

B. For accessory buildings, a maximum height of thirty feet (30') or the maximum height of the main building whichever is less.

§9049 REQUIRED SITE AREA FOR MOBILE HOME PARKS

~~In High Density Residential (R-3) Districts the required building site area shall be as follows:~~

~~A. For each building or group of buildings a minimum of six thousand (6,000) square feet in area and a minimum width of sixty feet (60') on interior lots; a minimum of seven thousand (7,000) square feet in area and a minimum width of seventy feet (70') on corner lots.~~~~In High Density Residential (R-3) Districts there is no required building site area.~~

~~B. For each family unit intended to occupy any building or group of buildings on such building site area there shall be at least one thousand five hundred (1,500) square feet of site area.~~

~~B.C.~~ The required building site ~~f~~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 Chapter:

- A. Front: ~~Fifteen feet (15') for dwellings and accessory structures, and twenty five feet (25') for garages.~~
1. Single-family dwellings: Fifteen feet (15') for dwellings and accessory structures, and twenty-five feet (25') for garages.
 2. Multiple-family dwellings: Ten feet (10') for multiple-family dwellings and accessory structures, and twenty-five feet (25') for garages.
- B. Sides: Five feet (5'), except for those multiple-family dwelling projects that comply with all the design and development standards in Article 5.75 of this Chapter. ~~except as provided in Section 9032 of this Chapter.~~
- C. Rear: ~~Ten feet (10').~~
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 ~~fifteen-ten~~ feet (15' 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 buildings-structures in any dwelling group shall be a minimum of ten feet (10'), ~~for single-story structures and fifteen feet (15') if one or more of the structures is taller than a single-story.~~
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.

§9051 REQUIRED PARKING

~~The minimum parking required in High Density Residential (R-3) Districts shall be as follows:~~

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

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.
2. Duplex: One and half (1.5) on-site parking spaces per unit.
3. Multiple-Family Dwelling: One (1) on-site parking space per unit.
4. Accessory Dwelling Unit: Accessory dwelling units (ADUs) require one additional on-site independently accessible parking space per ADU or per bedroom, whichever is less, except as provided in section 9016 of this code.
5. Other Uses: The parking requirements for all other allowed or permitted uses shall be subject to the provisions of section 9198 of this eCode.

Ukiah City Code Division 9, Chapter 2, Article 5:
Markup Version

~~A. Single family dwellings: two (2) on-site independently accessible parking spaces for each dwelling unit.~~

~~B. Duplexes: two (2) on-site independently accessible parking spaces per unit.~~

~~C. Multiple family dwellings and condominiums: one on-site independently accessible parking space for one bedroom units; two (2) on-site independently accessible parking spaces for two (2) or more bedrooms per unit.~~

~~D. All other allowed or permitted uses shall be subject to the parking requirements contained in Section 9198 of this Chapter.~~

~~E.B.~~ Each required off-street parking space or garage space for multiple-family residential uses shall be a minimum of nine feet (9') in width and nineteen feet (19') in depth. Thirty percent (30%) of the parking stalls in a parking lot with ten (10) or more stalls shall be compact sized (8 feet in width and 16 feet in length).

~~C.F.~~ Each required off-street parking space or garage space for multiple-family residential uses shall open directly onto a driveway or aisle and be designed to provide safe and efficient ingress and egress for vehicles accessing such parking space. The maximum width for such driveways shall be twelve feet (12') for single-wide driveways, and twenty feet (20') for double-wide driveways and access lanes to parcels with no street frontage.

~~D.G.~~ All driveways on corner lots shall be located a minimum distance of twenty feet (20') from the curb return.

~~E.H.~~ Relief from the parking requirements in the R-3 Zoning District may be approved through the discretionary review process, provided a finding is made that a reduced number of spaces would not adversely impact the health, safety, and general welfare of the public.

§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 Chapter, excluding multiple-family residential projects, as described in Section 9046, that comply with the design and development standards in Article 5.75 of this Chapter.

B. 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 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 state Health and Safety Code.

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

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

~~B.C.~~ All development projects that are not multiple-family residential projects, applicable or do not comply with the design and development standards in Article 5.75 of this Chapter, and that require- discretionary review, in the R-3 Zoning District requiring 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. Landscaping shall be proportional to the building elevations.~~

~~ba.~~ Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.

~~c. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.~~

**Ukiah City Code Division 9, Chapter 2, Article 5:
Markup Version**

~~db.~~ Deciduous trees shall constitute ~~the majority~~ fifty-one percent (51%) of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

~~ec.~~ Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

~~fd.~~ Parking lots shall have a perimeter planting strip with both trees and shrubs.

~~ge.~~ Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

~~hf.~~ Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the City Engineer, based upon safety and maintenance factors.

~~gi.~~ All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, ~~it would be unreasonable and illogical as determined the Planning Director~~. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

~~hj.~~ Landscaping plans shall include an automatic irrigation system and lighting plan.

~~ik.~~ All required landscaping for commercial development projects shall be ~~adequately~~ maintained.

~~jl.~~ All healthy existing mature trees on development project sites shall be preserved and incorporated into the proposed landscaping plan, if feasible.

~~km.~~ The 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.

§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 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 Planning Director shall find as follows:

- A. That the use would not be incompatible with other existing or allowed uses in the R-3 Zoning District;
- B. That the use would not be detrimental to the continuing residential development of the area in which the use would be located; and
- C. That the use would be in harmony and consistent with the purpose of the R-3 Zoning District.
- D. In the case of determining that a use not articulated as an allowed or permitted use could be established with the securing of a use permit, the Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as allowed uses.

ARTICLE 6. REGULATIONS IN NEIGHBORHOOD COMMERCIAL (C-N) DISTRICTS

SECTION:

- §9060 Purpose And Intent
- §9061 Uses Allowed
- §9062 Uses Permitted With Securing Of A Use Permit
- §9063 Building Height Limits
- §9064 Building Site And Lot Area Requirements
- §9065 Front Setback Lines
- §9066 Yard Requirements
- §9067 Parking Requirements
- §9067.5 Lot Coverage
- §9068 Additional Requirements
- §9069 Determination Of Appropriate Use

§9060 PURPOSE AND INTENT

The purpose of the Neighborhood Commercial (C-N) Zoning District is to encourage and promote a balanced mix of low intensity professional office, commercial, [single-family and multiple-family](#) residential, and quasi-public land uses. [The maximum residential density is one to fifteen \(15\) dwelling units per gross acre of land.](#) Large and incompatible commercial retail stores, such as supermarkets, chain drugstores, convenience stores, and discount clothing stores, are not allowed or permitted. Similarly, highway-serving commercial uses, such as motels, and gas stations/automotive repair businesses are not allowed or permitted. The C-N District is intended to provide low intensity commercial services, such as medical offices, small retail stores, and personal services to the adjacent and integrated residential community. Additionally, the provisions of this Article are intended to assure that development is compatible with the surrounding community, in terms of both design and use, and does not adversely impact surrounding properties.

§9061 USES ALLOWED

The following uses are allowed in Neighborhood Commercial Zoning Districts:

Accessory uses to any of the uses allowed in this district.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Home occupations.

[Low barrier navigation centers.](#)

Professional and medical offices, barbershop, beauty shop, drugstore, florist, delicatessen (seating/tables permitted), small grocery store, and all other uses which, in the opinion of the planning director, are similar. The planning director may refer a determination regarding similar uses to the planning commission for a decision.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Single-family dwelling, [including : manufactured/modular homes, transitional housing, and supportive housing\).](#) [Manufactured/modular home shall comply with the additional development standards in **Section 9068 of this Code.**](#)

[Small and large family daycare homes.](#)

[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 Article 5.75 of this Chapter are permitted by right.](#)

[Small homeless facilities](#)[Emergency shelters, small.](#)

**Ukiah City Code Division 6, Chapter 2, Article 2:
Markup Version**

A mix of any of the above allowed uses.

§9062 USES PERMITTED WITH SECURING OF A USE PERMIT

The following uses may be permitted in neighborhood commercial (C-N) districts, subject to first securing a use permit pursuant to provisions contained in section 9262 of this chapter:

Bakery.

Bed and breakfast establishment.

Bookstore.

Coffee shop.

~~Large homeless facilities~~ Emergency shelters, large.

Medical care facility or hospital.

~~Multiple-family dwellings that do not comply with the design and development standards set forth in Article 5.75 of this Chapter.~~

Personal service establishment.

Places of religious worship, assembly or instruction.

Public or private schools.

~~Rental dwelling units, when combined in a mixed development with any allowed or permitted use(s).~~

Retail stores not listed in section 9061 of this article, except for large commercial retail stores, such as department stores, supermarkets, chain drugstores, and discount clothing stores.

Sit down restaurant or cafe (no drive-thru restaurants shall be permitted).

Small and large family child daycare homes.

Tailor shop.

A mix of any of the above permitted uses.

Other uses which, in the opinion of the planning director, are similar. The planning director may refer a determination regarding similar uses to the planning commission for a decision.

§9063 BUILDING HEIGHT LIMITS

The following shall be the maximum limits for height of buildings in neighborhood commercial (C-N) districts:

- A. For main buildings, a maximum height of thirty ~~five~~ feet (3~~5~~0').
- B. For accessory buildings, a maximum height of twenty feet (20').
- C. To exceed the height limit, a use permit must first be secured.

§9064 BUILDING SITE AND LOT AREA REQUIREMENTS

In neighborhood commercial (C-N) districts, the building site area shall be as follows:

- A. Commercial. For each main building a minimum of seven thousand (7,000) square feet of area, and a width of seventy feet (70').
- B. Residential and Mixed-Use. No minimum building site area.

**Ukiah City Code Division 6, Chapter 2, Article 2:
Markup Version**

BC. Existing lots as of the date of ordinance 1006, under seven thousand (7,000) square feet are considered legal building sites.

ED. All newly created parcels shall have a minimum of seven thousand (7,000) square feet of area.

§9065 FRONT SETBACK LINES

The provisions for front setback lines in Neighborhood Commercial (C-N) Districts shall be as follows:

A. On interior lots, the front setback line shall be a minimum of ten feet (10') measured from the street right-of-way line fronting such lot, ~~except in cases where fifty percent (50%) of one side of the block is already built out, the average (median) setback shall apply.~~

B. On corner lots, there shall be a front setback line on each street side of a corner lot. The front setback line shall be a minimum of ten feet (10') measured from the street right-of-way line adjacent to such lot.

§9066 YARD REQUIREMENTS

In Neighborhood Commercial (C-N) Districts, yards shall be required in the following widths:

A. Front Yards For Single-Story Buildings: On both interior and corner lots the front setback line shall be a minimum of ten feet (10') measured from the street right-of-way line fronting such lot, ~~except in cases where fifty percent (50%) of one side of the block is already built out, the average (median) setback shall apply.~~

B. Front Yards For Multiple-Story Buildings: On both interior and corner lots the front setback line shall be a minimum of ten feet (10') for the first story and fifteen feet (15') for the second story measured from the street right-of-way line fronting such lot, ~~except in cases where fifty percent (50%) of one side of the block is already built out, the average (median) setback shall apply.~~

C. Side Yards: The minimum depth required shall be five feet (5') ~~for single story structures, and ten feet (10') for two (2) story structures, except in cases where fifty percent (50%) of one side of the block is already built out, the average (median) setback shall apply.~~

D. Rear Yards: The minimum depth required shall be ten feet (10'), ~~except in cases where fifty percent (50%) of one side of the block is already built out, the average (median) setback shall apply. (Ord. 1006, §1, adopted 1998).~~

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

§9067 PARKING REQUIREMENTS

The minimum parking area and number of on-site parking spaces required in the Neighborhood Commercial (C-N) Zoning District shall be as follows:

A. Commercial Uses.

1. Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable space.

2. Personal Services And Personal Improvement Facilities: One parking space for each three hundred fifty (350) square feet of gross floor area.

3. Restaurant: One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.

4. Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined through the discretionary review process that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off-street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.

**Ukiah City Code Division 6, Chapter 2, Article 2:
Markup Version**

~~A. — Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable space.~~

~~B. — Personal Services And Personal Improvement Facilities: One parking space for each three hundred fifty (350) square feet of gross floor area.~~

~~C. — Restaurant: One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.~~

~~D. — Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined through the discretionary review process that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off-street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.~~

B. Residential Uses. The minimum parking areas are required for the following residential uses:

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.

2. Duplex: One and half (1.5) on-site parking spaces per unit.

3. Multiple-Family Dwelling: One (1) on-site parking space per unit.

4. Accessory Dwelling Unit: Accessory dwelling units (ADUs) require one additional on-site independently accessible parking space per ADU or per bedroom, whichever is less, except as provided in section 9016 of this code.

~~EC.~~ Other Uses: All other uses are subject to the provisions contained in Article 17 of this Chapter.

~~FD.~~ Exceptions: Relief from the parking requirements in the C-N Zoning District may be approved through the discretionary review process, provided a finding is made that there is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected.

~~GE.~~ Rear Or Side Lots: If parking is to be provided on the rear or sides of lots, fencing and landscaping shall be required to effectively screen the development from adjoining properties.

§9067.5 LOT COVERAGE

The maximum lot coverage shall be ~~forty-sixty~~ percent (~~4060~~%) of the gross size of the parcel(s). Relief from the lot coverage standard can be approved through the discretionary review process, based upon the size, scope, and intensity of the development proposal.

§9068 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the Neighborhood Commercial (C-N) Districts:

A. A site development permit shall be required for development projects in the Neighborhood Commercial (C-N) Zoning District, pursuant to the requirements of subsection 9261B of this Chapter, excluding multiple-family residential projects as described in Section 9061 that comply with the design and development standards in Article 5.75 of this Chapter.

~~B. — Second-story development shall be designed to preserve the privacy of adjoining property owners.~~

~~EB.~~ No fence shall be constructed over three feet (3') in height in any required front yard.

C. 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 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 state Health and Safety Code.

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

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

D. All development projects that are not multiple-family residential projects or do not comply with the design and development standards in Article 5.75 of this Chapter for multiple-family projects and that require discretionary review in the in the C-N Zoning District ~~requiring discretionary review~~ shall include a proposed landscaping plan commensurate with the size and scale of the proposed development project and surrounding area. 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. Landscaping shall be proportional to the building elevations.~~

~~ab.~~ Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.

~~c. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.~~

~~bd.~~ Deciduous trees shall constitute 51 percent (51%) ~~the majority~~ of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

~~ce.~~ Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

~~df.~~ Parking lots shall have a perimeter planting strip with both trees and shrubs.

~~eg.~~ Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

~~fh.~~ Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the City Engineer, based upon safety and maintenance factors.

~~gi.~~ All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, ~~it would be unreasonable and illogical as determined by the Planning Director~~. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

~~hj.~~ Landscaping plans shall include an automatic irrigation system and lighting plan.

~~ik.~~ All required landscaping for commercial development projects shall be ~~adequately maintained in a viable condition~~.

~~jl.~~ The 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.

**Ukiah City Code Division 6, Chapter 2, Article 2:
Markup Version**

E. All commercial land uses shall be limited in hours of operation from seven o'clock (7:00) A.M. to six o'clock (6:00) P.M., except where the Planning Commission approves alternative hours through the discretionary permit review process.

F. Existing development as of the date hereof inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the provisions of Section 9209 of this Chapter.

§9069 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 C-N Zoning District, the 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 Planning Director shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the C-N Zoning District.

B. That the use would not be detrimental to the continuing development of the area in which the use would be located.

C. 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 Planning Director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses. All determinations of the Planning Director regarding whether a use can be allowed or permitted in the Neighborhood Commercial (C-N) Zoning District shall be final unless a written appeal to the City Council, stating the reasons for the appeal, and the appeal fee, if any, established from time to time by City Council resolution, is filed with the City Clerk within ten (10) days of the date the decision was made. Appeals may be filed by an applicant or any interested party. The City Council shall conduct a duly noticed public hearing on the appeal in accordance to the applicable procedures as set forth in this Chapter. At the close of the public hearing, the City Council may affirm, reverse, revise or modify the appealed decision of the Planning Director. All City Council decisions on appeals of the Planning Director's actions are final for the City.

ARTICLE 7. REGULATIONS IN COMMUNITY COMMERCIAL (C-1) DISTRICTS

SECTION:

- §9080 Purpose And Intent
- §9081 Allowed Uses
- §9082 Permitted Uses
- §9083 Building Height Limits
- §9084 Building Site Area Required
- §9085 Required Yard Setbacks
- §9086 Required Parking
- §9087 Additional Requirements
- §9088 Determination Of Appropriate Use

§9080 PURPOSE AND INTENT

The purpose of the Community Commercial Zoning District is to provide a broad range of commercial land use opportunities along the primary transportation corridors within the City. It is intended to promote, and provide flexibility for commercial development, and to encourage the establishment of community-wide commercial serving land uses, and provide opportunities to integrate multiple-family housing and mixed-use projects. The Community Commercial (C-1) Zoning District is consistent with the Commercial (C) General Plan land use designation.

§9081 ALLOWED USES

The following uses are allowed in the Community Commercial (C-1) Zoning District:

Accessory uses to any of the uses allowed in this district.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in ~~section~~ Section 9016 of this ~~code~~ Code.

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

Condominiums.

Hotels, motels, and bed and breakfast establishments.

Low barrier navigation centers.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, transitional housing, supportive housing, single-room occupancies (SROs)), and that comply with the design and development standards in Article 5.75 of this Chapter are permitted by right.

Personal improvement and personal service establishments.

Places of religious worship, assembly or instruction.

Professional offices and banks.

Public or private schools.

Restaurants.

Retail stores.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Small family child daycare home, which provides care for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home. Small and large family child daycare homes.

**Ukiah City Code Division 9, Chapter 2, Article 7:
Markup Version**

~~Small homeless facilities, pursuant to section 9171 of this chapter. (Ord. 1006, §1, adopted 1998; Ord. 1047, §1, adopted 2003; Ord. 1205, §9, adopted 2020)~~Emergency shelters, small.

§9082 PERMITTED USES

The following uses require approval of a use permit pursuant to the provisions contained in section 9262 of this chapter:

Auto repair shop, auto body and painting shop, car wash, auto service (gas) station, and new and used car sales.

Bar, dance hall, live entertainment establishment and nightclub.

Billiard parlor, amusement arcade, and bowling alley.

Cabinet shop.

Cannabis manufacturing – Level 1.

Cannabis microbusiness.

Cannabis nursery.

Cannabis retailer.

Cannabis testing laboratory.

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

~~Large family child daycare home for a minimum of seven (7) to fourteen (14) children inclusive, including children under the age of ten (10) years who reside at the home.~~

~~Large homeless facility, pursuant to section 9171 of this chapter.~~Emergency shelters, large.

Machine shop.

Mini/convenience storage.

~~Mixed residential and commercial land uses on one parcel provided they are found to be compatible.~~

Outdoor sales establishments that occur for no more than thirty (30) days within a twelve (12) month period may be considered by the zoning administrator. All other applications shall be heard by the planning commission.

A. All outdoor sales establishments shall comply with the following criteria:

1. Parking: Parking shall be designated for a minimum of three (3) automobiles, located off the public right of way with no automobile maneuvering permitted in the public right of way. The use permit may require additional parking, depending on the nature of sales proposed.
2. Signage: A maximum of twenty five percent (25%) of the largest side of the vehicle or structure used in the sales operation. In addition, one sandwich board or A-frame sign pursuant to subsection 3227A5 of this code.
3. Utilities: The need for sanitary sewer, water, and electrical services shall be determined through the use permit process, and all hookups shall comply with this code.
4. Business License: Business license must be prominently displayed at all times, and the operator shall have proof of board of equalization sales permit.

Parking lot.

**Ukiah City Code Division 9, Chapter 2, Article 7:
Markup Version**

Single-family dwelling; (i.e., single-family home, manufactured/modular home, transitional housing, and supportive housing). Manufactured/modular home shall comply with the additional development standards in Section 9087 of this Code. ~~duplex, multiple family residential units, and mobile home park.~~

Multiple-family dwellings that do not comply with the design and development standards in Article 5.75 of this Chapter.

Mobile home parks.

Social halls and lodges.

Theater.

Veterinarian.

§9083 BUILDING HEIGHT LIMITS

The maximum height of any building in a community commercial (C-1) district shall be fifty feet (50').

§9084 BUILDING SITE AREA REQUIRED

~~No minimum building site area except for residential development which shall be as follows:~~

A. Commercial. For each building or group of buildings a minimum of six thousand (6,000) square feet in area and a minimum width of sixty feet (60') on interior lots; a minimum of seven thousand (7,000) square feet in area and a minimum width of seventy feet (70') on corner lots.

B. Residential and Mixed-Use. No minimum building site area.

C. Mobile Home Parks. Minimum of two (2) acres.

~~A. For each building or group of buildings a minimum of six thousand (6,000) square feet in area and a minimum width of sixty feet (60') on interior lots; a minimum of seven thousand (7,000) square feet in area and a minimum width of seventy feet (70') on corner lots.~~

~~B. For each family unit intended to occupy any building or group of buildings a minimum of one thousand five hundred (1,500) square feet of site area. The total number of residential units allowed in mixed use projects may be based on an average of one unit per one thousand five hundred (1,500) square feet over the entire project site including the portion devoted to commercial uses.~~

~~C. For each mobile home park a minimum of two (2) acres. (Ord. 1006, §1, adopted 1998; Ord. 1110, §1, adopted 2008)~~

§9085 REQUIRED YARD SETBACKS

In community commercial (C 1) districts, yards shall be required in the following minimum widths:

A. Front yards for single story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting such lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

B. Front yards for multiple story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting such lot (generally being the edge of sidewalk). On corner lots, a ten foot (10') vision triangle may be required for traffic safety.

C. Rear and side yards: None required except where the rear or side of a lot abuts on an R 1, R 2, or R 3 district, in which case such rear or side yard shall be that of the adjoining zone.

§9086 REQUIRED PARKING

The minimum parking area required in the community commercial (C-1) zoning districts shall be as follows:

**Ukiah City Code Division 9, Chapter 2, Article 7:
Markup Version**

A. Commercial Uses.

1. Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.

2. Personal Services And Personal Improvement Facilities: One parking space for each three hundred fifty (350) square feet of gross leasable floor area.

3. Commercial Recreation And Public Assembly: One parking space for each four (4) person capacity.

4. Restaurant: One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.

5. Bicycle Parking: Safe bicycle parking facilities shall be provided in all commercial developments, where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.

~~A. — Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.~~

~~B. — Personal Services And Personal Improvement Facilities: One parking space for each three hundred fifty (350) square feet of gross leasable floor area.~~

~~C. — Commercial Recreation And Public Assembly: One parking space for each four (4) person capacity.~~

~~D. — Restaurant: One parking space for every three (3) seats, with a minimum of four (4) spaces. An additional parking space for each two (2) employees at maximum shift.~~

~~E. — Bicycle Parking: Safe bicycle parking facilities shall be provided in all commercial developments, where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.~~

~~B.F.~~ Downtown Parking District: All parcels within the downtown parking district no. 1 are not subject to the C 1 zoning district parking standards. These parcels shall comply with the provisions of the downtown parking improvement program.

C. Residential Uses: The minimum parking areas are required for the following residential uses:

1. Single-Family Dwelling: Two (2) on-site parking spaces per unit.

2. Duplex: One and half (1.5) on-site parking spaces per unit.

3. Multiple-Family Dwelling: One (1) on-site parking space per unit.

4. Accessory Dwelling Unit: Accessory dwelling units (ADUs) require one additional on-site independently accessible parking space per ADU or per bedroom, whichever is less, except as provided in section 9016 of this code.

~~D.G.~~ Other Uses: All other uses are subject to the provisions contained in ~~article~~ Article 17 of this ~~chapter~~ Chapter.

~~E.H.~~ Exceptions: Relief from the parking requirements in the C 1 zoning district may be approved through the discretionary review process, provided a finding is made that there is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected.

§9087 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the community commercial (C-1) zoning district:

Ukiah City Code Division 9, Chapter 2, Article 7:
Markup Version

A. A site development permit shall be required for development projects in the community commercial (C-1) zoning district, pursuant to the requirements of subsection 9261B of this chapter, excluding multiple-family residential projects as described in Section 9081 that comply with the design and development standards in Article 5.75 of this Chapter.

B. Any balcony, window, or door shall use at least one of the following development approaches to lessen the privacy impacts onto adjacent properties. These techniques include, use of obscured glazing, landscaped/privacy buffer in the required setback with a minimum of five feet (5'), window placement above eye level, or locating balconies, windows, and doors facing toward the street and backyard. Trees and landscaping used as a landscaped/privacy buffer shall be planted and maintained by the property owner to preserve the privacy of adjacent property owners. Second-story development shall be designed to preserve the privacy of adjoining property owners.

~~C. — Repealed.~~

C. 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 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 state Health and Safety Code.

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

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

D. All development projects that are not applicable multiple-family residential projects, or that do not comply with the design and development standards in Article 5.75 of this Chapter, and that require discretionary review, in the C-1 zoning district requiring 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. Properties within the downtown master plan (DMP) area are exempt from the landscaping requirements.

1. All proposed landscaping plans shall comply with the following standards:

~~a. Landscaping shall be proportional to the building elevations.~~

~~ab.~~ Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.

~~e. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.~~

~~bd.~~ Deciduous trees shall constitute 51 percent (51%) ~~the majority~~ of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

~~ce.~~ Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

~~df.~~ Parking lots shall have a perimeter planting strip with both trees and shrubs.

**Ukiah City Code Division 9, Chapter 2, Article 7:
Markup Version**

~~eg.~~ Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

~~fh.~~ Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the city engineer, based upon safety and maintenance factors.

~~gi.~~ All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless because of the small size of a parcel, ~~such coverage would be unreasonable as determined by the Planning Director~~. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

~~hj.~~ Landscaping plans shall include an automatic irrigation system and lighting plan.

~~ik.~~ All required landscaping for commercial development projects shall be ~~adequately~~ maintained in a viable condition.

~~jl.~~ The 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.

E. No fence shall be constructed over three feet (3') in height in any required front yard setback area.

F. Existing development as of the date of this article inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the nonconforming provisions contained in this chapter.

§9088 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 C-1 zoning district, the 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 planning director shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the C-1 zoning district.

B. That the use would not be detrimental to the continuing development of the area in which the use would be located.

C. 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 planning director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses. All determinations of the planning director regarding whether a use can be allowed or permitted in the community commercial (C-1) zoning district shall be final unless a written appeal to the city council, stating the reasons for the appeal, and the appeal fee, if any, established from time to time by city council resolution, is filed with the city clerk within ten (10) days of the date the decision was made. Appeals may be filed by an applicant or any interested party. The city council shall conduct a duly noticed public hearing on the appeal in accordance to the applicable procedures as set forth in this chapter. At the close of the public hearing, the city council may affirm, reverse, revise or modify the appealed decision of the planning director. All city council decisions on appeals of the planning director's actions are final for the city.

ARTICLE 8. REGULATIONS IN HEAVY COMMERCIAL (C-2) DISTRICTS

SECTION:

- §9095 Purpose And Intent
- §9096 Allowed Uses
- §9097 Permitted Uses
- §9098 Building Height Limits
- §9099 Yards Required
- §9100 Parking Required
- §9101 Additional Requirements
- §9102 Determination Of Appropriate Use

§9095 PURPOSE AND INTENT

The purpose of the heavy commercial zoning district is to provide opportunities for commercial service, wholesale activities, auto repair shops, agricultural supply stores, and other activities which are generally inappropriate in areas developed with professional offices and retail stores. The heavy commercial zone also encourages the integration of multiple-family housing. -The heavy commercial (C-2) zoning district is consistent with the commercial (C) general plan land use designation.

§9096 ALLOWED USES

The following uses are allowed in the Heavy Commercial (C-2) Zoning District:

Accessory uses to any allowed or permitted uses.

Accessory dwelling units and junior accessory dwelling units, as defined in section 9278 of this code and regulated in section 9016 of this code.

Business service.

Cabinet shop, sign shop, and machine shop.

Construction sales and service.

Equipment repair shop.

Farm equipment sales and feed stores.

Kennel, pet shop, and pet services.

Laundry service and laundromat.

Low barrier navigation centers.

Mini/convenience storage.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, transitional housing, supportive housing, single-room occupancies (SROs)), that comply with the design and development standards in Article 5.75 of this Chapter are permitted by right.

New and used automobile sales.

Recycling facility.

Safety service.

Second dwelling units as allowed in the R-1 districts in section 9016 of this chapter.

Service (gas) station, automobile repair, automobile body and painting shop, and car washing facility.

**Ukiah City Code Division 9, Chapter 2, Article 8:
Markup Version**

Transportation service.

Warehousing and distribution (limited).

Wholesale store.

§9097 PERMITTED USES

The following uses require approval of a use permit pursuant to the provisions contained in section 9262 of this chapter:

Cannabis cultivation – Large indoor.

Cannabis cultivation – Large mixed light.

Cannabis cultivation – Medium indoor.

Cannabis cultivation – Medium mixed light.

Cannabis cultivation – Small indoor.

Cannabis cultivation – Small mixed light

Cannabis cultivation – Specialty cottage.

Cannabis cultivation – Specialty indoor.

Cannabis cultivation – Specialty mixed light.

Cannabis distribution.

Cannabis manufacturing – Level 1.

Cannabis microbusiness.

Cannabis nursery.

Cannabis retailer.

Cannabis testing laboratory.

Establishment, maintenance, operation and removal of circuses, carnivals, amusement parks, open air theaters, or other similar temporary establishments involving large assemblages of people.

Hotels, motels, and bed and breakfast establishments.

Light industrial and manufacturing uses.

~~Mixed residential and commercial land uses on one parcel provided they are found to be compatible.~~

Mobile home parks.

Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, transitional housing, supportive housing, single-room occupancies (SROs)), that do not comply with the ~~design and development standards in Article 5.75 of this Chapter.~~

Outdoor sales establishments that occur for no more than thirty (30) days within a twelve (12) month period may be considered by the zoning administrator. All other applications shall be heard by the planning commission.

A. All outdoor sales establishments shall comply with the following criteria:

**Ukiah City Code Division 9, Chapter 2, Article 8:
Markup Version**

1. Parking: Parking shall be designated for a minimum of three (3) automobiles, located off the public right of way with no automobile maneuvering permitted in the public right of way. The use permit may require additional parking, depending on the nature of sales proposed.
2. Signage: A maximum of twenty five percent (25%) of the largest side of the vehicle or structure used in the sales operation. In addition, one sandwich board or "A" frame sign pursuant to subsection 3227A5 of this code.
3. Utilities: The need for sanitary sewer, water, and electrical services shall be determined through the use permit process, and all hookups shall comply with this code.
4. Business License: Business license must be prominently displayed at all times, and the operator shall have proof of board of equalization sales permit.

Parks, playgrounds, community gardens, and other recreational uses.

Public and quasi-public buildings, structures and uses.

Resident manager/security personnel housing.

Retail stores, restaurants, and professional offices.

Temporary uses complying with the purpose and intent of this 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 planning director.

Warehousing and distribution (general).

§9098 BUILDING HEIGHT LIMITS

The maximum height of any building in a C-2 district shall be as follows:

- A. ~~Forty-Fifty~~ feet (~~40~~⁵⁰) for primary buildings.
- B. ~~Twenty-Thirty~~ feet (~~20~~³⁰) for accessory buildings.
- C. To exceed the height limits for primary and accessory buildings, a use permit must first be secured.

§9099 YARDS REQUIRED

In C-2 districts yards shall be required in the following minimum widths:

- A. Front yards for single-story buildings: On both interior and corner lots the front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting such lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.
- B. Front yards for multiple-story buildings: The front setback line shall be a minimum of five feet (5') measured from the street right of way line fronting each side of the lot. On corner lots, a ten foot (10') vision triangle may be required for traffic safety.
- C. Rear and side yards: None required except where the rear or side of a lot abuts on an R-1, R-2, or R-3 district, in which case such rear or side yard shall be that of the adjoining zone.

§9100 PARKING REQUIRED

The minimum parking area required in the heavy commercial (C-2) zoning district shall be as follows:

A. Commercial Uses.

1. Wholesale Stores: One parking space for each four hundred (400) square feet of gross leasable space.
2. Automobile Sales: One space for each five hundred (500) square feet of floor area plus one space for each two thousand (2,000) square feet of outdoor display area.

**Ukiah City Code Division 9, Chapter 2, Article 8:
Markup Version**

3. Cabinet Shop, Machine Shop, And Sign Shop: One space for each employee on the maximum shift plus required space for office areas. Two (2) spaces are also required for customer parking, and one space for each vehicle operated from or on the site.

4. Warehouse, Mini/Convenience Storage: One parking space for each two thousand five hundred (2,500) square feet. Four (4) additional spaces are also required for customers, one parking space for each two (2) employees at maximum shift, and one space for each vehicle operated from or on the site.

5. Retail Stores, Professional Offices, and Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.

6. Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.

~~A. Wholesale Stores: One parking space for each four hundred (400) square feet of gross leasable space.~~

~~B. Automobile Sales: One space for each five hundred (500) square feet of floor area plus one space for each two thousand (2,000) square feet of outdoor display area.~~

~~C. Cabinet Shop, Machine Shop, And Sign Shop: One space for each employee on the maximum shift plus required space for office areas. Two (2) spaces are also required for customer parking, and one space for each vehicle operated from or on the site.~~

~~D. Warehouse, Mini/Convenience Storage: One parking space for each two thousand five hundred (2,500) square feet. Four (4) additional spaces are also required for customers, one parking space for each two (2) employees at maximum shift, and one space for each vehicle operated from or on the site.~~

~~E. Bicycle Parking: Safe bicycle parking facilities shall be provided in all new commercial developments where it is determined that the use would attract bicyclists. The number of bicycle parking spaces required shall be not less than ten percent (10%) of the number of required off street automobile parking spaces. Such safe bicycle parking shall be located convenient to the entrance(s) to the use.~~

~~F. Retail Stores, Professional Offices, And Business Offices: One parking space for each three hundred (300) square feet of gross leasable floor area.~~

B. Residential Uses: The minimum parking areas are required for the following residential uses:

1. Multiple-Family Dwelling: One (1) on-site parking space per unit.

~~G.C.~~ Other Uses: All other uses are subject to the provisions contained in article 17 of this chapter.

~~H.D.~~ Exceptions: Relief from the parking requirements in the C-2 zoning district may be approved through the discretionary review process, provided a finding is made that there is a unique circumstance associated with the use or property that results in a demand for less parking than normally expected.

§9101 ADDITIONAL REQUIREMENTS

The following additional requirements are applicable in the heavy commercial (C-2) zoning district:

A. A site development permit shall be required for development projects in the heavy commercial (C-2) zoning district, pursuant to the requirements of subsection 9261B of this ~~chapter~~Chapter, excluding multiple-family residential projects as described in Section 9096 that comply with the design and development standards set forth in Article 5.75 of this Chapter.

B. ~~Second story development shall be designed to preserve the privacy of adjoining property owners. Any balcony, window, or door shall use at least one of the following development approaches to lessen the privacy impacts onto adjacent properties. These techniques include, use of obscured glazing, landscaped/privacy buffer in the required~~

Ukiah City Code Division 9, Chapter 2, Article 8:
Markup Version

setback with a minimum of five feet (5'), window placement above eye level, or locating balconies, windows, and doors facing toward the street and backyard. Trees and landscaping used as a landscaped/privacy buffer shall be planted and maintained by the property owner to preserve the privacy of adjacent property owners.

~~C. — Repealed.~~

~~DC.~~ All development projects in the C-2 zoning district that are not multiple-family residential projects or do not comply with the design and development standards set forth in Article 5.75 of this Chapter require discretionary review in the~~All development projects in the C-2 zoning district requiring discretionary review and~~ 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. Landscaping shall be proportional to the building elevations.~~

~~ab.~~ Landscape plantings shall be those which grow well in Ukiah's climate without extensive irrigation. Native species are strongly encouraged.

~~e. All landscape plantings shall be of sufficient size, health and intensity so that a viable and mature appearance can be attained in a reasonably short amount of time.~~

~~bd.~~ Deciduous trees shall constitute 51 percent (51%)~~the majority~~ of the trees proposed along the south and west building exposures; nondeciduous street species shall be restricted to areas that do not inhibit solar access.

~~ce.~~ Parking lots with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls within a continuous linear planting strip rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within fifteen (15) years of planting. Based upon the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.

~~df.~~ Parking lots shall have a perimeter planting strip with both trees and shrubs.

~~eg.~~ Parking lots with twelve (12) or more parking stalls shall have defined pedestrian sidewalks or marked pedestrian facilities of no less than 3 feet (3') in width within landscaped areas and/or separated from automobile travel lanes. Based upon the design of the parking lot, and the use that it is serving, relief from this requirement may be approved through the discretionary review process.

~~fh.~~ Street trees may be placed on the property proposed for development instead of within the public right of way if the location is approved by the city engineer, based upon safety and maintenance factors.

~~gi.~~ All new developments shall include a landscaping coverage of twenty percent (20%) of the gross area of the parcel, unless based upon the small size of a parcel, ~~it would be unreasonable and illogical as determined by the Planning Director~~. A minimum of fifty percent (50%) of the landscaped area shall be dedicated to live plantings.

~~hj.~~ Landscaping plans shall include an automatic irrigation system and lighting plan.

~~ik.~~ All required landscaping for commercial development projects shall be ~~adequately~~ maintained in a viable condition.

~~jl.~~ The 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.

**Ukiah City Code Division 9, Chapter 2, Article 8:
Markup Version**

ED. No fence shall be constructed over three feet (3') in height in any required front yard setback area.

FE. Existing development as of the date of this article inconsistent with the provisions listed herein, shall be considered legal nonconforming, provided that they were legal at the time of their creation, and shall be subject to the nonconforming provisions contained in this chapter.

§9102 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 C-2 zoning district, the 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 planning director shall find as follows:

A. That the use would not be incompatible with other existing or allowed uses in the C-2 zoning district.

B. That the use would not be detrimental to the continuing development of the area in which the use would be located.

C. 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 planning director shall find that the proposed use is similar in nature and intensity to the uses listed as permitted uses. All determinations of the planning director regarding whether a use can be allowed or permitted in the heavy commercial (C-2) zoning district shall be final unless a written appeal to the city council, stating the reasons for the appeal, and the appeal fee, if any, established from time to time by city council resolution, is filed with the city clerk within ten (10) days of the date the decision was made. Appeals may be filed by an applicant or any interested party. The city council shall conduct a duly noticed public hearing on the appeal in accordance to the applicable procedures as set forth in this chapter. At the close of the public hearing, the city council may affirm, reverse, revise or modify the appealed decision of the planning director. All city council decisions on appeals of the planning director's actions are final for the city.

**CHAPTER 2
ZONING**

ARTICLE 20. ADMINISTRATION AND PROCEDURES

SECTION:

- [§9260](#): Purpose
- [§9261](#): Discretionary Planning Permits
- [§9262](#): Use Permit Procedures
- [§9263](#): Site Development Permit Procedures
- [§9264](#): Variance Procedures
- [§9265](#): Zoning Text Amendments; Rezoning
- [§9266](#): Appeals
- [§9267](#): Prezoning
- [§9268](#): Zoning Administrator

§9260 PURPOSE

The purpose of this Article is to establish the development permit and rezoning/prezoning processing procedures, and to establish the process and legal procedures associated with the enforcement of the provisions of this Chapter. Additionally, this Article establishes the office of the Zoning Administrator.

§9261 DISCRETIONARY PLANNING PERMITS

The City's discretionary planning permits include use permits, site development permits, and variances.

A. Use Permits: A use permit is an entitlement that permits a certain use of land in a zoning district where the use is not allowed by right. Each zoning district contains both allowed and permitted land uses. "Allowed" land uses are allowed without a use permit, while "permitted" uses can only be established with the securing of a use permit. Use permits are usually issued with "conditions", and are intended to provide flexibility by permitting land uses that will not have an adverse impact on surrounding land uses or the general public. The detailed provisions for use permits are contained in Section [9262](#) of this Article.

B. Site Development Permits: Site development permits are required for the construction of new multiple-family residential ([see exemption B\(1\) below](#)), commercial, and industrial structures, or the substantial exterior modification of existing multiple-family residential, commercial, and industrial structures. Projects exempt from the site development permit process include interior building remodels, repair and maintenance of structures or parking areas, minor alterations on building exteriors, and minor accessory structures to established, multiple-family residential, commercial, and industrial buildings. Upon request, the Planning Director shall determine whether a project is exempt under this subsection in accordance with the following standards:

1. Multiple-family residential projects that comply with all the design and development standards in [Article 5.75 of this Chapter](#) are exempt; or

21. The project involves an addition of less than one hundred fifty (150) square feet to an existing structure, and the addition would not be highly visible from any public street; or

32. The project involves minor facade modifications that would not significantly change the architectural character or appearance of the structure.

The detailed provisions for site development permits are contained in Section [9263](#) of this Article.

C. Variance Permits: A variance is a permit to deviate from the terms of the Zoning Ordinance. It provides relief from specific site development regulations. It is provided for because there are individual lots which, due to some unusual characteristic, cannot be put to productive use if all detailed regulations (e.g., yard setbacks, height) are strictly applied. Variances are not issued for land uses ("use variance") or relief of lot size requirements. The detailed provisions for variances are contained in Section [9264](#) of this Article.

D. Major And Minor Use Permits, Site Development Permits, And Variances: At the time of application submittal, the Planning Director or assigned designee shall determine if the proposed project constitutes a major or minor use permit, site development permit, or variance. The Planning Director or assigned designee shall be guided by the following criteria when determining whether a discretionary planning permit is major or minor:

1. In the C-1, C-2, and M Zoning Districts, facade improvements, small additions/expansions of more than one hundred fifty (150) square feet, but less than one thousand (1,000) square feet to existing structures, minor amendments to previously approved permits, and changes in use of existing structure(s) that do not require additional parking, and will not generate substantial amounts of additional traffic, noise, or other potential nuisances shall be considered minor in nature. Additions of one thousand (1,000) square feet or more shall be considered major discretionary projects. In the R-2, R-3, and C-N Zoning Districts, additions of six hundred forty (640) or more square feet shall be considered major discretionary projects.

In the C-N (Neighborhood Commercial) Zoning District, a use permit is required to exceed the maximum thirty percent (30%) floor area ratio standard. A proposal to exceed this standard by less than ten percent (10%) is considered a minor use permit.

2. New construction on vacant parcels, large additions/expansions to existing buildings, substantial amendments to previously approved permits, and changes in use of existing structure(s) that would require an expansion of an existing parking facility, or that could

generate substantial amounts of additional traffic, noise, or other nuisances shall be considered a major permit.

3. Minor variance applications are those seeking less than fifty percent (50%) relief from a yard setback requirement in a particular zoning district, or a height of less than five feet (5') over what is allowed in a particular zoning district.

4. Other small and relatively insignificant applications as determined by the Planning Director shall be considered minor.

E. Use Or Project Not Established: Whenever in this Article a permit is subject to revocation because the use or project for which the permit was issued is not established within required time limits, "not established" shall mean that the permittee has not taken substantial steps and has not incurred substantial expense to construct, complete and commence the use for which the permit was issued, and is not diligently completing the project and commencing the use for which the permit was issued.

§9262 USE PERMIT PROCEDURES

Use permit application and processing procedures shall be as follows:

A. General: Use permits shall be issued as provided in this Chapter only for land uses or purposes for which such permits are required. The Zoning Administrator or Planning Commission shall conduct a public hearing and decide all applications for use permits required by this Chapter. If the Planning Director determines that the use permit application is minor in nature, it shall be scheduled for a public hearing before the Zoning Administrator. If the Planning Director determines that the use permit application is major, it shall be scheduled for consideration by the Planning Commission for public hearing and action.

Projects requiring a use permit for new construction or exterior modifications need not have a separate site development permit. Site development review, criteria, and findings shall be incorporated into the use permit process.

B. Application Filing And Submittal Requirements: Applications for use permits shall be filed with the City Planning Department and shall be accompanied by a plot plan sufficient to show the details of the proposed use or building, as well as surrounding land uses, and any other project related information deemed necessary by the Planning Director. Application fees shall be established from time to time by resolution of the City Council adopted in accordance with the procedures required by law. The payment of the established fee shall be made at the time of application submittal.

C. Public Noticing Requirements: The City shall follow the public noticing procedures of the California Government Code. Failure of any person to receive mailed notice or failure to post notice shall not invalidate any proceedings conducted by the decision-making body. Unless in

conflict with the notice requirements of the Government Code, notices of public hearings on applications for use permits shall be given at least ten (10) days prior thereto, by the following manner:

1. Publication in a newspaper of general circulation in the City.
2. Notice by mail, using addresses from the latest equalized assessment roll, to all owners of property within a three hundred foot (300') distance of any boundary of the subject property, and to the project applicant or agent, as well as to the property owner of record.
3. Notice shall be mailed or delivered at least ten (10) days prior to the hearing to each local agency expected to provide essential facilities and services which may be significantly affected.
4. The subject property shall be posted in three (3) locations ten (10) days prior to the public hearing.

D. Action On Use Permits: All applications for use permits shall be considered and acted upon by either the Zoning Administrator or the Planning Commission.

1. The Zoning Administrator shall review, conduct public hearings, and decide upon all minor use permit applications.
2. Appeals of the Zoning Administrator actions shall be heard by the City Council for a final decision.
3. The Planning Commission shall review, conduct public hearings, and decide upon all major use permit applications.
4. Appeals of the Planning Commission actions shall be heard by the City Council for a final decision.
5. At the discretion of the Planning Director, any use permit application may be scheduled for consideration and decision-making by the Planning Commission.
6. Any use permit application which is reviewed by the Zoning Administrator or the Planning Commission may be approved, conditionally approved, or denied.

E. Findings: Findings are required to grant a use permit.

1. The Zoning Administrator or the Planning Commission, on the basis of the evidence submitted at the hearing, may grant use permits required by the provisions of this Article whenever findings of fact support the following determinations:

a. The proposed land use is consistent with the provisions of this Title as well as the goals and policies of the City General Plan.

b. The proposed land use is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare.

2. The findings shall not be vague and conclusionary. The findings shall be sufficiently detailed to apprise a reviewing court of the basis for the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record.

F. Conditions Of Approval: Conditions of project approval may be imposed on use permit applications.

1. In approving a use permit, the Zoning Administrator or Planning Commission may include such conditions as are deemed reasonable and necessary to preserve the integrity and character of the zoning district and the General Plan. Such conditions shall promote the safe and orderly use of the property, and assure compatibility with surrounding land uses. Nothing in this Chapter shall be construed to limit the discretion or the authority of the Zoning Administrator or Planning Commission to require conditions, provided the conditions constitute a lawful exercise of the police power and not a taking of private property under the Fifth Amendment of the United States Constitution.

2. The Zoning Administrator or Planning Commission may condition a use permit to prohibit the occupancy of a building, structure, or land use until an inspection has been made which finds that the building, structure, or land use complies with all conditions specifically required to be completed prior to occupancy. If a use permit is so conditioned, the Zoning Administrator or Planning Commission shall notify the City Building Official of such conditions. If a building permit is issued for a building or structure which is subject to a use permit so conditioned, the Building Official shall not approve a final inspection of such building or structure until the conditions have been met; provided, however, that responsibility for assuring applicant compliance with the provisions of the use permit remains with the Planning Director. The Planning Commission or the Zoning Administrator may also require conditions be completed prior to the issuance of building permits.

G. Effective Date: The use permit shall be deemed legally in effect when the appeal period has lapsed, unless a timely appeal is properly filed. If an appeal is filed, the use permit shall become effective upon final approval by the City Council. This date shall be so noted in the official use permit application file and shall also be noted upon the issued use permit and/or approval confirmation letter.

H. Expiration And Revocation: The following provisions detail the use permit expiration and revocation process:

1. Revocation: An approved use permit may be revoked through the City's revocation process if the use for which the use permit was granted is not being conducted in compliance with the use permit as conditioned, or:

a. If any land use for which a use permit has been granted and issued is not established within two (2) years of the use permit's effective date; or

b. If the established land use for which the permit was granted has ceased or has been suspended for twenty four (24) consecutive months.

2. Procedure: If a use permit is subject to revocation under subsection H1 of this Section, the City shall follow the procedures set forth herein.

a. Notice: Notice of a hearing before the Planning Commission shall be provided in accordance with subsection C of this Section.

b. Hearing: The Planning Commission shall conduct a public hearing to determine whether the permit shall be revoked and shall make findings that comply with subsection E2 of this Section.

c. Appeal: The Planning Commission decision shall be subject to appeal in accordance with Section [9266](#) of this Article.

3. New Application: Nothing herein shall prohibit the holder of a permit revoked pursuant to subsection H1a or H1b of this Section, from applying for a new permit in accordance with the procedures for new applications.

I. Renewal: Use permits may be renewed for an additional period not to exceed one year provided, if an application for renewal is filed with the Planning Department prior to the expiration of the permit. The application shall consist of a detailed letter explaining the reason(s) for the request. The Planning Director shall grant or deny an application to renew a use permit, and shall provide an explanation of his decision, in writing, to the applicant. The Planning Director's decision to approve a renewal shall generally be based upon a determination that all the circumstances associated with the original approval are substantially the same at the time of the renewal application. An appeal of the Planning Director's decision may be made to the City Council for a final decision. Any such appeal must comply with the requirements of Section [9266](#) of this Article.

§9263 SITE DEVELOPMENT PERMIT PROCEDURES

The following regulations govern the submittal, review, and processing of site development permits:

A. General: Site development permits shall be issued as provided in this chapter only for site development projects for which such permits are required. The Design Review Board shall review and make recommendations to the Zoning Administrator, Planning Commission and City Council on site development permit applications, planned development applications and precise development plans. The Zoning Administrator or Planning Commission shall conduct a public hearing and decide all applications for site development permits required by this chapter. If the Planning Director determines that the site development permit application is minor in nature, it shall be scheduled for a public hearing before the Zoning Administrator. If the Planning Director determines that the site development permit application is major, it shall be referred to the Planning Commission for public hearing and action.

B. Application Filing And Submittal Requirements: All applications for site development permits shall include the following information:

1. A detailed site plan sufficient to fully illustrate the proposed project and adjoining land uses.
2. Elevation drawings of all proposed structures.
3. Details of all proposed signs.
4. A landscaping plan detailing all new and existing landscaping to be incorporated into the design of the project.
5. A floor plan of the proposed structure.
6. A parking plan.
7. Any other project-related information requested by the Planning Director.
8. The actual application form and filing fee, which shall be established from time to time by resolution adopted by the City Council in accordance with such procedures as required by law.

C. Public Noticing Requirements For Zoning Administrator And Planning Commission Meetings: Failure of any person to receive mailed notice or failure to post notice shall not invalidate any proceedings conducted by the decision-making body. Notices of public hearings on applications for site development permits shall be given at least ten (10) days prior thereto, by the following manner:

1. Publication in a newspaper of general circulation in the City.

2. Notices shall be mailed, using addresses from the latest equalized assessment roll, to all owners of property within a three hundred foot (300') distance of any boundary of the subject property, and to the project applicant or agent, as well as to the property owner of record.

3. Notice shall also be mailed or delivered at least ten (10) days prior to the hearing to each local agency expected to provide essential facilities and services which may be significantly affected.

4. The subject property shall also be posted in three (3) locations ten (10) days prior to the public hearing.

D. Action On Site Development Permits: All applications for site development permits shall be considered and acted upon by either the Zoning Administrator or the Planning Commission.

1. The Zoning Administrator shall review, conduct public hearings, and decide upon all minor site development permit applications.

2. Appeals of the Zoning Administrator actions shall be heard by the City Council for a final decision.

3. The Planning Commission shall review, conduct public hearings, and decide upon all major site development permit applications.

4. Appeals of the Planning Commission actions shall be heard by the City Council for a final decision.

5. At the discretion of the Planning Director, any site development permit application may be directed to the Planning Commission for consideration and decision-making action.

6. Any site development permit application which is reviewed by the Zoning Administrator or the Planning Commission may be approved, conditionally approved, or denied.

E. Findings: The Zoning Administrator and/or Planning Commission shall make findings when acting to approve site development permit applications. The findings shall not be vague and conclusionary. The findings shall be sufficiently detailed to apprise a reviewing court of the basis of the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record. Failure to make findings that support the following determinations shall result in a denial of the site development permit application:

1. The proposal is consistent with the goals, objectives, and policies of the City General Plan.
2. The location, size, and intensity of the proposed project will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.
3. The accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will not create a hazardous or inconvenient condition to adjacent or surrounding uses.
4. Sufficient landscaped areas have been reserved for purposes of separating or screening the proposed structure(s) from the street and adjoining building sites, and breaking up and screening large expanses of paved areas.
5. The proposed development will not restrict or cut out light and air on the property, or on the property in the neighborhood; nor will it hinder the development or use of buildings in the neighborhood, or impair the value thereof.
6. The improvement of any commercial or industrial structure will not have a substantial detrimental impact on the character or value of an adjacent residential zoning district.
7. The proposed development will not excessively damage or destroy natural features, including trees, shrubs, creeks, and the natural grade of the site.
8. There is sufficient variety, creativity, and articulation to the architecture and design of the structure(s) and grounds to avoid monotony and/or a box-like uninteresting external appearance.

F. Conditions Of Approval: Conditions of project approval may be imposed on site development permit applications.

1. In approving a site development permit, the Zoning Administrator or Planning Commission may include such conditions as are deemed reasonable and necessary to maintain or assure compliance with the standards/criteria listed in subsection E of this section. Nothing in this section shall be construed to limit the discretion of the authority of the Zoning Administrator or Planning Commission to require conditions.
2. The Zoning Administrator or Planning Commission may condition a site development permit to prohibit occupancy of a project building until an inspection has been made which finds that the project building, landscaping and other required improvements have been completed, and the project complies with all conditions specifically required to be completed prior to occupancy. If a site development permit is so conditioned, the Planning Director shall notify the City Building Official of such conditions. If a building

permit is issued for a building or structure which is subject to a site development permit so conditioned, the Building Official shall not approve a final inspection of such building or structure until the conditions have been satisfied. The Planning Commission or the Zoning Administrator may also require conditions be completed prior to the issuance of building permits.

G. **Effective Date:** The site development permit shall be deemed legally in effect when the appeal period has lapsed, unless a timely appeal is properly filed. If a timely appeal is filed, the permit shall be deemed legally effective when finally approved by the City Council. This date shall be so noted in the official site development permit application file and shall also be noted upon the issued site development permit and/or approval confirmation letter.

H. **Expiration And Revocation:** The following provisions detail the site development permit expiration and revocation process:

1. **Revocation:** An approved site development permit may be revoked through the City's revocation process if the site development project is not being conducted in compliance with the site development permit, as conditioned, or:

a. If any project for which a site development permit has been granted and issued is not established within two (2) years of the site development permit's effective date; or

b. If the established land use for which the permit was granted has ceased or has been suspended for twenty-four (24) consecutive months.

2. **Procedure:** If a site development permit is subject to revocation under subsection H1 of this Section, the City shall follow the procedures set forth herein.

a. **Notice:** Notice of a hearing before the Planning Commission shall be provided in accordance with subsection C of this section.

b. **Hearing:** The Planning Commission shall conduct a public hearing to determine whether the permit shall be revoked and shall make findings that comply with subsection E of this section.

c. **Appeal:** The Planning Commission decision shall be subject to appeal in accordance with section 9266 of this code.

3. **New Application:** Nothing herein shall prohibit the holder of a permit revoked pursuant to subsection H1a or H1b of this section from applying for a new permit in accordance with the procedures for new applications.

I. Renewal: Site development permits may be renewed for an additional period not to exceed one year provided, prior to the expiration of the permit, an application for renewal is filed with the Planning Department. The application shall consist of a detailed letter explaining the reason(s) for the request. The Planning Director shall grant or deny an application to renew a site development permit, and shall provide an explanation of his decision, in writing, to the applicant. The Planning Director's decision to approve a renewal shall generally be based upon a determination that all the circumstances associated with the original approval are substantially the same at the time of the renewal application. An appeal of the Planning Director's decision may be made to the City Council for a final decision. Any such appeal must comply with the requirements of Section 9266 of this code.

§9264 VARIANCE PROCEDURES

Variance applications and processing procedures shall be as follows:

- A. Application Filing And Submittal Requirements: Applications for variances shall be made to the City Planning Department by filling out the required variance application form, and submitting a detailed plot plan of the subject property, as well as surrounding land uses, elevation drawings, and any other project-related information deemed necessary by the Planning Director. The appropriate filing fee must also be paid at the time of application submittal.
- B. Public Noticing Requirements: The City shall follow the public noticing procedures of the California Government Code. Failure of any person to receive mailed notice or failure to post notice shall not invalidate any proceedings conducted by the decision-making body. Unless in conflict with the provisions of the Government Code, notices of public hearings on applications for variances shall be given at least ten (10) days prior thereto, by the following manner:
1. Publication in a newspaper of general circulation in the City.
 2. Notices shall be mailed, using addresses from the latest equalized assessment roll, to all owners of property within a three hundred foot (300') distance of any boundary of the subject property, and to the project applicant or agent, as well as to the property owner of record.
 3. Mailed or delivered at least ten (10) days prior to the hearing to each local agency expected to provide essential facilities and services which may be significantly affected.
 4. The subject property shall be posted in three (3) locations ten (10) days prior to the public hearing.
- C. Action On Variances: All applications for variances shall be considered and acted upon by either the Zoning Administrator or the Planning Commission.

1. The Zoning Administrator shall review, conduct public hearings, and decide upon all minor variance applications.
2. Appeals of the Zoning Administrator actions shall be heard by the City Council for a final decision.
3. The Planning Commission shall review, conduct public hearings, and decide upon all major variance applications.
4. Appeals of the Planning Commission actions shall be heard by the City Council for a final decision.
5. At the discretion of the Planning Director, any variance application may be directed to the Planning Commission for consideration and decision-making action.
6. Any variance application which is reviewed by the Zoning Administrator or the Planning Commission may be approved, conditionally approved, or denied.

D. Findings: Findings are required to grant a variance.

1. The Zoning Administrator or Planning Commission, on the basis of the evidence submitted at the hearing, may grant variances from the requirements of this Chapter when:
 - a. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Article deprives such property of privileges enjoyed by other property in the vicinity and subject to identical zoning regulations.
 - b. The issuance of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and subject to identical zoning regulations.
 - c. The grant of the variance would not be detrimental to surrounding property owners.
2. The findings shall not be vague and conclusionary. The findings shall be sufficiently detailed to apprise a reviewing court of the basis for the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record.

E. Conditions: Any variance granted may be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and subject to identical zoning regulations.

F. Effective Date: The variance shall be deemed legally in effect when the appeal period has lapsed, unless a timely appeal is properly filed. If such an appeal is filed, the variance shall be deemed legally effective upon final approval by the City Council. This date shall be so noted in the official variance permit application file and shall also be noted upon the issued variance permit and/or approval confirmation letter.

G. Expiration And Revocation: The following provisions detail the variance expiration and revocation process:

1. Revocation: An approved variance may be revoked through the City's revocation process if the variance project is not being conducted in compliance with the variance as conditioned, or:

- a. If any project for which a variance has been granted and issued is not established within two (2) years of the variance's effective date; or
- b. If the structure for which the variance was granted is removed for a period of two (2) years.

2. Procedure: If a variance is subject to revocation under subsection G1 of this Section, the City shall follow the procedures set forth herein.

- a. Notice: Notice of a hearing before the Planning Commission shall be provided in accordance with subsection B of this Section.

- b. Hearing: The Planning Commission shall conduct a public hearing to determine whether the permit shall be revoked and shall make findings that comply with subsection D of this Section.

- c. Appeal: The Planning Commission decision shall be subject to appeal in accordance with Section [9266](#) of this Article.

3. New Application: Nothing herein shall prohibit the holder of a permit revoked pursuant to subsection G1a or G1b of this Section from applying for a new permit in accordance with the procedures for new applications.

H. Renewal: Variances may be renewed for an additional period not to exceed one year provided, prior to the expiration of the variance, an application for renewal is filed with the Planning Department. The application shall consist of a detailed letter explaining the reason(s) for the request. The Planning Director shall grant or deny an application to renew a variance, and shall provide an explanation of his decision, in writing, to the applicant. The Planning Director's decision to approve a renewal shall generally be based upon a determination that all the circumstances associated with the original approval are substantially the same at the time of the

renewal application. An appeal of the Planning Director's decision may be made to the City Council for a final decision. Any such appeal must comply with the requirements of Section [9266](#) of this Article.

§9265 ZONING TEXT AMENDMENTS; REZONING

The text of this Chapter, the boundaries of zoning districts, or planned development ordinances, may be changed whenever the public necessity, convenience, and general welfare require such amendment, or when corresponding changes are made to the City General Plan, by following the procedures set forth in this Article.

- A. Initiation Of Amendments: An amendment to the text or maps may be initiated by:
1. The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the Planning Department and be accompanied by a fee, if any, that has been established from time to time by resolution of the City Council.
 2. A minute order action of intention of the City Council or Planning Commission.
 3. Planning Department staff for compliance with the City General Plan, or public health, safety, and general welfare.
- B. Application Filing And Submittal Requirements: Applications for zoning text, district boundary, and planned development ordinance amendments shall be filed with the City Planning Department, and shall include a completed application form, filing fee, and any additional information, studies, plans, or documentation which might assist the Planning Department in better understanding the proposal or are requested by the Planning Director or his/her designee.
- C. Public Noticing Requirements: Notices of public hearings on zoning text, district boundary, and planned development ordinance amendment applications shall be publicly noticed according to State law.
- D. Action On Text Amendment, Rezoning Applications: The Planning Commission shall hold at least one public hearing on any proposed Zoning Code text amendment and/or General Plan amendment, and formulate a recommendation to the City Council.

The Planning Commission's recommendation shall be advanced to the City Council for consideration at the next available City Council meeting. The City Council shall conduct a public hearing, duly noticed according to State law, prior to taking a final action on the project.

E. Findings: The City Council shall make findings supporting their action on zoning text, district, and planned development ordinance amendment applications, if advised to do so by the City Attorney. (Ord. 1002, §2, adopted 1998)

§9266 APPEALS

All determinations of the Zoning Administrator or the Planning Commission regarding minor discretionary planning permits, shall be final unless a written appeal, stating the reasons for the appeal, and the appeal fee, if any, established from time to time by City Council resolution, are filed with the City Clerk within ten (10) days of the date the decision was made. Appeals may be filed by an applicant or any interested party. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken.

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 Planning Commission 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, revise or modify the appealed decision of the Zoning Administrator. All City Council decisions on appeals of the Zoning Administrator's action are final for the City.

All determinations of the Planning Commission regarding major discretionary planning permits, shall be final unless a written appeal, stating the reasons for the appeal, and the appeal fee, if any, established from time to time by City Council resolution, are filed with the City Clerk, within ten (10) days of the date the decision was made. Appeals may be filed by an applicant or any interested party. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken.

An appeal of the decision of the Planning Commission shall go to the City Council for a final decision. 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, revise or modify the appealed decision of the Planning Commission. All City Council decisions on appeals of the Planning Commission's action are final for the City. (Ord. 1002, §2, adopted 1998)

§9267 PREZONING

The City may prezone unincorporated territory adjoining the City for the purpose of determining the zoning which will apply to such property in the event of subsequent annexation to the City.

A. Public Notice Requirements: Public notice of both the Planning Commission and City Council hearings to prezone territory shall be published in a newspaper of general circulation published

and circulated in the area to be prezoned, and if there is no such newspaper, the notice shall be posted in at least three (3) public places in the area to be prezoned. Written notice of both the Planning Commission and City Council hearings shall be mailed to the owners of the property within a radius of three hundred feet (300') of the exterior boundaries of the property which is the subject of the application, using for such purpose the name and address of such owners as shown upon the current assessment roll of the County. If the number of owners to whom notice would be mailed or delivered pursuant to this subsection is greater than one thousand (1,000), the City, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth (1/8) page in at least one newspaper of general circulation in the community at least ten (10) days prior to the hearing. Contents of the advertisement shall be pursuant to the Government Code. The failure of any person to receive such notice shall not invalidate the proceedings.

B. Action On Prezoning: The City Planning Commission shall conduct a public hearing to consider a proposal for prezoning territory. The Commission shall formulate a recommendation to the City Council. The City Council shall also conduct a public hearing to consider the prezoning proposal, and shall render a decision accordingly.

C. Effective Date: The ordinance prezoning a territory shall become effective upon the effective date of the ordinance or resolution annexing such territory to the City. (Ord. 1002, §2, adopted 1998)

§9268 ZONING ADMINISTRATOR

There is hereby created in the Planning Department, the office of the Zoning Administrator. The Zoning Administrator shall be the Planning Director or his/her designated representative.

A. Function And Duties: The function of the Zoning Administrator is to achieve improved coordination in the administration of the Zoning Code; to increase the efficiency of the zoning enforcement proceedings; to reduce the time required in processing applications for the minor discretionary planning permits; and to relieve the Planning Commission of certain routine functions in order that it may give its attention to its primary responsibility of comprehensive community planning.

B. Authority: The Zoning Administrator shall have the authority and it shall be a duty of this office to conduct public hearings, and to make determinations regarding minor use permits, site development permits, variances, modifications of conditions of approval, minor changes to previously approved projects, and other minor zoning matters as determined by the City Planning Director.

C. Action By The Zoning Administrator: The Zoning Administrator shall make findings and approve, conditionally approve, or deny minor use permits, site development permits, variances,

and other discretionary zoning matters. The Zoning Administrator shall have the authority to impose conditions of approval as provided for in this Article.

D. Referral To The Planning Commission: The Zoning Administrator may refer any application for a use permit, site development permit, variance, or any other zoning matter to the Planning Commission for public hearing.

E. Appeals: All decisions made by the Zoning Administrator are appealable to the City Council for a final decision as provided for in this Chapter.

**CHAPTER 2
ZONING**

ARTICLE 21. DEFINITIONS

* * *

§9278 DEFINITIONS

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

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

* * *

EMERGENCY SHELTER. A building or group of buildings designed or adaptable for human occupation operated by a public agency, not for profit organization, or charitable organization to provide emergency or temporary shelter for homeless or displaced persons.

EMERGENCY SHELTER, SMALL. Facilities for up to 12 persons and a maximum of two permanent live in staff.

EMERGENCY SHELTER, LARGE. Facilities with 13 or more persons.

* * *

LOW BARRIER NAVIGATION CENTER. A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities. **A Low Barrier Navigation Center shall provide** case managers to connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

LOW BARRIER. A standard for best practices to reduce barriers to entry **into shelters**, and may include, but is not limited to, **allowing or providing** the following:

- (1) The presence of partners, **provided that the shelter** is not a population-specific site, such as **a shelter intended to serve** survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

* * *

SINGLE ROOM OCCUPANCY (SRO). Any residential structure containing more than five (5) units intended or designed to be used, rented, or hired out to be occupied for sleeping purposes, generally for one person per unit. Individual units typically share communal features, (e.g., kitchen, bathroom, or entertainment area).

* * *

SUPPORTIVE HOUSING. Housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community. Supportive housing units are residential uses allowed in any zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

* * *

TRANSITIONAL HOUSING. Rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months from the beginning of the assistance. Transitional housing units are residential uses allowed in any residential zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

* * *

ARTICLE 5.2. OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS FOR NEW RESIDENTIAL CONSTRUCTION

SECTION:

§9055 Purpose And Intent

§9055.1 Development Standards

§9055 PURPOSE AND INTENT

The purpose of this article is to create a by-right, ministerial approval process for all new residential construction, excluding single-family homes. To do so, this article sets forth objective design and development standards that remove barriers to and reduce costs for new residential construction, excluding single-family homes, while still protecting the residential character of the City's neighborhoods. (Ord. 1212, §7, adopted 2021)

§9055.1 DEVELOPMENT STANDARDS

A. Setbacks:

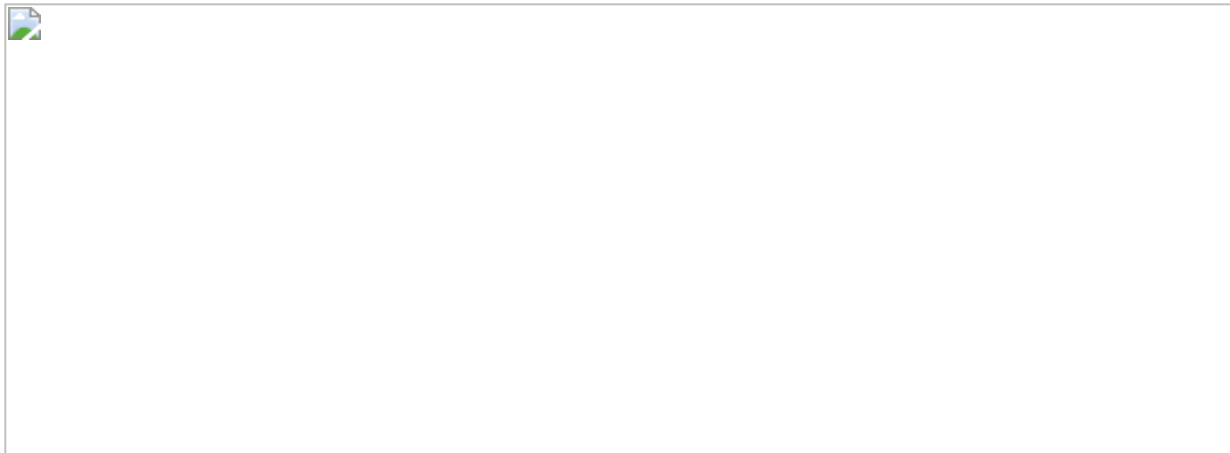
1. Front: The front setback shall comply with the base zone front setback requirements.
2. Setback Landscaping: Areas between the required setback and street improvements shall be landscaped per the landscaping requirements in subsection L of this section.
3. Side (Interior):
 - a. Minimum Side Setbacks: There is no minimum interior side setback; provided, that structures comply with the building and fire code standards for structure separation.
 - b. Zero Setback: If zero setbacks are proposed, the side setback opposite the zero setback shall be a minimum of five feet (5').
4. Rear: The rear setback shall comply with the base zone rear setback requirements.

B. Property Access: There shall be vehicular access from a dedicated and improved street, easement, or alley to off-street parking areas.

C. Street Frontage: Every primary residential structure shall have frontage on a public street or an accessway which has been approved for residential access by the City.

- D. **Structure Orientation:** Structures shall incorporate site design that reduces heating and cooling needs by orienting structures (both common facilities and dwelling units) on the parcel to reduce heat loss and gain, depending on the time of day and season of the year.
- E. **Structure Height:** Structure height shall comply with the base zone maximum allowable height.
- F. **Alternative Energy Applications:** All structures shall be designed to allow for the installation of alternative energy technologies including but not limited to active solar, wind, or other emerging technologies, and shall comply with the following standards:
1. Installation of solar technology on structures such as rooftop photovoltaic cell arrays shall be installed in accordance with the State Fire Marshal safety regulations and guidelines.
 2. Roof-mounted equipment shall be located in such a manner so as to not preclude the installation of solar panels, as shown in Figure 1-1.

Figure 1-1: Application of Roof-Mounted Equipment



- G. **Utility Lines:** All utility lines from the service drop to the structure shall be placed underground.
- H. **HVAC Systems:** All HVAC systems shall be located on the roof of the structure to minimize noise impacts to adjacent properties.
- I. **Mail and Package Delivery Location:** For multifamily development projects greater than four (4) dwelling units, mailboxes and package delivery areas shall be in locations that are visible by residents at the interior of a structure entrance, elevator lobby, or stairwell.
- J. **Primary Entrances:**

1. Entry Lighting: All primary structure entrances shall include dusk-to-dawn lighting for safety and security per subsection P of this section.

2. Interior-Facing Structures:

a. The primary entrance of each interior-facing structure shall be oriented toward paseos, courtyards, pathways, and active landscape areas.

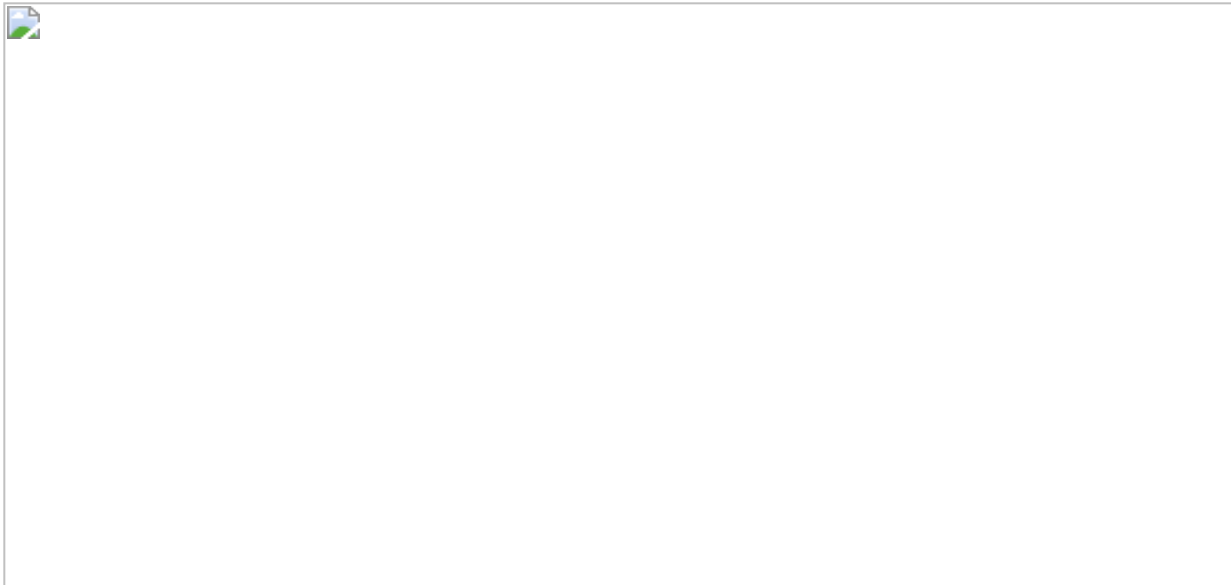
b. For safety, units not facing the street shall be oriented to provide visual access to entryways, pedestrian pathways, recreation areas, and common facilities from dwelling units.

K. Open Space: The following development standards apply to multifamily developments greater than four (4) dwelling units:

1. Public Open Space:

a. Public Open Space: Not less than ten percent (10%) of the gross acreage of the total project shall be set aside as public open space to allow for active and passive recreation opportunities and that includes shading elements to benefit all residents of the project, as shown in Figure 1-2. Open space ownership and maintenance shall be the responsibility of the property owner(s).

Figure 1-2: Configuration of Public Open Space



b. Connections: Public open space areas shall be directly connected to all interior space areas (i.e., community room, recreation room, exercise center), trash and recycling enclosures, laundry facilities (if applicable), structure entrances, parking areas, and mail delivery areas by pedestrian-oriented pathways.

c. Landscaping: A minimum of fifteen percent (15%) of the required public open space shall be landscaped with materials and plantings consistent with the standards in subsection L of this section (Landscaping) and the subject parcel's underlying base zone landscaping requirements.

d. Lighting: In addition to the exterior lighting standards in subsection P of this section, public open space areas shall incorporate accent lighting. Accent lighting may include string lighting in trees or crisscrossed over pedestrian areas via courtyards, or plazas; lighting in fountains; or lighting of significant structures or architectural design features.

e. Public Gathering Space: Public open space areas shall include a minimum of two (2) of the following public gathering spaces:

(1) Patio seating area for a minimum of eight (8) people. Patio seating can be fixed chairs and tables, table/bench combination, or landscape materials (i.e., slabs of stone or rock);

(2) Garden space;

(3) Water feature in the form of a fountain, bubblers, or water play pad;

(4) BBQ area no smaller than two hundred (200) square feet with a minimum of three (3) BBQs and tables; or

(5) Pedestrian plaza no smaller than two hundred (200) square feet with a minimum of four (4) benches.

f. Recreation Facilities: A maximum of twenty-five percent (25%) of the required public open space area may be paved for recreation facilities including but not limited to basketball courts, tennis courts, common playground, or swimming pools.

2. Private Open Space:

a. Ground Floor Units: Each ground floor dwelling unit shall include a minimum of forty (40) square feet of private open space in the form of a covered or uncovered patio to allow for light, air, and privacy.

b. Above-Ground-Floor Units: Each above-ground-floor dwelling unit shall include a minimum of forty (40) square feet of private open space in the form of a terrace, balcony, or rooftop patio to allow for light, air, and privacy.

L. Landscaping (see Figure 1-3):

1. Landscaping Plans: Existing features, such as trees, creeks, and riparian habitats shall be incorporated into landscaping plans.

2. Site Landscaping:

a. All street trees shall be planted consistent with the standard planting detail on file with the City Engineer.

b. Vegetation (i.e., bushes, shrubs, flowers) shall be maintained at a height of no more than three feet (3') when located adjacent to pedestrian pathways and building facades and placed in such a manner that does not obstruct lighting.

3. Irrigation: Site landscaping shall include an automated irrigation system with a minimum of seventy-five percent (75%) of system being drip irrigation to reduce water consumption.

4. Maintenance: All trees and on-site landscaping shall be maintained by the property owner.

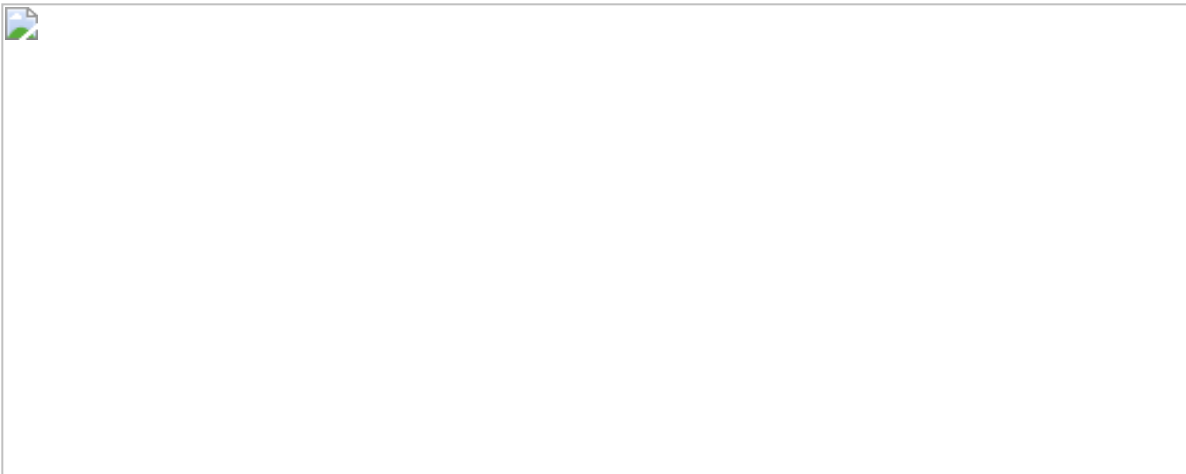
5. Landscaping Plant Selection:

a. Landscape planting shall consist of at least seventy-five percent (75%) native, drought-tolerant plants and/or flowering plants.

b. All tree plantings shall be equivalent to a fifteen (15) gallon container or larger.

c. Street trees shall be selected from the approved species on the Ukiah Master Tree List – Required Street Tree List.

Figure 1-3: Landscaping

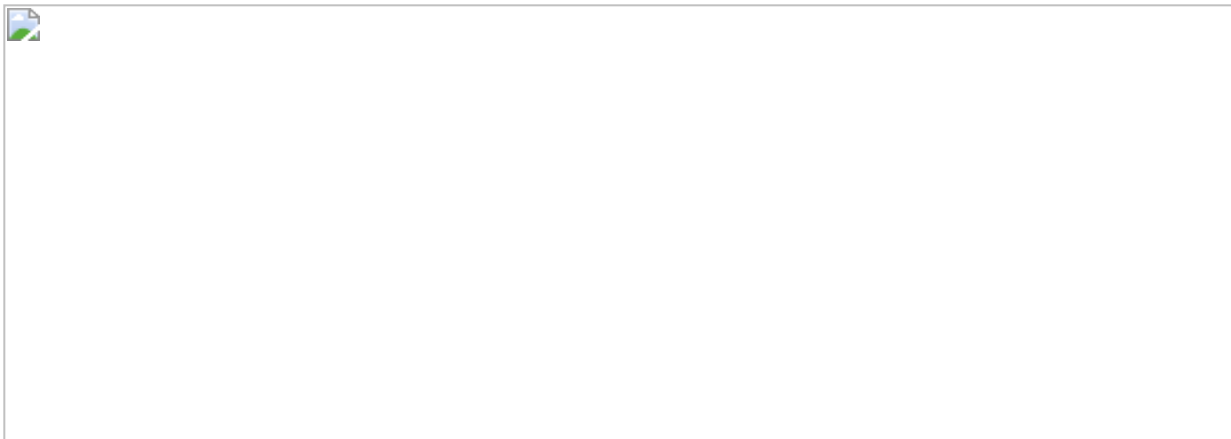


M. Personal Outdoor Storage Spaces: A minimum of ten (10) square feet (eighty (80) cubic feet) of personal outdoor storage space shall be provided for each dwelling unit. Personal outdoor storage areas shall be covered and able to be locked.

N. Bicycle Parking (see Figure 1-4):

1. **Class I Bicycle Parking:** One Class I bicycle parking space (i.e., bicycle locker) is required for every fifteen (15) dwelling units. The Class I bicycle space shall be located within or directly adjacent to the required public open space area.
2. **Class II Bicycle Parking:** For multifamily development projects greater than four (4) dwelling units, one Class II bicycle parking space (i.e., inverted U-rack, ribbon rack, wave rack) is required for every three (3) dwelling units. The Class II bicycle space shall be located within or directly adjacent to the required public open space area.

Figure 1-4: Bicycle Parking



O. Parking and Circulation:

1. Parking Areas:

a. Parking Lot Design and Location:

- (1) Parking is prohibited within required sight distance areas.
- (2) Multifamily development projects greater than fifteen (15) dwelling units shall not site more than fifty percent (50%) of the total parking stalls in a single parking area.
- (3) Multifamily development projects greater than four (4) dwelling units shall not provide parking areas between the building(s) and the primary street frontage.
- (4) Parking areas within a site shall be internally connected and use shared driveways.

b. Parking Lot Landscaping: The following development standards apply to multi-family developments greater than four (4) dwelling units:

(1) Parking areas with twelve (12) or more parking stalls shall have a tree placed between every four (4) parking stalls with a continuous linear planting strip, rather than individual planting wells, unless infeasible.

(2) Parking areas shall provide shade trees in landscaped areas and along pedestrian pathways. Parking areas shall be designed to provide a tree canopy coverage of fifty percent (50%) over all paved areas within ten (10) years of planting.

(3) Parking areas shall provide a minimum ten-foot (10') buffer between the parking and structures. This buffer can include walkways and/or landscaping.

(4) Parking areas shall use concrete curbing or raised planting areas to protect landscaped areas from encroaching vehicles.

(5) At least seventy-five percent (75%) of parking lot trees shall be deciduous species.

c. Parking Lot Lighting: The following development standards apply to multifamily development projects greater than four (4) dwelling units.

(1) Parking lots shall include pole-mounted lighting that shall be no more than sixteen feet (16') in height.

(2) Parking lot lighting shall be directed downward to minimize glare.

d. Carports: Carports shall be reserved for vehicles and shall not be used as storage space.

e. Individual Garage Parking: For multifamily development projects greater than four (4) dwelling units, indoor vehicle parking in the form of garages is encouraged, but not required.

2. Required Parking:

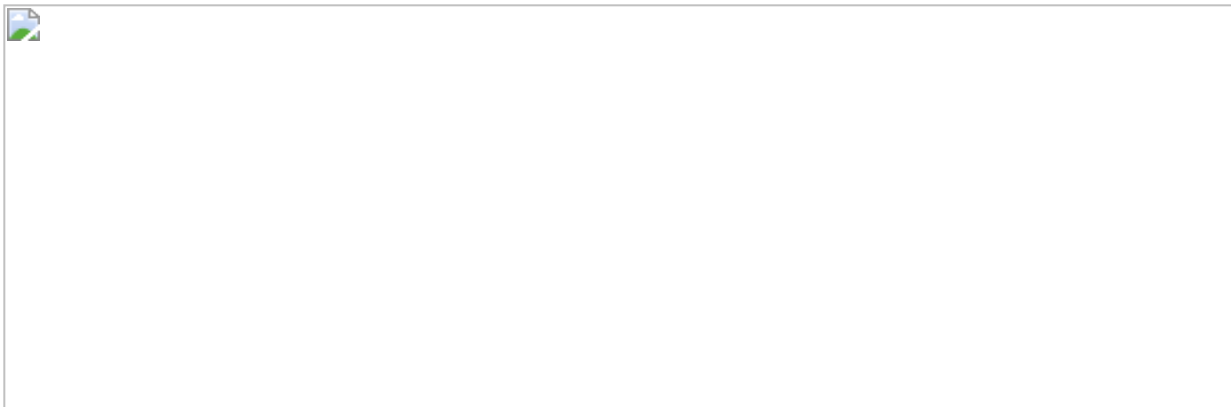
a. Guest Parking: A minimum of three (3) guest parking spaces shall be provided for every six (6) dwelling units.

b. Parking Standards: Multifamily dwelling parking standards shall be consistent with the parking regulations in Chapter 2, Article 17 of this division, with the exception of a minimum of one parking space per dwelling unit.

P. Exterior Lighting (see Figure 1-5):

1. Pedestrian-oriented lighting shall be provided in active pedestrian areas (i.e., paseos, interior sidewalks, pathways, etc.) for safety and security.
2. Pedestrian pathway (excluding street-fronting sidewalks) lighting features shall not exceed ten feet (10') in height.
3. Active pedestrian areas shall incorporate free-standing lighting separate from structures.
4. Pedestrian pathways, elevator lobbies, parking areas, stairwells, and other common areas shall have minimum illumination levels of one-half (0.5) foot-candle at the pathway surface to clearly show walking conditions.
5. Overhead sports court lighting shall illuminate only the intended area. Light trespass onto neighboring parcels is prohibited.
6. Outdoor lighting shall use energy efficient lighting technology and shall be shielded downward to reduce glare and light pollution.

Figure 1-5: Exterior Lighting



Q. Privacy: Any balcony, window, or door shall use at least one of the following development approaches to lessen the privacy impacts onto adjacent properties. These techniques include: use of obscured glazing, landscaped/privacy buffer in the required setback with a minimum of five feet (5'), window placement above eye level, or locating balconies, windows, and doors facing toward the street and backyard. Trees and landscaping used as a landscaped/privacy buffer shall be planted and maintained by the property owner to preserve the privacy of adjacent property owners.

R. Trash and Recycling Enclosures: The following trash and recycling enclosure development standards apply to multifamily development projects greater than four (4) dwelling units:

1. Walls either made of masonry, metal, or wood with finished metal doors.
2. Vehicle and pedestrian access gates.

3. Downward lighting for safety and security.

S. Structure Identification: Structure identification numbers shall be placed along pedestrian pathways and roads and shall be readable from a distance of at least sixty feet (60').

T. Signage and Information: Developments shall comply with the sign standards in Division 3, Chapter 7 of this code (Signs). In addition, all directional signage and informational kiosks (i.e., development maps) shall be located at the entrances of individual buildings and at convergences of main pedestrian pathways. (Ord. 1212, §7, adopted 2021)

§9055.2 DESIGN STANDARDS

A. Carports:

1. For multifamily development projects greater than four (4) dwelling units, carports shall not be visible from the street.

2. Carports shall include the approved color palette, materials, and design elements of the structure.

B. Color Palettes (see Figure 1-6):

1. All structures shall include at least one primary color and a maximum of two (2) accent colors, in addition to the color of the roofing material.

2. Each structure elevation shall include two (2) colors in the selected color palette.

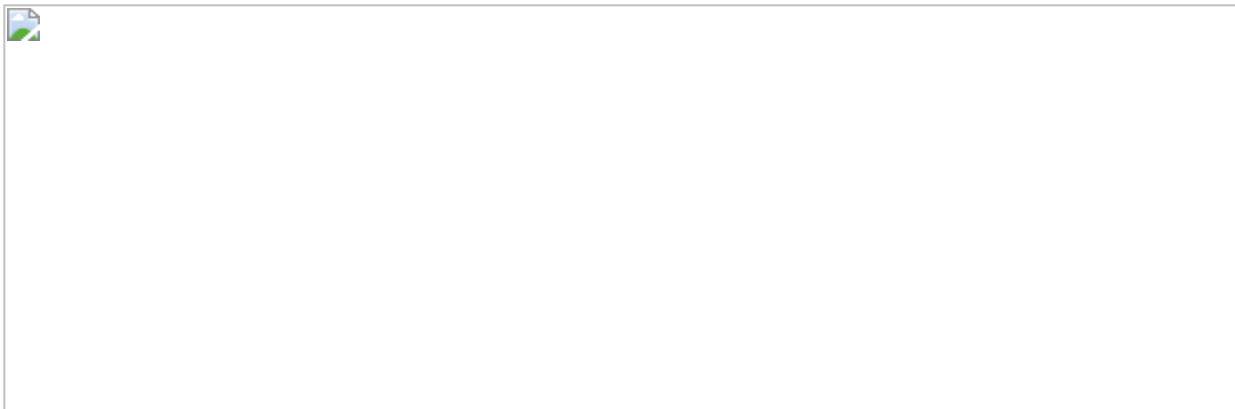
3. Projects that include more than ten (10) dwelling units shall include at least two (2) color palettes, where no single-color palette shall be used on more than fifty percent (50%) of the dwelling units.

Figure 1-6: Color Palettes



- C. Fences and Walls: The following materials are prohibited for all fences and walls:
1. Electrified;
 2. Barbed wire/razor wire;
 3. Sharp objects such as spires and glass;
 4. Cyclone or chain link; and
 5. Vinyl.
- D. Glazing: Structures shall incorporate the use of energy efficient glazing to reduce heat loss and gain.
- E. Common Mailboxes: Common mailboxes shall be painted using the approved color palette for the overall development.
- F. Trash and Recycling Enclosures: Trash and recycling enclosure walls and metal doors shall be painted in accordance with the approved color palette for the overall project.
- G. Roof Design and Materials (see Figure 1-7):
1. Horizontal eaves longer than twenty feet (20') in length shall be broken up by gables, building projections, or other forms of articulation.
 2. Roof overhangs shall be a minimum of twelve inches (12").

Figure 1-7: Roof Design



3. The following are allowable roofing materials:
 - a. Nonreflective standing seam metal roofs in shades of tan, brown, black, light blue, red, and green;

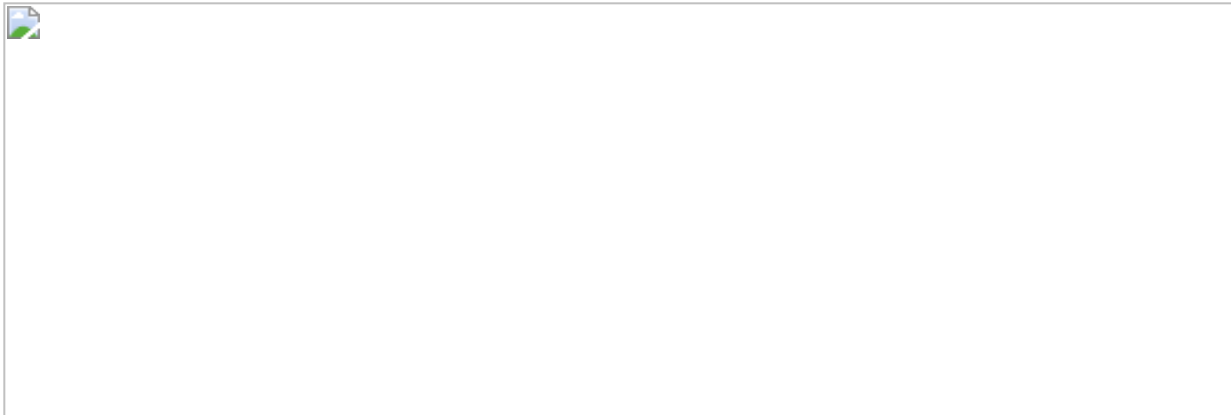
- b. Cool foam roofs (white);
- c. Clay tile; and
- d. Architectural composition shingles.

H. Screening: All screening of ground-mounted, wall-mounted, and roof-mounted equipment shall be painted in accordance with the approved color palette for the project. Visual screening shall be installed if ground-mounted or wall-mounted equipment faces the street.

I. Stairways/Stairwells: Exterior stairways/stairwells that are not enclosed shall not be visible from the public right-of-way.

J. Structure Massing: Structures that have a length longer than thirty feet (30') shall include facades with varying modulation with a minimum depth of two feet (2') at intervals of no more than ten feet (10'), as shown in Figure 1-8.

Figure 1-8: Structure Massing



K. Structure Materials and Elements:

1. Drainpipes, parapets, and ledges shall not be located near windows, corridors, and balconies. If such placement is not feasible, they shall face parking lots, public spaces, and roads.
2. All structures shall include a minimum of two (2) primary materials (i.e., stone, wood, masonry, or metal) on each structure elevation. Each material shall comprise at least twenty percent (20%) of the elevations excluding windows and railings.
3. All structures that use exterior veneers shall ensure the edge of the veneer is not obvious by prohibiting the use of vertical joints at exterior corners.
4. The following primary structure materials are prohibited:

- a. Heavy timber, exposed logs in their natural state;
- b. Stucco textured foam, synthetic stucco, vinyl or vinyl clad materials; and
- c. Unfinished galvanized metals. (Ord. 1212, §7, adopted 2021)



Flexible Parking Standards

PARKING FOR NEW RESIDENTIAL DEVELOPMENT

California is amid a housing crisis. Communities throughout the State are challenged with accommodating their fair share of housing production, many of which are exploring innovative solutions to that challenge. One such strategy is reexamining the number of parking spaces required for new residential development. Through its Zoning Code, the City of Ukiah has a unique opportunity to reduce parking requirements in order to remove barriers to and reduce costs for multi-family and low-income housing development.

What are Parking Standards?

Parking standards are regulations set forth by a county or city requiring new buildings to include a fixed minimum number of off-street parking spaces based on an assumed demand for parking generated by the building use.

This practice dates back to the early 1950s when rapid urban and suburban development resulted in a dramatic increase in the number of privately owned cars and a shortage of parking spaces.

Overview

Through their zoning code, most cities establish a minimum number of off-street parking spaces that must be created for each dwelling unit in a residential development. These requirements can be based on the number of bedrooms in each unit or on a per unit basis, and sometimes may even vary by project or location.

Parking standards are created to ensure that new residents have a dedicated space for their vehicles without creating a burden on on-street and public parking. However, these same parking requirements often lead to an increase in the cost of developing housing by increasing the land area required for a residential project. In turn, residential developments, especially multi-family and low-income projects, become increasingly more expensive and less affordable. Due to the increased cost of construction, tenants end up paying higher housing costs even if they don't use the parking spaces. Most often, the parking requirements go beyond what is actually needed to ensure that residents have adequate parking, which results in an excess of unused parking spaces.

Communities seeking to expand the supply of housing are revisiting their zoning codes to determine whether current parking requirements can be reduced. In doing so, those communities may reduce the cost of housing for residents, potentially lower development costs, and potentially free up land for additional dwelling units.

City of Ukiah Housing Element (2019-2027)

The Housing Element is one of seven State mandated elements that every general plan must contain. This Element provides an analysis of existing barriers to development, the community's housing needs for all income levels, and the strategies to respond to those needs. Adopted on October 23, 2019, the City of Ukiah, with assistance from the State Department of Housing and Community Development (HCD), updated its Housing Element for the 2019-2027 planning cycle. This update brought about substantive changes in format and content from the previously adopted Element to address the multitude of policy changes brought about by the 2017 Housing Bills package signed into law by the Governor.

One barrier to affordable housing the Housing Element addresses is parking standards and requirements. According to the Element, excessive parking requirements may serve as a constraint to residential development by increasing development costs and reducing the amount of land available for additional units or project amenities. As discussed in further detail in the Ukiah City Code: Zoning (Chapter 2) section of this paper, the City generally requires one parking space for one-bedroom apartment units and two spaces for two-bedroom apartment units. Relief from these parking requirements may be granted in some instances through the discretionary review process. These instances include day and nighttime use offsets, mixed-use developments, and special housing developments (i.e. housing for seniors and disabled persons).

Based on feedback from multi-family developers and community stakeholders during the Housing Element Update, the City learned that despite the flexibility in existing parking standards, the requirements may be unintentionally resulting in a reduction of the number of dwelling units feasible on a site. In particular, the requirements may serve as a potential constraint to the development of moderate-income, and affordable housing. To address this issue, the 2019-2027 Housing Element included the following goal, policies, and implementation program regarding parking requirement constraints:

Goal H-3: Remove governmental constraints to infill housing development.

Policies to Support Goal H-3

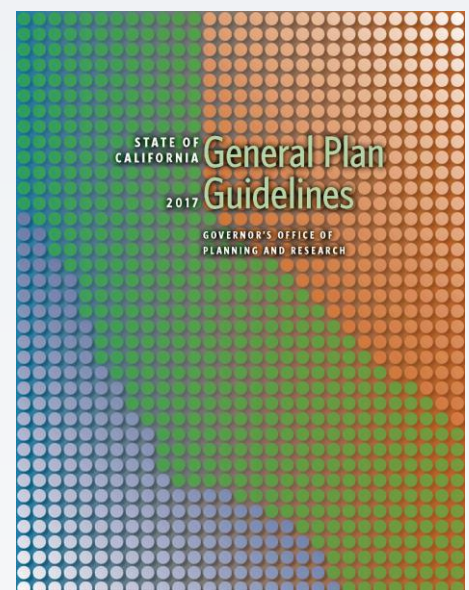
Policy 3-1: Improve building and planning permit processing for residential construction.

Policy 3-2: Encourage the use of density bonuses and provide other regulatory concessions to facilitate housing development.

What is a General Plan?

California law requires that every city and county adopt a general plan “for the physical development of the city and any land outside its boundaries that bear relation to its planning” (California Government Code Section 65300, et. Sec.).

A general plan serves as the jurisdiction's “constitution” or “blueprint” for future decisions concerning a variety of topics including land use, health and safety, and circulation. The Housing Element and Land Use Element are two of the seven State-mandated elements of the Ukiah General Plan that set forth both land use and housing policies in the community.



The OPR General Plan Guidelines aids cities and counties in the preparation and content of general plans

Implementation Program to Support Goal H-3

3b: Develop flexible parking policies for residential development.

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

Responsibility: Community Development Department, Planning Services Division; Planning Commission; City Council

Funding: Department budget and other funding sources as available.

Schedule: Complete draft policy by June 30, 2020.

The following summarizes other key goals in the Housing Element related to the production and preservation of multi-family and special needs housing:

Goal H-2. Expand housing opportunities for all economic segments of the community, including special needs populations.

Goal H-4. Promote well-planned and designed housing opportunities and projects for all persons, regardless of race, gender, age, sexual orientation, marital status, or national origin.

Goal H-5. Provide support for future housing needs.

To help achieve these goals, the Housing Element includes the following policies related to the development of multi-family and special needs housing:

Policy 2-2: Encourage the development of a variety of different types of housing.

Policy 2-5: Facilitate the production of housing for all segments of the Ukiah population, including those with special needs.

Policy 5-2: Continue to encourage and facilitate public participation in the formulation and review of the City's housing and development policies.

Policy 5-3: Assume a leadership role in the development of all types of housing in the community.



The City of Ukiah Housing Element was adopted on October 23, 2019, for the 2019-2027 Planning Cycle.

City of Ukiah Land Use Element (1995)

Similar to the Housing Element, the Land Use Element is one of the seven mandated elements California law requires to be a part of a general plan. The purpose of a Land Use Element is to identify the locations and types of land uses that are to be designated throughout a city and its planning area. These land use classifications are intended to show the future use of lands during the life cycle of a general plan.

The Element provides broad classifications for how land can be used. Subsequently, these classifications form the foundation upon which the zoning and subdivision regulations are developed. It is from the implementation of these regulations, that the goals, policies, and implementation measures specified in the General Plan are applied. The culmination of all General Plan policy programs in the Land Use Element ultimately define what kind of uses are permitted and which regulations govern them.

Ukiah City Code: Zoning (Chapter 2)

A zoning code, or ordinance, establishes regulations that, in part, implement the General Plan and determine how property in a city can be used. Zoning codes typically establish zoning districts that specify allowable uses (e.g., residential, commercial, industrial) and development standards (e.g., structure height, setbacks, lot size, parking requirements). The Ukiah Zoning Code generally allows duplexes and multi-family residential developments in seven districts:

- Medium Density Residential (R-2)
- Heavy Commercial (C-2)
- General Urban (GU)
- Downtown Core (DC)
- High Density Residential (R-3)
- Community Commercial (C-1)
- Urban Center (UC)

Parking standards are set forth in Division 9, Chapter 2, Section 17.9198 of the Ukiah City Code. Generally, the Code requires two parking spaces for single family homes and duplexes, one parking space for one-bedroom apartment units and two spaces for two-bedroom apartment units (see Table 1). Mixed use projects containing a commercial component generally require one space per every 250 square feet of gross leasable space.

Table 1 – Number of Parking Spaces Required

Residential Parking Requirements	
Land Use	Number of Spaces Required
Single-Family Dwellings	2.0 spaces per dwelling unit
Duplexes	2.0 spaces per dwelling unit
Multiple-Family and Condominiums	1.0 parking space for one bedroom units; 2.0 parking spaces for two or more bedroom units

Source: Chapter 2, Section 17.9198(A) Number of Parking Spaces Required, 2020.

Parking Reduction Policies

The existing Zoning Code allows slight deviations from the parking standards through a discretionary review process depending on specific circumstances. For example, in any district, the sum of the separate parking requirements for each use in a mixed residential/commercial project may be reduced up to 35 percent when the City can make a finding that daytime and nighttime demand for parking spaces are offset. Parking requirements may also be reduced in Parking District 1 within the downtown area for projects containing pedestrian accessibility to services, are within a set distance from transit stops, or are located near City parking lots.

In any district, the Community Development Director may approve a reduction in parking requirements up to 30 percent for specific types of residential development. The reduction in parking for each use is dependent on a multitude of factors, such as the occupants age disabilities, or household size. Projects eligible for this reduction are housing developments with at least four dwelling units reserved for any of the following:

- Seniors
- Transitional housing
- Other special needs housing
- Emergency shelters
- Single room occupancies

The City also grants parking reductions for affordable housing projects. In any district where residential development is allowed, a reduction in parking requirements up to 20 percent may be granted for housing with at least four units made available to persons of low, very low, or extremely low income.

Potential Flexible Parking Considerations

Municipalities throughout the state are modernizing parking standards as travel habits shift away from single-occupancy automobile travel toward



Multi-family complexes with an abundance of parking spaces are common in Ukiah.

alternative modes of transportation. Local governments are taking new approaches to determining parking demand, particularly in areas that are walkable and have access to transit. Greater flexibility in parking requirements can reduce the amount of land that is allocated to parking and increase the amount of land for active uses.

Fortunately, cities have a multitude of tools at their disposal to further reduce parking standards if they so wish. As stated in the City of Ukiah Housing Element, the existing inflexibility in parking requirements may put an unnecessary constraint on the development of housing. The following section provides examples the Ukiah might consider implementing to address parking challenges.

Maximums in Lieu of Minimums

Parking requirements in the Zoning Code are currently stated in terms of a minimum number of required spaces. One of the biggest concerns with minimum parking requirements is they have the potential to waste a great deal of space by applying a “one size fits all” solution. Parking minimums fail to consider the many nuances of a residential development, such as tenant vehicle ownership rates and transit use. That is, parking minimums assume that every tenant owns one or more vehicles, which is increasingly not the case, particularly with lower income tenants. In many cases, parking lots are rarely fully occupied.

To address this issue, some communities have not only eliminated minimum parking standards but have adopted parking maximums instead. Rather than specifying a minimum number of spaces that must be provided, a maximum limit is placed on the number of parking spaces that may be developed as a part of a residential project. Replacing parking minimums with maximums can help developers avoid having to over-supply parking just to comply with regulatory requirements. Additionally, parking maximums have the potential to reduce development costs and greatly reduce the entitlement process timeframe because developers avoid the procedure of securing a zoning modification that allows them to provide fewer spaces than required.

Unbundled Parking

“Unbundling” parking is the practice of selling or leasing parking spaces separate from the purchase or lease of the commercial or residential use. This allows base housing costs to be lowered and individuals who do not need parking the flexibility of paying less for their dwelling unit. It also incentivizes individuals—where they have the option, to walk, bike, or use public transit for daily activities—to forego parking space ownership.

The Cities of Albany and San Jose included unbundled parking as a parking reduction incentive for multi-family residential projects. These cities allowed reduced parking requirements, via unbundling, for multi-family residential projects in pedestrian-oriented areas. Ukiah can apply a similar reduction incentive to residential developments across the City. While the City Code

allows the Community Development Director, based on making specific findings, to reduce the parking for residential development by a percentage, the City could implement additional provisions to allow or incentivize unbundled parking for residential projects.

Implementation of AB 744

Assembly Bill (AB) 744 is a bill signed into legislation in 2015 aimed at easing parking requirements for affordable housing. The bill allows affordable housing developers to build less parking than many local zoning regulations currently permit. AB744 is limited to a few specific types of housing that generally house population groups that tend to own fewer cars and drive less than the general population. Those instances include housing for special needs populations, and housing for low-income and very-low income people. The bill also applies to mixed-income developments that include a minimum number of affordable units. In all cases, these developments are required to have easy and convenient access to public transportation.

Under AB 744, if a developer of a qualified housing type requests to build less parking than required in the zoning code, a city must allow it, unless it can demonstrate that more parking is necessary. The bill further specifies that “demonstrate” does not entail the preparation of a vague “parking study.” The parking study to be conducted would have to be recent and based on “substantial evidence,” including area-wide parking availability, transit access, potential for shared parking, the effect of parking requirements on the cost of developments, and rates of car ownership among low-income, senior, and special needs individuals. This process shifts the burden of proof from the developer to the city, while in the process codifying the assumption that in general the populations in these types of development need and use fewer parking spaces.

AB 744 allows developers of specific housing types to request lower parking minimums as follows:

- 100 percent affordable housing within ½ mile of transit with frequent service: 0.5 parking spaces per unit
- 100 percent affordable housing for seniors, within ½ mile of frequent transit service or with access to paratransit service: 0.5 parking spaces per unit
- 100 percent affordable housing for developmentally disabled adults, within ½ mile of frequent transit service or with access to paratransit service: 0.5 parking spaces per unit
- Mixed-income housing within ½ mile of a well-served transit stop and with at least 11 percent of the units set aside for extremely low-income residents or 20 percent set aside for low-income residents: 0.5 parking spaces per bedroom

While Ukiah currently grants parking reductions up to 20 percent for affordable housing projects, it may consider amending its parking regulations to be consistent with AB 744.

Reduction in Residential Parking Minimums

Communities can reduce the number of spaces required per unit (i.e. from 1.5 to 1.0 spaces per bedroom or per unit) on a community-wide basis. This technique works well in particular zoning districts or locations for specific types of housing, such as age-restricted senior or affordable housing. Based on an analysis of communities with a similar population density, it appears that Ukiah’s parking requirements are higher than average. The cities that were analyzed as part of this memo include: Albany, Arcata, and Red Bluff. The following tables (Table 2) summarize each city’s parking standards for residential uses.

Table 2 – Parking Standards in Similar Communities

Residential Parking Requirements			
Land Use	City of Albany	City of Arcata	City of Red Bluff
Single-Family Dwelling	2.0 spaces per unit	Min: 1.0 space per unit	2.0 spaces per unit
		Max: 2.0 spaces per unit	
Two-Family Dwelling/Duplex	1.5 spaces per unit	Min: 1.0 space per unit	2.0 spaces per unit
		Max: 2.0 spaces per unit	
Multi-Family Dwelling	1.0 space per unit	Min: 1.0 space per unit	2.0 spaces per unit
		Max: 2.0 spaces per unit	
Senior Housing Development	0.5 spaces per unit	Min: 0.75 spaces per unit	N/A
		Max: 1.5 spaces per unit	
Residential Mixed-Use Development	1.0 space per unit	N/A	N/A
Affordable Housing	0.5 spaces per bedroom	N/A	N/A
Shared Housing	0.5 spaces per unit	N/A	N/A
Live/Work Space	1.0 space per unit	N/A	N/A

Source: Section 20.28.030 Parking Spaces Required, City of Albany, 2020. Section 9.36.040 Number of Parking Spaces Required, City of Arcata, 2020. Chapter 25, Article XXIII, Section 25.217(D) Off-Street Parking Requirements, City of Red Bluff, 2020.

Based on the above analysis of similar cities, Ukiah may consider amending their City Code to reduce the overall parking requirements for residential uses. Table 3 below provides a moderate reduction in parking standards, whereas Table 4 provides a more aggressive reduction.

Table 3 – Moderate Reduction to Residential Parking Standards for Ukiah

Residential Parking Requirements		
Land Use	Existing	Proposed
Single-Family Dwellings	2.0 spaces per dwelling	2.0 spaces per dwelling
Duplexes	2.0 spaces per dwelling	1.5 spaces per dwelling
Multiple-Family and Condominiums	1.0 parking space for one bedroom units; 2.0 parking spaces for two or more bedroom units	1.0 spaces per dwelling

Table 4 – Aggressive Reduction to Residential Parking Standards for Ukiah

Residential Parking Requirements		
Land Use	Existing	Proposed
Single-Family Dwellings	2.0 spaces per dwelling	2.0 spaces per dwelling
Duplexes	2.0 spaces per dwelling	1.0 spaces per dwelling
Multiple-Family and Condominiums	1.0 parking space for one bedroom units; 2.0 parking spaces for two or more bedroom units	0.5 spaces per dwelling

Conclusion

Many cities hoping to encourage affordable multi-family development have found reducing parking standards to be one effective and innovative solution. Whether through the implementation of State law, the reduction of parking standards community-wide, or the adoption of new parking reduction concepts, it is imperative communities reduce barriers to multi-family residential development during this housing crisis.

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CALIFORNIA ENVIRONMENTAL QUALITY ACT

**DRAFT
INITIAL STUDY AND
NEGATIVE DECLARATION
FOR
HOUSING RELATED ZONING CODE UPDATES**



June 7, 2021

Prepared by:

**City of Ukiah
Community Development Department
Planning Division
300 Seminary Avenue, Ukiah, CA 95482**

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I. PROJECT INFORMATION

Project Title:
Housing Related Zoning Code Updates
Lead Agency Address and Phone Number:
City of Ukiah 300 Seminary Avenue Ukiah, California 95482 (707) 463-6200
Project Contact Person and Phone Number:
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CEQA Contact Person and Phone Number:
Michelle Irace, Planning Manager City of Ukiah Community Development Department (707) 463-6268 mirace@cityofukiah.com
Project Location:
All properties within the City of Ukiah limits zoned for commercial and residential land uses
City of Ukiah General Plan Designations: Commercial and Residential land use designations • Commercial • Low Density Residential • Medium Density Residential • High Density Residential
City of Ukiah Zoning Districts: Commercial and Residentially-zoned properties: • Article 3 "R-1" Single-family Residential • Article 4 "R-2" Medium Density Residential • Article 5 "R-3" High Density Residential • Article 6 "CN" Neighborhood Commercial • Article 7 "C-1" Community Commercial • Article 8 "C-2" Heavy Commercial • Article 20 Administration and Procedures • Article 21 Definitions

II. PROJECT DESCRIPTION

1. Project Location

The Housing Related Zoning Code Updates (“Proposed Project”) includes all residential and commercial zoned properties within the City of Ukiah limits. See **Figure 1, Location Map** and **Figure 2, Zoning Map**.

2. Environmental Setting

The City of Ukiah includes approximately 4.72 square miles. It serves as the County Seat of Mendocino County, as well as the county’s commercial hub. Predominant land uses in the City include single family residential, multi-family residential, and commercial uses ranging from local commercial to service commercial, as well manufacturing, industrial and public facilities. Further west is undeveloped open space, and steep, densely vegetated areas interspersed with rural residential lots within the Western Hills and Mendocino County’s jurisdiction.

The City of Ukiah sits in the Ukiah Valley in central Mendocino County, with elevations varying from approximately 600-feet above mean sea level up to approximately 3,000 feet in the hills surrounding the city. Ukiah is located along the Highway 101 corridor and near the east/west intersection of Highway 20, two hours north of the Golden Gate Bridge. The City of Ukiah is situated within the Coast Range geologic province. The North Coast Range is comprised of a geologic feature unique to California, the Franciscan Formation, which dictates the vegetative communities. The Franciscan Formation is comprised of serpentinite, sandstone, and other sedimentary rocks. This area is characterized by a Mediterranean climate; the winters are cool and wet, and the summers are hot and dry. Annual temperatures for this region range from about 30 to 100 degrees Fahrenheit. The Ukiah Valley is located approximately 30 miles east and inland from the Pacific Ocean. It runs north-south for approximately nine miles, with a maximum width of three miles. The Russian River enters the valley at the north end and runs south along the valley floor.

3. Background

The City’s first General Plan was originally adopted in 1974, updated in 1995, and was last amended in 2019, with adoption of the 2019-2027 Housing Element. The General Plan serves as a blueprint for future development and growth of the community. The City is currently in the process of completing a General Plan Update (the “2040 General Plan”) that will map out the vision for community development through 2040; until the new General Plan is adopted, the 1995 General Plan (as amended in 2019) is considered the applicable plan. The 2019-2027 Housing Element was adopted by the Ukiah City Council on October 23, 2019, and certified by the California Department of Housing and Community Development (HCD) on December 5, 2019. The Housing Element must demonstrate the availability of appropriately zoned land needed to meet the Regional Housing Needs Allocation (RHNA) (Government Code Sections 65582(a)(3)) and 65582.2(a)), and represents the City of Ukiah’s efforts

to fulfill requirements under the State Housing Element Law and responds to Ukiah's housing needs by identifying policies and implementing actions for meeting those needs. Specifically, the Housing Element contains five (5) Goals, 19 Supporting Policies, and 33 Implementing Programs to promote and facilitate housing within the City of Ukiah.

Zoning and land use are governed by the City's Zoning Ordinance, as outlined in Division 9, Chapter 2 of the Ukiah City Code. The purpose of the Ukiah Zoning Code is to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare. Residential development of varying intensity is allowed in all zoning districts of the Ukiah Zoning Code, with the exception of the Manufacturing and Public Facility Zoning Districts. The intent of the Proposed Project is to amend the Zoning Code in order to enact several Implementing Programs identified in the Housing Element.

In addition, the proposed amendments are in accordance with recent State laws regarding facilitation of housing. California is in the midst of a housing crisis in which communities throughout the State are challenged with accommodating their fair share of housing production (as identified through the RHNA). The housing shortage has prompted the State legislature and Governor to enact new laws requiring cities and counties to streamline housing approval by establishing a by-right, ministerial approval process for all new residential construction, excluding single-family homes.

4. Project Components

The City of Ukiah is proposing Housing-related Zoning Code amendments to the City of Ukiah's Municipal Code. The Housing-related Zoning Code amendments include enacting both the City of Ukiah's 2019-2027 Housing Element Implementing Programs and updates required for compliance with new State laws ("Proposed Project"). Summaries of the Implementing Programs and the State laws related to the proposed Zoning Code amendments are listed below. A complete list of Implementing Programs are included as Appendix G of the Housing Element which may be found at <http://www.cityofukiah.com/projects/housing-element-update/>.

2019-2027 Housing Element Implementing Programs

1e: Develop Objective Multifamily Residential Design and Development Standards. Develop Objective multifamily residential design and development standards, including standards for multifamily in the R-2, R-3, C-1, and C-2 zones (2019-2027 Housing Element Program 2h). If a project is in compliance with these standards, their project will be ministerial, and will only require a building permit, rather than a Use Permit/Site Development Permit. These design standards 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. The Objective Design and Development Standards ("Objective Standards") were approved by the City Council, in concept, in December 2020, and are included in **Attachment B**. The Objective Design and Development Standards will be included in the Proposed Project for final City Council review and approval.

2h: Ensure Capacity of Adequate Sites for Meeting Regional Housing Needs Allocation (RHNA). The following Zoning Code amendments to streamline housing production in order to meet the City's new RHNA allocation of 239 units from the 2019-2027 Housing Element:

- Revise C-1 and C-2 Zones to allow by-right housing development, with objective design and development standards. Housing types allowed by-right will include multifamily, Single Room Occupancies (SROs), duplexes, triplexes, and fourplexes.
- Revise the R-2 Zone to allow up to 15 dwelling units per acre (du/ac) instead of 14 dwelling units per acre.
- Revise the C-N Zone to increase residential density from 6 du/ac to 15 du/ac and allow similar housing types as those allowed in R-2.

2l: Compliance with AB 2162. Revisions to the Zoning Code to allow supportive housing by right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses.

3a: Modifications to Development Standards to Maximize Housing Development. Maximize housing development by amending development standards pertaining to height, density, setback reduction, site area. These Zoning Code amendments include:

- Increasing maximum allowable height for new residential buildings.
- Increasing density.
- Reducing yard setbacks.
- Reducing minimum site area.
- Revising the R-1 (Single-family Residential) and R-1-H (Single-family Residential- Hillside Combining) ¹ zoning districts to allow by-right and/or permit other residential building types and densities.

3b: Flexible Parking Standards. Include Flexible Parking Standards that reduce parking requirements, specifically in zoning districts that allow for lower-income housing developments, in order to streamline and remove barriers to multifamily housing development. The Moderate Parking Standards, and Unbundled Parking (with a minimum of one (1) parking space per dwelling unit) were approved by the City Council, in concept, in December, 2020, and are included in **Attachment C**. Flexible Parking Standards will be included in the Proposed Project for final City Council review and approval.

Housing-Related State Legislation

Senate Bill 2(Approved by Governor 10/13/2007) amended GC

- GC 65583(b)(3): Supportive and transitional housing shall be a use by right anywhere residential uses are by right. Also, they are to be evaluated only by the criteria for residential uses of similar size.
- Added definition of supportive and transitional housing to GC

Senate Bill 234 (Approved by Governor on 9/5/2019): Jurisdictions cannot require discretionary permits for large or small family daycares in any zoning district allowing for primary residential use.

¹ Although identified in Implementation Program 3a, the Hillside Overlay District is not included in the proposed amendments at this time.

Assembly Bill 101 (Approved by Governor on 7/31/19) Adding Low barrier Navigation Centers as a use by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements.

Assembly Bill 3182 (Approved by Governor on 9/28/2020) Regarding Rental Restrictions (amendment to 9016 R-1) Requires ministerial approval of one ADU and one JADU per parcel with a primary SFD. Previously was one ADU or one JADU.

Assembly Bill 2162 (Approved by Governor on 9/26/2018) Supportive housing is a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily, uses. Prohibits requiring parking if within one-half mile of a public transit stop.

A summary of the proposed amendments are provided in **Table 1** below, and proposed Zoning Code text amendments are included as **Attachment A**. Text proposed for deletion is shown in ~~Strikethrough~~, while text proposed to be added is shown in Underline. The proposed Zoning Code Amendments will also require an amendment to the City of Ukiah's General Plan to increase allowable building density proposed in the Zoning Code Amendments. While the proposed changes include policy changes to facilitate housing development, no development or physical changes to the environment are proposed.

Table 1, Summary of Proposed Zoning Code Amendments

PROPOSED ZONING CODE AMENDMENTS						
	Zoning District					
Development Standard	R1	R2	R3	CN	C1	C2
Density	No change: 6 dwelling units per acre (du/ac)	Changing from 14 du/ac to 15 du/ac	No change: 28 du/ac)	Changing from 6 du/ac to 15 du/ac	No change: 28 du/ac)	No change: 28 du/ac)
Height	No change: (30 ft and for accessory buildings a maximum height of twenty feet (20') or the maximum height of the main building whichever is less).	Changing from 30 to 35 ft for main bldgs. No change to accessory (20 ft or the maximum height of the main building whichever is less)	Changing from 40 to 50 ft for main structures, unless abutting R1 or R2 (then 35 ft). no change to accessory structures (30 ft)	Changing from 30 to 35 ft for main bldgs. No change to accessory (20ft)	No change (50ft)	Changing from 40 ft to 50 ft for primary and 20 to 30 ft for accessory
Setbacks	Reduced: front-15 ft (but 25 for garage/accessory structures); sides-10 ft (no change); rear-15 ft. Sides/rear for accessory-5 ft. Corners-15 ft. No change to 4 ft side and rear for Accessory Dwelling Units (ADUs)	No change for SFDs but reduced for multifamily: front-10 ft (25 ft for garage); sides-5 ft; rear-10 ft (but 15 for multi-story); corners- 10 ft. Reducing distance between structures to 10 ft	No change for SFDs but reduced for multifamily: front-10 ft (25 ft for garage); sides-5 ft; rear-10 ft (but 15 for multi-story); corners- 10 ft. Reducing distance between structures to 10 ft	No change to front (10 ft single story & 15 for second story). Reducing side from 10 ft to 5 ft. Rear stays 10 ft.	No change. Front yards for single & multi-story buildings: 5 ft & 10 ft on corner lots. Rear and side yards: None required except where the rear or side of a lot abuts on an R1, R2, or R3 district, in which case such rear or side yard shall be that of the adjoining zone.	No change. Front yards for single & multi-story buildings: 5 ft & 10 ft on corner lots. Rear and side yards: None required except where the rear or side of a lot abuts on an R1, R2, or R3 district, in which case such rear or side yard shall be that of the adjoining zone.

Required Site Area	No change	Removing required minimum area	Removing required minimum area	Removing minimum required area for residential and Mixed-Use. No change for commercial (7k)	Commercial-6k/each building or group of buildings & a minimum width of sixty feet (60') on interior lots; 7k & 70 ft wide for corner lots Residential and Mixed-Use. No minimum building site area. Mobile Home Parks- Minimum of two (2) acres.	No change
Allowed/Permitted Uses	Allowed: Multiple-family residential dwellings in the form of duplexes, transitional housing, and supportive housing on corner lots. Prohibited: triplex, fourplexes, SROs, and rooming and boarding houses. Multifamily that complies with the design standards are permitted by	Allowed: SFDs including manufactured/modular homes, transitional housing, and supportive housing. Allowed: Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, SROs, and rooming or boarding houses. multifamily that complies with the design standards are permitted by right (no UP/SDP).	Allowed: SFDs, including manufactured/modular homes, transitional housing, and supportive housing). Allowed: Multiple-family dwellings (i.e., duplexes, triplexes, fourplexes, condominiums, apartments, transitional housing, supportive housing, single-room occupancies (SROs), and rooming or boarding houses). Multi-family that complies with the design standards are permitted by right (no UP/SDP).	Allowed: Low Barrier Navigation Centers Allowed: Multiple-family dwellings (duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, SROs, and rooming or boarding houses). Multiple-family dwellings that comply with the design standards are permitted by right (no UP/SDP). Allowed: Small emergency shelters; Family daycares, large and small	Allowed: Low Barrier Navigation Centers Allowed: Multiple-family dwellings (duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, SROs, and rooming or boarding houses). Multiple-family dwellings that comply with the design standards are permitted by right (no UP/SDP). Allowed: daycares Allowed: Small emergency shelters; Family daycares, large and small	Allowed: Low Barrier Navigation Centers Allowed: Multiple-family dwellings (duplexes, triplexes, fourplexes, condominiums, apartment houses, transitional housing, supportive housing, SROs, and rooming or boarding houses). Multiple-family dwellings that comply with the design standards are permitted by right (no UP/SDP). Allowed: daycares Allowed: Small emergency shelters; Family daycares, large and small

		right (no UP/SDP). Allowed: Family daycares, large and small	Allowed: Family daycares, large and small Permitted: Multiple-family dwellings that do not comply with the design standards	Allowed: : Family daycares, large and small Permitted: Multiple-family dwellings that do not comply with the design standards	dwellings that comply with the design standards are permitted by right (no UP/SDP) Allowed: : Family daycares, large and small Allowed: Small emergency shelters Permitted: Large emergency shelters Permitted: Multiple-family dwellings that do not comply with the design standards	Permitted: Large emergency shelters Permitted: Single-family dwelling (i.e., single-family home, manufactured/modular home, transitional housing, and supportive housing). Manufactured/modular home shall comply with the additional development standards Permitted: Multiple-family dwellings that do not comply with the design standards Permitted: Mobile home parks.	Permitted: Large emergency shelters Permitted: SFD (i.e., single-family home, manufactured/modular home, transitional housing, and supportive housing). Manufactured/modular home shall comply with the additional development standards
Parking		No change for SFD. Duplex is reduced to 1.5/unit	SFD no change (2/unit). Reducing duplex & multifamily parking: Duplex-1.5/unit; multifamily-1/unit	SFD no change (2/unit). Reducing duplex & multifamily parking: Duplex-1.5/unit; multifamily-1/unit	No change for commercial. Adds residential parking: SFD-2/unit; Duplex-1.5/unit;	No change to commercial (?) Adds residential parking: SFD-2/unit; Duplex-1.5/unit; Multiple-Family-1/unit .	No change to commercial? Adds residential parking: Multiple-Family Dwelling: 1/unit

				Multiple-Family-1 space/unit . Removes ADU parking requirement of 1 space	Removes ADU parking requirement of 1 space	
Other	Adds standards for manufactured homes	Adds standards for manufactured homes.	Adds standards for manufactured homes.	Lot coverage increases from 40% to 60%. Adds standards for manufactured homes. Removes landscape plan requirements and relies on design standards (see my comment in R3)	Clarifies language for ensuring privacy. Adds standards for manufactured homes.	Clarifies language for ensuring privacy. Adds standards for manufactured homes.

FIGURE 1 CITY OF UKIAH LIMITS

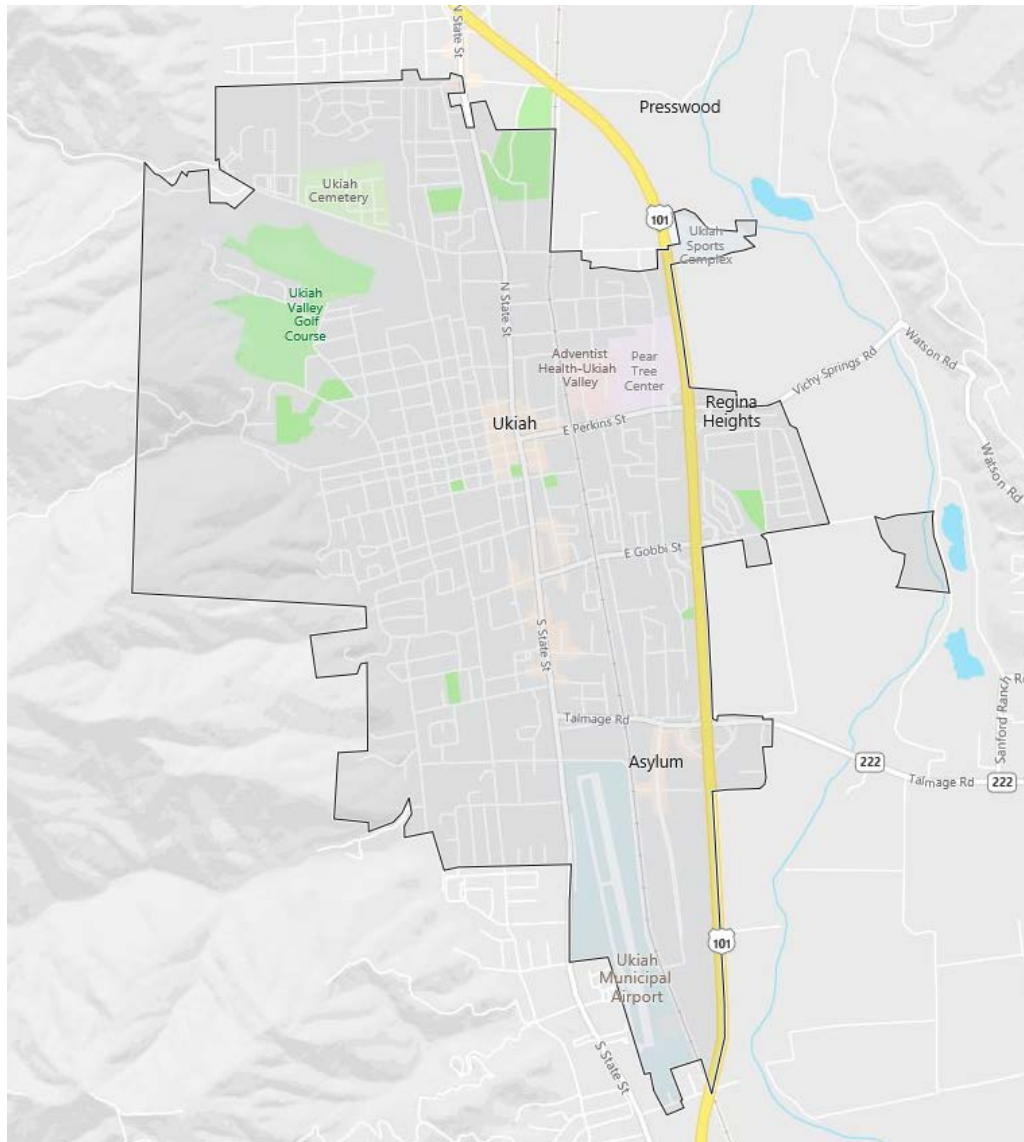
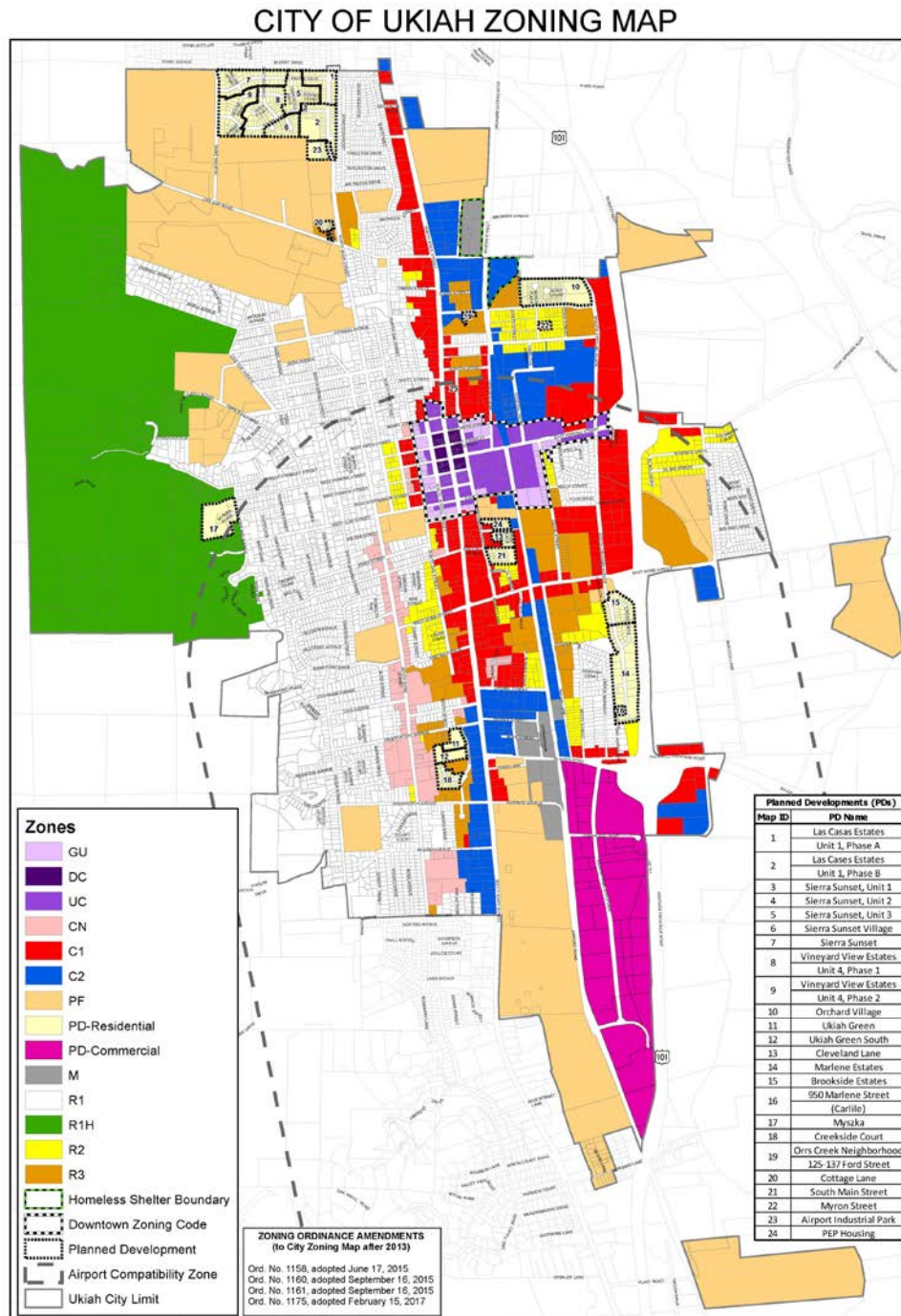


FIGURE 2. ZONING MAP



III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

Purpose of the Initial Environmental Study: This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Project, as proposed, would have a significant impact upon the environment.

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture & Forestry | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology / Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials |
| ☐ Hydrology/Water Quality | ☐ Land Use / Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population / Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities/Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

Summary of Findings: Section 15378 of the California Environmental Quality Act (CEQA) defines a "Project" as an activity that (1) is a discretionary action by a governmental agency; and (2) will either have a direct or reasonably foreseeable indirect impact on the environment. (Pub. Res. Code, § 21065). "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.

The Proposed Project includes Housing-related Zoning Code amendments to the City of Ukiah's Municipal Code in order to enacting both the City of Ukiah's 2019-2027 Housing Element Implementing Programs, and updates required for compliance with new State laws. The amendments are designed to aid in meeting the City's Regional Housing Needs Allocation (RHNA) by facilitating the development of housing with streamlined review and are intended to facilitate housing development within residential and commercial zoning districts through reduced development standards (increasing maximum height, decreasing or eliminating required minimum site area, and decreasing setbacks, parking and other development standards, in addition to developing objective design and development standards for new residential development).

While the Proposed Project is intended to facilitate housing development within the City of Ukiah, it does not include specific development designs or proposals, nor does it grant any entitlements for development. Development could also result in impacts to the physical environment depending on location, intensity, and other siting factors. However, the location, intensity, siting, and timing of such development is unknown.

All future development associated with the proposed Zoning Code amendments would be in residential or commercial zoning districts where housing development is already generally allowed by right, or with an approved use permit and site development permit. Development could also result in impacts to the physical environment depending on location, intensity, and other siting factors. However, the exact intensity, location, size and timing of future development is unknown. There are many possible scenarios and outcomes of the proposed Zoning Code amendments. Therefore, a general analysis of impacts is provided in this Initial Study. All future development would be analyzed on a project level basis for consistency with land use policies and development standards, and would be subject to Building Permits for consistency with building and safety codes. In addition, depending on the type of development, location, and zoning district, future development could also require discretionary and environmental review of their individual and cumulative environmental impacts, as applicable.

Based upon the analysis contained within this Initial Study/Negative Declaration, all potential impacts resulting from the Proposed Project would be less than significant or would have no impact.

IV. DETERMINATION

On the basis of the initial evaluation that follows:

X I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

 I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures and project revisions have been identified that would reduce all impacts to a less than significant level. A MITIGATED NEGATIVE DECLARATION will be prepared.

 I find that the proposed Project MAY have a significant effect on the environment. An ENVIRONMENTAL IMPACT REPORT is required.

 I find that the proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

 I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature

Date

Mireya G. Turner, Planning Manager
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V. EVALUATION OF ENVIRONMENTAL IMPACTS

The purpose of this Initial Study/Negative Declaration (IS/ND) is to provide an analysis of the potential environmental consequences as a result of the proposed Project. The environmental evaluation relied on the following categories of impacts, noted as column headings in the IS checklist, in accordance with CEQA Guidelines Appendix G.

“Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.”

“Less Than Significant Impact” applies where the Project would not result in a significant effect (i.e., the Project impact would be less than significant without the need to incorporate mitigation).

“No Impact” applies where the Project would not result in any impact in the category or the category does not apply. This may be because the impact category does not apply to the proposed Project (for instance, the Project Site is not within a surface fault rupture hazard zone), or because of other project-specific factors.

1. Aesthetics

AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Significance Criteria: Aesthetic impacts would be significant if the Project resulted in the obstruction of any scenic vista open to the public, damage to significant scenic resources within a designated State scenic highway, substantial degradation to the existing visual character or

quality of the site and its surroundings from public views, or generate new sources of light or glare that would adversely affect day or nighttime views in the area, including that which would directly illuminate or reflect upon adjacent property or could be directly seen by motorists or persons residing, working or otherwise situated within sight of the Project.

Environmental Setting: The City of Ukiah is located within the Ukiah Valley, and scenic resources include not only the natural environment, but the built environment as well. One of the most notable scenic resources in the City limits is the Western Hills. Views of expansive hillsides to the north, east and south, mostly within the County's jurisdiction, also surround the City. Some hillsides are densely forested with evergreen trees, while others are relatively open in comparison, dominated by mature oak trees set amid scrub and grasslands. Views on the Valley floor within the City of Ukiah include those typical of existing residential and commercial development and the majority of the land within the City limits is previously developed. In addition, some views of agricultural land uses within the City limits, or immediately outside of City limits, are available.

Discussion: (a & c) Less than significant impact. Proposed Zoning Code amendments including increasing allowable density per acre (in Medium Density Residential (R2) and Community Neighborhood Commercial (CN) zoning districts), increasing maximum height, decreasing or eliminating required minimum site area, and decreasing setbacks, parking and other development standards, are intended to facilitate housing development within residential and commercial zoning districts. Future development facilitated by the proposed amendments have the potential to impact views of scenic resources, degrade the visual character, depending on location, height, siting, design, proximity to public viewpoints and scenic resources, etc. However, future housing development may require discretionary and environmental review (as applicable) and impacts to aesthetics associated with those projects will be considered at that time. All development will be subject to applicable zoning, subdivision and related ordinances, regulating height, setbacks, and density, as well other development standards, established to preserve the visual character within the City.

While multifamily residential projects may be allowed by right under the proposed amendments in all residential and commercial zoning districts, they are required to be in compliance with the proposed Objective Design and Development Standards for New Residential Construction (referred to as "Objective Standards" and included in **Attachment B**); the Objective Standards include provisions to ensure aesthetic compatibility including but not limited to: using specific color pallets, landscaping requirements, lighting, screening of ancillary equipment and parking areas, etc. If the multifamily development does not meet the Objective Standards, then the project requires discretionary review and review by the Design Review Board to ensure aesthetic compatibility. With adherence to development standards within the Zoning Code, the Objective Standards for new multifamily residential development, and the discretionary and environmental review process (as applicable), it can be assumed that all new development would generally be consistent with the visual character of existing development within the City, and would not impact scenic vistas.

As previously stated, the Western Hills contain the most notable scenic resources within the City. The portion of the lands within the City's jurisdiction in the Western Hills are zoned R1 with a Hillside Combining District (-H). The intent of the -H District is to preserve outstanding natural visual and physical features, such as the highest crest of a hill, natural rock outcroppings, major tree belts, etc. The -H District contains strict development standard, including requiring discretionary review of all residential development to ensure visual and natural resources are

protected. The R1-H zoning district is not included proposed amendments. Therefore, scenic resources within the Western Hills will not be impacted by the Proposed Project.

For the aforementioned reasons, the Project would not result in a significant impact to scenic vistas, nor the visual character of the site or area. Impacts would be **less than significant**.

(b) No impact. According to the California Department of Transportation's (Caltrans) State Scenic Highway System Map, there are no designated state scenic highways within, or visible from the City of Ukiah. In addition, there are no highways identified as eligible for state designation. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Lastly, the City's General Plan does not designate any local scenic roads in the Project area; **no impact** to scenic resources within a designated scenic corridor would occur.

(d) Less than significant impact. New sources of light and glare associated with future residential development could include building-mounted outdoor lighting, indoor residential lighting, and new sources of glare from windows and cars. However, all lighting would be required to be downshielded and comply with the Dark Skies Ordinance to protect nighttime views. In addition, the Design Standards contain regulations for lighting to ensure multifamily development does not create a significant source of lighting or glare. Sources of light and glare associated with future residential development would be typical of those associated with typical residential development in the City and would not be considered "substantial". Therefore, impacts would be **less than significant**.

2. Agriculture and Forestry Resources

AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would have a potentially significant impact on agricultural resources if it would convert prime farmland to a non-agricultural use, conflict with a Williamson Act contract, or disrupt a viable and locally important agricultural use. The Project would have a potentially significant impact on forestry resources if it would result in the loss, rezoning or conversion of forestland to a non-forest use.

Environmental Setting: According to the Ukiah Valley Area Plan (UVAP; 2011), early agricultural efforts in the Ukiah Valley included the raising of livestock, and the growing of various grains, hay, alfalfa, and hops. When the Northwestern Pacific Railroad was completed in 1889; prunes, potatoes, pears, and hops could be grown and sent to San Francisco and other regional markets. Wine grapes were planted, and irrigation was practiced on a small scale. Through the 1950's, hops, pears, prunes and grapes were the most widely planted crops in the Ukiah Valley. After the railroad was completed, lumber mills sprang up in the Ukiah Valley and became the major industry in Mendocino County as trains took redwood logs and processed boards south to the San Francisco region. Today, much of the active agricultural land in the UVAP planning area is located on the valley floor and lower elevations along the Russian River system.

There are no zoning districts within the City limits for Agriculture or Timber Preserve. While there is an overlay for agriculture in the Zoning Ordinance, it is not applied over any parcel within the

City limits. There are a small number of City parcels which have current agricultural use, such as existing vineyards. However, they are ongoing non-conforming uses within non-agricultural zoning districts. According to the California Department of Conservation Farmland Mapping & Monitoring Program, California Important Farmland Finder, the majority of lands within the City of Ukiah are identified as “Urban Built-Up Land”, with the exception of some areas within the Western Hills and the Airport Industrial Business Park, which are identified as “Grazing Land”. There are two parcels within the City limits that are identified as “Prime Farmland”: APNs 00102063 and 18012004. APN 00102063 is located at 940 Low Gap Road and is part of the Russian River Cemetery that is partially developed with agricultural uses, as well as a roadway and parking area. APN 18012004 is a vacant parcel with some agricultural uses, located adjacent to 1825 Airport Road within the Airport Industrial Business Park Master Plan Area.

Discussion: (a-e) Less than significant. Lands affected by the proposed zoning amendments (commercial and residential zoned properties) are located within the “Urban Built-Up Land” designation that is not identified as having agricultural value or uses. The parcels identified as “Prime Farmland” and “Grazing Land” are either located within the Public Facilities zoning district, the Hillside Overlay District, or within the Airport Industrial Business Park Master Plan area that will not be included, nor impacted by the proposed zoning amendments. The “Prime Farmland” designation is a combination of the active use, soils analysis and animal carrying capacity. While there are parcels identified as ‘Prime Farmland’, there are no lands within the City of Ukiah under Williamson Act Contracts. As such, the Project would not convert Farmland, conflict with existing zoning for agriculture or forest land, and would not involve changes to the environment that would result in the conversion of agricultural resources to non-agriculture uses. Therefore, impacts to agricultural resources would be **less than significant**.

3. Air Quality

AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would have a significant impact to air quality if it would conflict with an air quality plan, result in a cumulatively considerable net increase of criteria pollutant which the Mendocino County Air Quality Management District (MCAQMD) has

designated as non-attainment, expose sensitive receptors to substantial concentrations of air pollutants, or result in emissions that create objectionable odors or otherwise adversely affect a substantial number of people.

Environmental Setting: The Project is located within the North Coast Air Basin (NCAB), which includes Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma Counties, and is under the jurisdiction of the Mendocino County Air Quality Management District (MCAQMD). The area's climate is considered Mediterranean, with warm, dry summers and cooler, wet winters. Summer high temperatures average in the 90's with high temperatures on very warm days exceeding 105 degrees. Summer low temperatures range between 50-60 degrees. Winter high temperatures generally range in the 50's and 60's. The average annual temperature is 58 degrees. Winter cold-air inversions are common in the valley from November to February.

Prevailing winds are generally from the north. Prevailing strong summer winds come from the northwest; however, winds can come from the south and east under certain short-lived conditions. In early autumn, strong, dry offshore winds may occur for several days in a row, which may cause air pollution created in the Sacramento Valley, Santa Rosa Plain, or even San Francisco Bay Area to move into the Ukiah Valley.

The MCAQMD, which includes the City of Ukiah and surrounding areas, is designated as non-attainment for the State Standard for airborne particulate matter less than 10 microns in size (PM¹⁰). Particulate matter (PM) has significant documented health effects. The California Clean Air Act requires that any district that does not meet the PM¹⁰ standard make continuing progress to attain the standard at the earliest practicable date. The primary sources of PM¹⁰ are wood combustion emissions, fugitive dust from construction projects, automobile emissions and industry. Non-attainment of PM¹⁰ is most likely to occur during inversions in the winter.

Regulation 1 of the MCAQMD contains three rules related to the control of fugitive dust:

- Rule 1-400(a) prohibits activities that "cause injury, detriment, nuisance or annoyance to a considerable number of persons...or which endanger the...health or safety of...the public..."
- Rule 1-430(a) prohibits activities which "...may allow unnecessary amounts of particulate matter to become airborne..."
- Rule 1-430(b) requires that "...reasonable precautions shall be taken to prevent particulate matter from becoming airborne..."

The MCAQMD provides the following significance thresholds for construction emissions:

1. 54 pounds per day of ROG ^[1]_{SEP} (reactive organic gas)
2. 54 pounds per day of NOx ^[1]_{SEP} (oxides of nitrogen as nitrogen dioxide)
3. 82 pounds per day of PM¹⁰ (particulate matter less than 10 microns in size)
4. 54 pounds per day of PM^{2.5} ^[1]_{SEP} (airborne particulate matter with a diameter of 2.5 microns or less)
5. Best Management Practices for Fugitive Dust – PM¹⁰ and PM^{2.5}

Discussion: (a-d) Less than significant impact. The Proposed Project includes amendments to the Zoning Code that are designed to facilitate the development of housing to meet the current and future housing needs. Future construction of additional housing within the City may result in

short-term air quality impacts (associated with the use of construction equipment, vegetation removal, grading, etc.) and additional long-term pollutants (typically associated with vehicle trips, wood burning stoves, landscape and maintenance activities, etc.). However, each project that involves the construction of housing will be subject to Building Permits to ensure consistency with existing building codes requiring energy efficient and low emitting equipment and features for new residential development. At such time, project-level analyses will be made to determine whether that project will result in potentially significant impacts to air quality. MCAQMD has established attainment criteria for pollutants and any increase in criteria emissions must address this issue. Future development must remain in attainment for criteria pollutants. Residential construction requires obtaining permits from the MCAQMD for grading and other activities. In addition, MCAQMD has a set of standard Best Management Practices (BMPs) for construction projects that are intended to reduce air quality impacts and ensure that projects remain in attainment with air quality thresholds.

The MCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. The MCAQMD developed the operational thresholds of significance based on the level above which a project's individual emissions would result in a cumulatively considerable contribution to the North Coast Air Basin's existing air quality conditions. Therefore, a project that exceeds the MCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact. Because each individual construction project is required to be in attainment with the established MCAQMD thresholds, it is not likely that cumulative impacts would be significant.

With adherence to the aforementioned regulations, and others intended to reduce emissions and impacts to air quality, impacts associated with the Proposed Project would be **less than significant**.

4. Biological Resources

BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐

BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Significance Criteria: Project impacts upon biological resources would be significant if any of the following resulted: substantial direct or indirect effect on any species identified as a candidate, sensitive, or special status species in local/regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) or any species protected under provisions of the Migratory Bird treaty Act (e.g. burrowing owls); substantial effect upon riparian habitat or other sensitive natural communities identified in local/regional plans, policies, or regulations or by the agencies listed above; substantial effect (e.g., fill, removal, hydrologic interruption) upon state or federally protected wetlands; substantially interfere with movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors; conflict with any local policies/ordinances that protect biological resources or conflict with a habitat conservation plan.

Environmental Setting: Parcels within the City limits typically contain small developed parcels. While there are some small, vacant parcels, they are surrounded by urban development that offer little wildlife habitat value. Larger parcels, contiguous parcels, and parcels located in the Western Hills or adjacent to City creeks and Russian River tributaries do provide habitat for flora and fauna species.

There are three main creeks, Orrs, Gibson and Doolin, that run through the City of Ukiah. According to the National Wetlands Inventory, these creeks contain riparian habitat and possible wetland areas. The creeks and bordering riparian areas, as well as the largely undeveloped western hillside region of the City have the potential to support nesting birds, Steelhead trout (*Oncorhynchus mykiss*), Foothill yellow-legged frog (*Rana boylei*), Red-bellied newt (*Taricha rivularis*) and Western pond turtle (*Emys marmorata*). In addition, Chinook salmon (*Oncorhynchus tshawytscha*), Russian River tule perch (*Hysterocarpus traskii traskii*), Pacific lamprey (*Lamprreta tridentata*), and Western pearlshell mussel (*Margaritifera falcate*) potentially occur in the nearby Russian River.

In addition, database queries of CDFW's California Natural Diversity Database (CNDDB) and the California Native Plant Society's (CNPS) Electronic Inventory of the City limits and its immediate surroundings identify the following seven special-status plant species: Baker's meadowfoam (*Limnanthes bakeri*), Baker's navarretia (*Navarretia leucocephala bakeri*), Burke's goldfields (*Lasthenia burkei*), Mendocino bush-mallow (*Malacothamnus mendocinensis*), North Coast semaphore grass (*Pleuropogon hooverianus*), Raiche's Manzanita (*Arctostaphylos stanfordiana*), and Toren's grimmia (*Grimmia torenii*).

Discussion: (a-d) Less than significant impact. Because most of the parcels within the City Limits that are residential and commercial zoned are currently developed, it is unlikely that biological resources would be impacted by future residential development. In addition, parcels within the Western Hills (and R1-H zoning district) are not included in the proposed Zoning Code updates. However, parcels along the Russian River and City creeks have a higher potential for containing resources and development on these parcels has the potential to reduce wildlife habitat and impact biological resources. However, at this time, location, intensity and timing of specific housing development is not known.

If future development is proposed on vacant , undisturbed land, or within proximity to the aforementioned creeks, additional environmental review would likely be required and impacts to biological resources would be analyzed on a project level basis. As such, impacts to biological resources from the Project would be **less than significant**.

(e-f) Less than significant impact. There are no adopted Habitat Conservation Plans for the City of Ukiah, nor the larger Ukiah Valley that apply to future development facilitated as a result of the Proposed Project. Impacts would be **less than significant**.

5. Cultural Resources

CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Significance Criteria: The proposed Project would significantly impact cultural resources if the significance of a historical or archaeological resource were substantially changed, or if human remains were disturbed.

Under CEQA, cultural resources must be evaluated to determine their eligibility for listing in the California Register of Historic Resources (CRHR). If a cultural resource is determined ineligible for listing on the CRHR the resource is released from management responsibilities and a project can proceed without further cultural resource considerations.

As set forth in Section 5024.1(c) of the Public Resources Code for a cultural resource to be deemed

“important” under CEQA and thus eligible for listing on the California Register of Historic Resources

(CRHR), it must meet at least one of the following criteria:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California History and cultural heritage; or
- 2) Is associated with the lives of persons important to our past; or
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic value; or
- 4) Has yielded or is likely to yield, information important to prehistory or history.

Archaeological resources are commonly evaluated with regard to Criteria 4 (research potential). Historic-era structures older than 50 years are most commonly evaluated in reference to Criteria 1 (important events), Criteria 2 (important persons) or Criteria 3 (architectural value). To be considered eligible under these criteria the property must retain sufficient integrity to convey its important qualities. Integrity is judged in relation to seven aspects including: location, design, setting, materials, workmanship, feeling, and association.

Guidelines for the implementation of CEQA define procedures, types of activities, persons, and public agencies required to comply with CEQA. Section 15064.5(b) prescribes that project effects that would “cause a substantial adverse change in the significance of an historical resource” are significant effects on the environment. Substantial adverse changes include both physical changes to the historical resource, or to its immediate surroundings.

Public Resources Code Section 21083.2 also defines “unique archaeological resources” as “any archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and show that there is a demonstrable public interest in that information.
- Has a special and particular quality, such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.”

This definition is equally applicable to recognizing “a unique paleontological resource or site.” CEQA Section 15064.5 (a)(3)(D), which indicates “generally, a resource shall be considered historically significant if it has yielded, or may be likely to yield, information important in prehistory or history,” provides additional guidance.

Senate Bill 18 (SB 18) and Government Code 65352.3(a)(1) state that prior to the adoption or any amendment of a city or county’s general plan, the city or county shall notify California Native American tribes that are on the contact list maintained by the Native American Heritage Commission to provide an opportunity for formal consultation for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.995 of the Public Resources Code that are located within the city or county’s jurisdiction.

Environmental Setting: The Ukiah Township lies in a valley of the Russian River, bounded on the north by Calpella Township, on the east by Lake County, on the south by Sanel Township, and on the west by Anderson Township. The City of Ukiah was first settled in 1856 by Samuel Lowry. Initially incorporated into Sonoma County, an independent Mendocino County government was established in 1859 with Ukiah as the chosen county seat. Logging, cattle, and agricultural ventures contributed to the early settlement and growth of Ukiah throughout the remainder of the 19th century and early 20th century. 1889 is the date recorded for the first arrival of the train to

Ukiah, quickly resulting in increased settlement of the City and its environs. The City of Ukiah is within the territory of the Northern Pomo. Permanent villages were often established in areas with access to staple foods, often times along eco-tones (transitions between varying environments), with access to good water, and generally flat land (Environmental Science Associates, 2013). Areas that are most typically culturally sensitive include those adjacent to streams, springs, and mid-slope benches above watercourses because Native Americans and settlers favored easy access to potable water.

The late 19th century saw slow growth in the community, with a slight decline after the turn of the century. The 1906 earthquake damaged a number of Ukiah buildings, particularly in the commercial core, and considerable re-building and remodeling activity occurred after that time. The City appears to have prospered in the following years, through the early 1920's. The City contains a number of Colonial Revival and Craftsman style derivations, popular during this era, that reflect the community's prosperity. An Historical and Architectural Survey Update was last prepared for the City by P.S. Preservation Services in 1999. The survey identified 23 properties with historic importance within the City limits. City Ordinance No. 838 was passed by the City in 1983, requiring that prior to the demolition of any building over 50 years old, the approval of the City Council must be obtained. The ordinance is a positive preservation tool, allowing some review and public input opportunity regarding the potential loss of historically significant buildings.

Discussion: (a-c) Less than significant impact. Because most of the parcels within the City Limits that are residential and commercial zoned are currently developed, it is unlikely that cultural resources would be impacted by future residential development. Parcels along City creeks have a higher potential for containing cultural resources and may be impacted by future development facilitated through the Zoning Code amendments in residential and commercial zoning districts. However, there are many possible scenarios and outcomes of the proposed Zoning Code amendments and the intensity, location, size and timing of future development is unknown. All future development is subject to CEQA Guidelines Section 15064.5 (e-f) which specifically addresses what to do in the event that human remains or archeological resources are accidentally discovered, and City Ordinance No. 838, protecting historic buildings; future development would be analyzed on a project level basis and subject to environmental review of their individual impacts, as applicable.

The proposed Zoning Code amendments also require amendment to the City of Ukiah's General Plan to increase allowable building density. While the proposed changes include policy changes to facilitate housing development, no development or physical changes to the environment are proposed. However, in accordance with SB 18, tribal notifications offering the opportunity to request formal consultation and an opportunity to review the proposed Zoning Code amendments were sent to California Native American Tribes identified on the list maintained by the Native Heritage Commission (NAHC) on April 22, 2021. The tribes have 90 days to request consultation; no requests for consultation have been received to date. The list of tribes contacted are included in **Attachment 4**.

For the reasons discussed above, impacts to Cultural Resources from the Proposed Project would be **less than significant**.

6. Energy

ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would significantly impact energy if construction or operation of the Project would result in wasteful, inefficient or unnecessary consumption of energy resources or if the Project would conflict with a state or local plan for renewable energy or energy efficiency.

Environmental Setting: Current building codes require energy efficiency systems to be included in their plans for permit review. These building codes are regularly updated, statewide through California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24". In general, Title 24 requires the design of building shells and building components to conserve energy, with standards to promote better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The current Title 24 regulations and Building Energy Efficiency Standards promote photovoltaic systems in newly constructed residential buildings. The City's Electric Utility Department has a solar rebate program for residents and business owners to encouraged local consumers to increasingly rely on renewable resources for their direct power needs.

Discussion: (a-b) Less than significant impact. The Proposed Project, including the Development Agreement, does not include specific development designs or proposals, nor does it grant any entitlements for development. Generally speaking, future residential construction would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) once constructed, future residential uses would consume energy for interior and exterior lighting, HVAC systems, refrigeration, electronics systems, appliances, and security systems, among other common household features. However, future housing projects will be analyzed on a project level basis subject to the City's building and safety codes, as well as the California Air Resources Board (CARB) and Environmental Protection Agency (EPA) emissions standards. Additionally, new residential development must comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of these regulations significantly reduces energy usage. In addition, residents would have access to the City's solar rebate program to incentivize the use of renewal energy.

With adherence to the aforementioned regulations, and others intended to reduce energy consumption, impacts from the Proposed Project related to energy consumption would be **less than significant**.

7. Geology and Soils

GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Significance Criteria: The Proposed Project would result in a significant impact to geological or soil resources if it exposed people or structures to seismic risk; ruptured a known fault; produced strong seismic ground shaking, ground failure, liquefaction, landslides or substantial soil erosion; is located on expansive soil or unstable ground, or would create unstable ground; or destroyed a unique paleontological resource or geologic feature.

Environmental Setting: The larger Ukiah Valley is part of an active seismic region that contains the Mayacama Fault, which traverses the valley in a generally northwest-southeast direction east of the Project area. Based on California Geological Survey maps and the Background Report for the County of Mendocino General Plan Update (prepared by P.M.C., 2003), the City of Ukiah is outside of known areas of historic faults, Holocene Fault, Late Quaternary Fault and the Alquist-Priolo Earthquake Fault Zone. It is also removed from the known areas of active and dormant

landslide reports. Slope instability hazards are not a concern, with the exception of the Hillside Overlay District within the Western Hills.

Discussion: (a-f) Less than significant impact. Parcels within the Valley floor that are within residential and commercial zoning districts (and included in the proposed Zoning Code amendments) are not located in a California Earthquake Fault Zone and not susceptible to liquefaction or strong seismic ground shaking. Because most of the parcels within the City Limits that are residential and commercial zoned are currently developed, it is unlikely that unique paleontological resources would be impacted by future residential development. In addition, parcels within the Western Hills (and R1-H zoning district) containing more diverse geological features are not included in the proposed Zoning Code updates.

Additionally, a Building Permit is required for new construction which will ensure all activities are in compliance with building and seismic safety codes. New development within the City will connect to the existing sewer and water systems. The Building Permit process (and discretionary review process, as applicable) will include review of site plans by internal and external departments and agencies to ensure compliance with all applicable local, state and federal safety standards. Additionally, future residential projects that may require vegetation removal and grading, or be adjacent to creeks will be required to adhere to Ukiah City Code, Division 9, Chapter 7, Erosion and Sediment Control, which requires submittal of sediment and erosion plans identifying Best Management Practices (BMPs) to reduce soil erosion and water runoff.

For the above reasons, impacts to geology and soils would be **less than significant**.

8. Greenhouse Gas Emissions

GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Significance Criteria: The Project would have a significant effect on greenhouse gas emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Environmental Setting: Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way

a greenhouse traps heat. GHGs may be emitted a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change.

Carbon dioxide (CO₂) is the most important anthropogenic GHG because it comprises the majority of total GHG emissions emitted per year and it is very long-lived in the atmosphere. Typically, when evaluating GHG emissions they are expressed as carbon dioxide equivalents, or CO₂e, which is a means of weighting the global warming potential (GWP) of the different gases relative to the global warming effect of CO₂, which has a GWP value of one. In the United States, CO₂ emissions account for about 85 percent of the CO₂e emissions, followed by methane at about eight percent, and nitrous oxide at about five percent.

The state of California has adopted various administrative initiatives and legislation relating to climate change, much of which set aggressive goals for GHG emissions reductions statewide. Although lead agencies must evaluate climate change and GHG emissions of projects subject to CEQA, the CEQA Guidelines do not require or suggest specific methodologies for performing an assessment or specific thresholds of significance and do not specify GHG reduction mitigation measures. No state agency has developed binding regulations for analyzing GHG emissions, determining their significance, or mitigating significant effects in CEQA documents. Thus, lead agencies exercise their discretion in determining how to analyze GHGs. Because there are no adopted GHG thresholds applicable to the Project, and the proposed development is considered “small scale”, the below qualitative analysis is appropriate.

Discussion: (a-b) Less than significant impact. Construction activities associated with future housing development could result in direct and indirect emissions of GHG emissions. Direct project-related GHG emissions generally include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. However, as discussed in Section 3, Air Quality, of this Initial Study, future residential construction would be subject to regulations of the Mendocino County Air Quality Management District (MCAQMD), which is responsible for enforcing the state and federal Clean Air Acts as well as local air quality protection regulations. Additionally, future residential uses would be required to adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 Building Energy Efficiency Standards. Therefore, the Proposed Project, including potential future residential development facilitated through the Zoning Code amendments, would not result in a significant impact to GHG emissions. Impacts would be **less than significant**.

9. Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Significance Criteria: The Project would result in significant hazards or hazardous materials impacts if it exposed people to hazardous materials or placed them into hazardous situations; if it released hazardous materials or emissions into the environment or within 0.25 miles of a school; if it is located on a listed hazardous materials site; if it would create a hazard due to its proximity to a public airport or private airstrip; if it would create excessive noise for people in the area; if it would interfere with an emergency response or evacuation plan; or if it would expose people or structures to significant risks due to wildland fire.

Environmental Setting: Mendocino County has adopted numerous plans related to hazard management and mitigation including, but not limited to: Community Wildfire Protection Plan, Hazardous Waste Management Plan, Operational Area Emergency Plan, etc. The most recent plan, the Mendocino County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) was adopted by the County in December, 2020. The MJHMP provides an explanation of prevalent hazards within the County, identifies risks to vulnerable assets, both people and property, and provides a mitigation strategy to achieve the greatest risk reduction based upon available resources. The four cities within Mendocino County, including the City of Ukiah, participated in preparation of the MJHMP to individually assess hazards, explore hazard vulnerability, develop mitigation strategies, and create their own plan for each respective city (referred to as a “jurisdictional annex” to the MJHMP). The City of Ukiah adopted its jurisdictional annex chapter of the MJHMP on November 18, 2020. Hazards identified for the City of Ukiah include earthquakes, wildfire, dam failure, flood and pandemic. Table 1-13 of the City’s jurisdictional annex lists each hazard and mitigation action for City of Ukiah.

The Ukiah Municipal Airport is located within the City of Ukiah jurisdictional limits. The Ukiah Municipal Airport Master Plan and the Ukiah Airport Land Use Compatibility Plan (ALUCP), identify areas with potential hazards, known as “Compatibility Zones” and impacts to persons using or working within the Airport Influence Area (AIA).

Under Government Code Section 65962.5, both the State Water Resources Control Board and the California Department of Toxic Substances Control are required to maintain databases of sites known to have hazardous substances present in the environment. According to the State Water Resources Control Board (SWRCB) GeoTracker and the California Department of Toxic Substances Control (DTSC) EnviroStor databases, there are 21 listed hazardous sites within the City of Ukiah; these include gas stations, automobile dismantling and salvage yards, sites associated with the railroad, the waste disposal and transfer station, etc.

All lands within the City of Ukiah are within the jurisdiction of the Ukiah Valley Fire Authority. None of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, County lands immediately west of the City are located within the SRA and are classified as having a "Very High" fire hazard severity.

Discussion: (a-b) Less than significant impact. Construction activities and future residential uses facilitated by the proposed Zoning Code amendments would require the routine transport, use, storage, and disposal of small quantities of hazardous materials common for equipment and property maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, lubricants, cleaning solvents and supplies, pesticides, fertilizers, paint, etc. However, the types and quantities of materials to be used are not expected to pose a significant risk to the public and/or environment and would be managed in accordance with federal, state, and local regulations. Therefore, impacts would be **less than significant**.

(c) Less than significant impact: As discussed in Section 15, Public Services, of this Initial Study, there are several schools within the City of Ukiah. Future residential construction could be located within 0.25-mile of an existing school. However, construction activities would be required to transport and use routine hazardous materials in accordance with all applicable regulations. Adherence to these regulations would ensure that impacts to schools regarding hazardous materials are **less than significant**.

(d) Less than significant impact. As previously noted, there are 21 hazardous sites listed in the City of Ukiah including auto wrecking yards, gas stations, the refuse transfer station, sites associated with the railroad, etc. Because these sites are currently developed with industrial and commercial uses, it is not likely that they will be developed with residential land uses. Additionally, if a residential project were to be proposed at one of the listed sites, clean-up to remove the hazard would be required by the SWRCB and DTSC. Impacts would be **less than significant**.

(e) Less than significant impact. The ALUCP identifies five Compatibility Zones with varying risks and development restrictions. Generally speaking, the Compatibility Zones encompass south Ukiah, including residential and commercial zoned properties subject to the proposed Zoning Code amendments. However, all development would be required to be compatible with the Ukiah Municipal Airport Master Plan and ALUCP. Impacts would be **less than significant**.

(f) Less than significant impact. There are no components of the Project that would impair or interfere with emergency response or evacuation. Since the Project is limited to within the City limits, future residential development would be required to be designed in accordance with state and local standards, including safety and emergency access requirements, and are within existing service areas of emergency responders. There are no components of the Project that would impair implementation of, or physically interfere with, the adopted MJHMP or other emergency response plan or evacuation plan. Impacts would be **less than significant**.

(g) Less than significant impact with mitigation incorporated. The Project Area is entirely within the jurisdiction of the Ukiah Valley Fire District. Future residential development would be required to adhere to all fire safety standards. See Section 20, Wildfire, for more information. Impacts would be **less than significant**.

10. Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) result in a substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Significance Criteria: The Project would significantly impact hydrology and water quality if it violated water quality standards or waste discharge requirements or substantially degraded surface or groundwater quality; substantially decreased groundwater supplies or impeded sustainable groundwater management; altered drainage patterns in a manner that would cause substantial on- or off-site erosion, polluted runoff or excessive runoff that caused flooding; impeded or redirected flood flows; risked a release of pollutants due to inundation if in a flood hazard, tsunami or seiche zone; or conflicted with a water quality plan or sustainable groundwater management plan.

Environmental Setting: Average rainfall in Ukiah is slightly less than 35 inches. Most of the precipitation falls during the winter. Rainfall is often from brief, intense storms, which move in from the northwest. Virtually no rainfall occurs during the summer months.

The Project area includes the Russian River Hydrologic Unit, Upper Russian River Hydrologic Area, Ukiah Hydrologic Subarea. The Russian River is on the State Water Resources Control Board's (SWRCB) 303(d) list of impaired water bodies for water temperature and sedimentation/siltation. Sediment impairments in tributaries led to listing the entire Russian River Watershed for sediment. Surface water supplies for the Ukiah Valley include the Eel River, from which water is diverted into the Russian River watershed through the Potter Valley Project, Lake Mendocino, and the Russian River. Groundwater is drawn from the Ukiah Valley groundwater basin. The Ukiah Valley groundwater basin is the northernmost basin in the Russian River water system and underlies an area of approximately 60 square miles. Water enters the groundwater system via percolation of surface waters and through the soil. The creeks and streams in the Ukiah Valley provide drainage channels for groundwater recharge, as well as domestic and agricultural water supply. A groundwater Management Plan has not been prepared for the City, nor County of Mendocino, but according to the 2015 Urban Water Management Plan for the City, based on historical data and use, there is adequate groundwater to serve the City's existing and future demand.

Discussion: (a-c & e) Less than significant impact. The Project does not include specific development designs or proposals, nor does it grant any entitlements for development. Future housing projects will be subject to the City's development standards and building and safety codes, including review of storm water management practices and waste discharge requirements, where applicable. Specifically, projects that include the addition of 10,000 sf of impermeable surfaces or more are subject to Low Impact Development standards to ensure stormwater runoff is adequately captured and filtered before entering the drainage system. Further, if a project proposes work within a drainage or waterway, the applicant will be required to obtain regulatory permits from the Water Resources Control Board, California Department of Fish and Wildlife and U.S. Army Corps of Engineers, as applicable. Therefore, impacts to water quality, groundwater and drainage would be **less than significant**.

City water services exist to service all properties located within the City limits. As mentioned above, according to the 2015 Urban Water Management Plan for the City, there is adequate groundwater to serve the City's existing and future demand. Therefore, the Project would not substantially deplete groundwater resources or conflict with the Urban Water Management Plan; impacts would be **less than significant**.

(d) Less than significant impact. As described above, the Project is not located within a tsunami or seiche hazard zone, as identified by the Federal Emergency Management Agency. Some areas within City limits are within a FEMA flood zone. All development within a flood zone must adhere to all safety and building codes related to construction within a flood zone. Impacts would be **less than significant**.

11. Land Use and Planning

LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☒	☐

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
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Significance Criteria: The Project would significantly impact land use if it physically divided an established community or conflicted with a land use plan, policy or regulation intended to avoid or mitigate an environmental impact, such as the general plan or zoning code.

Environmental Setting: The City of Ukiah includes approximately 4.72 square miles. It serves as the County Seat of Mendocino County, as well as the county's commercial hub. Predominant land uses in the City include single family residential, multi-family residential, and commercial uses ranging from local commercial to service commercial, as well manufacturing, industrial and public facilities. The City's first General Plan was originally adopted in 1974, updated in 1995, and was last amended in 2019, with adoption of the 2019-2027 Housing Element. The General Plan serves as a blueprint for future development and growth of the community. The City is currently in the process of completing a General Plan Update (the "2040 General Plan") that will map out the vision for community development through 2040; until the new General Plan is adopted, the 1995 General Plan (as amended in 2019) is considered the applicable plan. Zoning and land use are governed by the City's Zoning Ordinance, as outlined in Division 9, Chapter 2 of the Ukiah City Code. The purpose of the Ukiah Zoning Code is to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare. Housing development of varying intensity is allowed in all zoning districts of the Ukiah Zoning Code with the exception of the Manufacturing and Industrial Zoning Districts.

Discussion: (a) Less than significant impact. Physical division of an existing community would typically be associated with construction of a new highway, railroad, park or other linear feature. The Project area is mostly developed with existing roads and parks. The Project does not propose new linear features that would result in the division of an established community. Impacts would be **less than significant**.

(b) Less than significant. The Project includes amendments to the Zoning Code to encourage and support housing development, designed to ensure fulfillment of the City's share of the Regional Housing Needs Allocation (RHNA). The Project includes multiple Implementation Tasks approved in the 2019-2027 General Plan Housing Element. Specifically, the Project proposes several zoning code updates including increasing maximum height, decreasing or eliminating required minimum site area, and decreasing setbacks, parking and other development standards, are intended to facilitate housing development within residential and commercial zoning districts. In addition to the Zoning Code updates, the Project includes a General Plan Amendment to increase housing density in the Medium Density Housing from 14 to 15 du/acre, in order to maintain synchronicity between the General Plan and Zoning Code, as well as comply with existing housing-related state laws. Because the amendments are General Plan Housing Element Implementation Tasks, the Project would not conflict with a land use plan, policy or regulation intended to avoid or mitigate an environmental impact, such as the general plan or zoning code. Impacts would be **less than significant**.

12. Mineral Resources

MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Significance Criteria: Impacts to mineral resources would be considered significant if the proposed Project were to result in the loss of a known mineral resource that has value to the region and state or is otherwise locally important as designated on a local land use plan.

Environmental Setting: The most predominant of the minerals found in Mendocino County are aggregate resource minerals, primarily sand and gravel, found along many rivers and streams. The Ford Gravel Bars are located in Ukiah, along the Russian River.

Discussion: (a-b) No impact. Future development associated with the zoning code amendments would be located within residential and commercial zoned areas, which do not contain mineral resources.

No impact would occur.

13. Noise

NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels	☐	☐	☒	☐

Significance Criteria: The Project would have a significant impact if it temporarily or permanently exceeded local noise standards in the vicinity of the Project, generated excessive ground borne noise or vibration; or would expose people residing or working in the area to excessive noise levels from public airports or private airstrips.

Environmental Setting: The Ukiah City Code contains a Noise Ordinance (Division 7, Chapter 1, Article 6) that establishes ambient base noise level standards that apply to specific zoning districts within the City of Ukiah. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. For the purpose of the Noise Ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen (15) minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made. Land uses exceeding these standards for long periods of time are considered to be significant.

In addition, UCC §6054, *Construction of Buildings and Projects*, states that it shall be unlawful for any person within a residential zone, or within a radius of five hundred feet (500') therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist or any other construction type device (between the hours of 7:00 p.m. of one day and 7:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefor has been duly obtained from the Director of Public works.

Table 2. City of Ukiah Ambient Base Noise Levels

Zoning Districts	Time Period	Noise Level Standards (dBA)
R1 and R2	10:00 PM - 7:00 AM	40
	7:00 PM - 10:00 PM	45
	7:00 AM-7:00 PM	50
R3	10:00 PM - 7:00 AM	45
	7:00 AM - 10:00 PM	50
Commercial	10:00 PM - 7:00 AM	60
	7:00 AM - 10:00 PM	65
Industrial & Manufacturing	Any time	70

Source: Ukiah City Code §6048

Discussion: (a) Less than significant impact. The Project does not propose residential construction; though it encourages and supports housing development. Construction activities are generally temporary, resulting in periodic increases in the ambient noise environment. Construction noise impacts generally occur when construction activities occur in areas immediately adjoining noise-sensitive land uses, during noise-sensitive times of the day, or when construction activity occurs at the same precise location over an extended period of time (e.g., pile driving in one location for 8-10 hours in a day, or over a duration of several successive days). Certain land uses, including schools, hospitals, rest homes, long-term medical and mental care facilities, and parks and recreation areas are particularly sensitive to noise. Residential areas are also considered noise sensitive, especially during the nighttime hours. However, all future construction would be considered temporary and required to adhere to noise regulations. Additionally, noise sources associated with typical residential land uses (e.g., mechanical equipment, dogs/pets, landscaping activities, cars parking, etc.) are typically intermittent and short in duration, and would be comparable to existing sources of noise experienced at surrounding commercial and residential uses. Therefore, noise impacts would be **less than significant**.

(b) Less than significant impact. Residential construction can generate varying degrees of ground borne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. However, future residential construction is anticipated to use typical construction equipment for temporary periods of time that would not be considered excessive. Therefore, impacts would be **less than significant**.

(c) Less than significant impact. Ukiah Municipal Airport is contained within the Project Area. All future development must be consistent with the 2020 Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP), adopted by the Mendocino County Airport Land Use Commission on May 20, 2021. The UKIALUCP establishes criteria that reduce the potential exposure of people to excessive aircraft-related noise by limiting residential densities (dwelling units per acre), establishing interior noise level limits, and restricting other noise-sensitive land uses in locations exposed to noise levels in excess of 60 dB CNEL.

Based on this information, the Project would not expose people residing or working in the Project area to excessive noise levels associated with aircraft. Impacts would be **less than significant**.

14. Population and Housing

POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Significance Criteria: The proposed Project would result in significant impacts to the local population or housing stock if it directly or indirectly induced substantial unplanned population growth or displaced a substantial number of people or housing such that the construction of replacement housing would be required.

Environmental Setting: The City of Ukiah comprises of approximately 4.72 square miles within Mendocino County. According to the California Department of Finance, the population in the County of Mendocino was 59,985 in 2018 and 16,226 in the City of Ukiah. The City's annual growth rate between 1990 and 2018 averaged approximately 0.3%. Between 2000 and 2010, the City added 545 residents, or 3.7%, to its population. Overall, the City of Ukiah's population has increased moderately over the past nearly 30 years, with a more accelerated increase in the last four years. Projections from the California State University Chico Center for Economic Development- Mendocino County Economic/Demographic Profile show this trend continuing.

As described in the City's 2019-2027 Housing Element (2019), under California law, every city and county has a legal obligation to respond to its fair share of the projected future housing needs

in the region in which it is located. For Ukiah and other Mendocino County jurisdictions, the regional housing need allocation (RHNA) is determined by the Mendocino Council of Governments (MCOG), based upon an overall regional need number established by the State. The fair share numbers establish goals to guide local planning and development decision making. MCOG identified the City's RHNA as accommodating 239 additional units within the 2019-2027 Planning Cycle. Specifically, the City of Ukiah is responsible for identifying adequate sites, with appropriate zoning, to support 86 very low-income housing units and 72 low-income housing units, for a total of 158 lower income housing units, and 49 moderate-income and 32 above moderate-income housing units, for a total of 81 moderate and above moderate housing units.

Discussion: (a & b) Less than significant impact. The proposed housing-related Zoning Code amendments are regulatory in nature, they do not propose any new development, construction, or physical change to the environment that would result in unplanned population growth. Although no development is proposed at this time, for this analysis it is assumed that future development would result in construction and development of residential uses throughout the Project Area.

The Project will result in a Zoning Code that is consistent with the Ukiah General Plan Housing Element. Future housing development must comply with the Zoning Code, resulting in planned development, including accessing existing utility infrastructure. Extension of utilities would be limited to new connections to the existing infrastructure, and would not directly induce substantial unplanned development and population growth in the area. Increasing the density of Medium Density Residential areas could result in additional development; however, this development would be located within the City limits and would be serviced by existing infrastructure. The potential future development would enable the City to meet its RHNA requirements for the 2019-2027 housing cycle. Displacement of existing people and/or housing is not part of the Project. For the aforementioned reasons, the Proposed Project would not induce substantial unplanned population growth in an area, either directly or indirectly. Impacts would be **less than significant**.

15. Public Services

PUBLIC SERVICES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Significance Criteria: The Project would result in a significant impact to public services if it resulted in a requirement for increased or expanded public service facilities or staffing, including fire or police protection, schools and parks.

Environmental Setting: Police protection services for the entire City limits is provided by the Ukiah Police Department, while the Mendocino County Sheriff's Department provides police services for areas outside of the City limits. Fire protection services in the Ukiah Valley are provided by the Ukiah Valley Fire Authority and California Department of Forestry and Fire Protection (CalFire). Educational facilities in the Ukiah Valley area are provided by the Ukiah Unified School District (UUSD), County Office of Education, and the Mendocino-Lake Community College District. There are also several private and charter schools serving residents within the City of Ukiah, as well as the unincorporated portions of Mendocino County. As mentioned below in Section 16, Recreation, of this Initial Study, there are 13 City parks, a municipal golf course, and a skate park managed by the City of Ukiah, as well as other recreational facilities in the area.

Discussion: (a) Less than significant impact. Although no development is proposed at this time, it is assumed that future development would result in construction and development of residential uses throughout the Project Area. New residential uses would be served by the City's Police Department and the Ukiah Valley Fire authority. This minimal increase in service area would not be considered significant, as the majority of the parcels within the City are currently developed and served by police and fire services.

Similarly, it is not anticipated that the additional residential units, currently already being served by existing school districts, would result in a significant impact to school services.

As such, the Project would have a **less than significant impact** on public services.

16. Recreation

RECREATION.	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Significance Criteria: Impacts to recreation would be significant if the Project resulted in increased use of existing parks or recreational facilities to the extent that substantial deterioration was accelerated or if the Project involved the development or expansion of recreational facilities that would have an adverse effect on the physical environment.

Environmental Setting: The Ukiah Valley offers a wide variety of recreational opportunities. These include more than 13 City parks, a municipal golf course, and a skate park managed by

the City of Ukiah; two regional parks managed by the County; Cow Mountain Recreation Area managed by the Bureau of Land Management; and Lake Mendocino managed by the US Army Corps of Engineers. In addition, there are approximately 30 miles of trails located throughout the Ukiah Valley.

Discussion: (a-b) Less than significant impact. The Project does not propose any recreational facilities at this time. However, the Housing-related Zoning Code Amendments support and encourage housing development. The increase in population would not be considered significant. As such, impacts would be **less than significant** on park facilities.

17. Transportation

TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b), Criteria for Analyzing Traffic Impacts?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Significance Criteria: Impacts to transportation and traffic would be significant if the Project conflicted with a local plan, ordinance or policy addressing transit, roadway, bicycle and pedestrian facilities; conflicted with CEQA Guidelines Sec. 15064.3(b), which contains criteria for analyzing transportation impacts; substantially increased hazards due to geometric design features; or resulted in inadequate emergency access.

Traditionally, transportation impacts had been evaluated by using Level of Service (LOS) analysis to measure the level of congestion on local roadways. However, on September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, initiating an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal to better measure the actual transportation-related environmental impacts of a given project. Starting July 1, 2020, lead agencies are required to analyze the transportation impacts of new projects using vehicle miles traveled (VMT), instead of LOS. VMT measures the amount of additional miles produced by the project. If the project increases car travel onto the roads excessively, the project may cause a significant transportation impact. VMT analysis is intended to promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations.

In 2018, the Office of Planning and Research (OPR) published a Technical Advisory on *Evaluating Transportation Impacts in CEQA* (2018) which is intended to provide advice and recommendations for evaluating VMT, which agencies and other entities may use at their discretion. As discussed further below, the Technical Advisory offers that screening thresholds

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may be used to identify when land use projects, such as small scale residential projects, should be expected to cause a less-than-significant impact without conducting a detailed traffic study.

On behalf of the Mendocino Council of Governments (MCOG), Fehr & Peers, prepared a Senate Bill 743 Vehicle Miles Traveled Regional Baseline Study (Baseline Study; May, 2020) to provide an overview of SB 743, summarize VMT data available for Mendocino County, discuss alternatives for and recommend VMT measurement methods and thresholds for lead agencies in Mendocino County, and recommend transportation demand management (TDM) strategies for reducing VMT on projects in Mendocino County.

The following local plans have historically address transportation within the City of Ukiah: 2017 Ukiah Bicycle and Pedestrian Master Plan, City of Ukiah Safe Routes to School Plan (2014), Mendocino County Rail Trail Plan (2012), Ukiah Downtown Streetscape Improvement Plan (2009), and the City of Ukiah General Plan (Circulation and Transportation Element amended in 2004). MCOG's Regional Transportation Plan (2017) and Section 5, Circulation and Transportation, of the Ukiah Valley Area Plan (2011) addresses transportation within the larger Ukiah Valley. The Baseline Study incorporated applicable goals and policies from each of these documents into the methodology and analysis when formulating its screening tools.

As noted in the Baseline Study, per CEQA Guidelines Section 15064.3, vehicle miles traveled for land use projects exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. In addition, projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project.

Environmental Setting: The City of Ukiah generally lies west of U.S. 101 between the U.S. 101/North State Street interchange, and the U.S. 101 / South State Street interchange. Three major interchanges along U.S. 101, Talmage Road, Gobbi Street, and Perkins Street (from south to north), provide access to southern and central Ukiah. The City of Ukiah is developed in a typical grid pattern with streets generally oriented north to south and east to west. Bicycle lanes are located throughout the City and public transit is provided by the Mendocino Transit Authority (MTA).

Discussion: (a-b) Less than significant impact. While the Proposed Project is intended to facilitate housing development within the City of Ukiah, it does not include specific development designs or proposals, nor does it grant any entitlements for development. Development could also result in impacts to the City's transportation system depending on location, intensity, and other siting factors. However, the location, intensity, siting, and timing of such development is unknown. Therefore, a high level qualitative analysis is provided below.

The OPR Technical Advisory on *Evaluating Transportation Impacts Under CEQA* suggests that a home based trip approach is one of the best methods for assessing VMT from residential projects. As noted in the Technical Advisory, many agencies use "screening thresholds" to quickly identify when a project should be expected or assumed to cause a less-than-significant impact without conducting a detailed study. As noted in the Fehr & Peers Baseline Study, the specific VMT estimate relies on the vehicle trip generation rate contained in the OPR Technical Advisory for small project screening and average vehicle trip lengths for Mendocino County based on the 2012 California Household Travel Survey (CHTS). Converting this value to an equivalent number of residential households would indicate that residential projects up to 22 units in Mendocino County could be screened out of analysis.

It is expected that construction of the Project would result in a temporary increase in traffic to and from the site, as construction workers arrive and leave each work day. However, once construction is complete, workers would no longer be traveling to the site, and the source of VMT would result from permanent residents. Future projects would reviewed by the Department of Public Works and the MTA (as applicable) for potential impacts to the transportation system; additional review and analyses may be required for larger residential projects exceeding 22 units. Impacts would be **less than significant**.

(c-d) Less than significant impact. All road improvements would be developed in accordance with Fire and Building codes related to emergency access and safety. Therefore, future residential projects would not increase traffic hazards, nor would they result in inadequate emergency access. Impacts would be **less than significant**.

18. Tribal Cultural Resources

TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Significance Criteria: An impact to tribal cultural resources would be significant if the Project were to substantially reduce the significance of a tribal cultural resource, a listed or eligible historic resource, or a resource considered significant by a California Native American tribe. Tribal cultural resources include “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” that are eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources. Lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the Proposed Project.” The consultation process must be completed before a CEQA document can be certified.

Environmental Setting: As discussed in Section 5, Cultural Resources, areas that are most typically culturally sensitive include those adjacent to streams, springs, and mid-slope benches above watercourses because Native Americans and settlers favored easy access to potable water.

Tribes known to be present within the Ukiah area include (but are not limited to) the following:

- Coyote Valley Band of Pomo Indians
- Guidiville Indian Rancheria of Pomo Indians
- Hopland Band of Pomo Indians
- Pinoleville Pomo Nation
- Potter Valley Rancheria
- Redwood Valley Little River Band of Pomo Indians
- Scotts Valley Band of Pomo Indians
- Yokayo Tribe, not federally recognized

An Historical and Architectural Survey Update was last prepared for the City by P.S. Preservation Services in 1999. The survey identified 23 properties with historic importance within the City limits. City Ordinance No. 838 was passed by the City in 1983, requiring that prior to the demolition of any building over 50 years old, the approval of the City must be obtained. The ordinance is a positive preservation tool, allowing some review and public input opportunity regarding the potential loss of historically significant buildings.

Discussion: (a-b) Less than significant impact. As described in Section 5, Cultural Resources, of this Initial Study, because most of the parcels within the City Limits that are residential and commercial zoned are currently developed, it is unlikely that cultural resources would be impacted by future residential development. Although parcels along City creeks have a higher potential for containing cultural resources all future development is subject to CEQA Guidelines Section 15064.5 (e-f) which specifically addresses what to do in the event that human remains or archeological resources are accidentally discovered, and City Ordinance No. 838, protecting historic buildings; future development would be analyzed on a project level basis and subject to environmental review of their individual impacts, as applicable.

The proposed Zoning Code amendments also require amendment to the City of Ukiah’s General Plan to increase allowable building density. While the proposed changes include policy changes to facilitate housing development, no development or physical changes to the environment are proposed. However, in accordance with SB 18, tribal notifications offering the opportunity to request formal consultation and an opportunity to review the proposed Zoning Code amendments were sent to California Native American Tribes identified on the list maintained by the Native Heritage Commission (NAHC) on April 22, 2021. The tribes have 90 days to request consultation; no requests for consultation have been received to date. The list of tribes contacted are included in **Attachment D**.

For the reasons discussed above, impacts to Tribal Cultural Resources from the Proposed Project would be **less than significant**.

19. Utilities and Service Systems

UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Significance Criteria: Impacts to utility and service systems would be significant if the Project resulted in the construction or expansion of utilities that could cause significant environmental effects; have insufficient water supplies available to the Project during normal to extremely dry years; resulted in inadequate capacity of the wastewater treatment plant; generated solid waste exceeding the capacity of local infrastructure or impairing the achievement of solid waste reduction goals; or failed to comply with any management and reduction statutes or regulations related to solid waste.

Environmental Setting: The majority of City properties are served by City water, sewer, electricity and trash collection. However, some properties within the western hills do not currently have access to City utilities. Water and electric utility services are provided by the City of Ukiah to parcels within the City limits. The Ukiah Valley Sanitation District (UVSD) and the City of Ukiah provide public sewer services to customers within their boundaries under the purview of the State Water Quality Control Board. The City's sewage treatment plant and Waste Water Treatment Plant (WWTP), operational since 1958, serves the City of Ukiah and the Ukiah Valley Sanitation District. It has a current treatment capacity of 2.8 million gallons per day (MGD) of dry weather flow and 20 MGD of peak wet weather flow. Primary treatment removes floating material, oils and greases, sand and silt and organic solids heavy enough to settle in water. Secondary treatment biologically removes most of the suspended and dissolved organic material. The Ukiah landfill, outside City limits on Vichy Springs Road, stopped receiving municipal solid waste in 2001 and the City is working on capping the landfill. No new waste generated will be processed through the landfill. Solid waste collected from future development would be delivered to the Ukiah

Transfer Station, which is owned by the City of Ukiah and operated by Solid Wastes Systems, Inc.

Discussion: (a-e) Less than significant impact The Project does not include extension of utilities. Future housing development would connect to the existing infrastructure. All development would be required to comply with all regulations pertaining to wastewater, solid waste, and other service systems. Impacts would be **less than significant**.

20. Wildfire

WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Significance Criteria: Impacts to wildfire would be significant if the Project were located in or near a State Responsibility Area (SRA) or lands classified as very high fire hazard severity zones and substantially impaired an emergency response plan; exposed Project occupants to wildfire pollutants or uncontrolled spread of wildfire due to site conditions such as slope and prevailing winds; require the installation or maintenance of infrastructure that could exacerbate fire risk; or expose people or structures to significant risks as a result of post-fire runoff, slope instability or drainage changes.

Environmental Setting: All of the City of Ukiah is located within the Ukiah Valley Fire Authority's jurisdiction. None of the lands within the City of Ukiah are located within a California Department of Forestry (CalFire) State Responsibility Area (SRA). However, County lands immediately west of the City are located within the SRA and are classified as having a "Very High" fire hazard severity. A shaded fuel break was constructed (North to South) along the base of the western hills along the entire length of the City to reduce fuel loads and protect the community from wildfire risk in 2003. Maintenance was performed on the 100-ft wide, 2.6-mile fuel break in late 2018 and early 2019. As discussed in Section 9, Hazards and Hazardous Materials, the County's EOP plan and MJHMP address emergency operations, natural disasters (including wildfire), as well as mitigation strategies to reduce potential risks. The City of Ukiah adopted its "jurisdictional annex" chapter of the MJHMP on November 18, 2020. Hazards identified for the City of Ukiah include

earthquakes, wildfire, dam failure, flood and pandemic. Table 1-13 of the City's jurisdictional annex lists each hazard and mitigation action for City of Ukiah.

Discussion: (a-d) Less than Significant. . The Project does not propose housing. Future housing would be constructed within the Ukiah Valley Fire District service area and all future development would be reviewed by the Fire Marshall and required to comply with current Fire Code regulations. Impacts would be **less than significant**.

21. Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion: (a-c) Less than significant impact. While the Proposed Project is intended to facilitate housing development within the City of Ukiah, it does not include specific development designs or proposals, nor does it grant any entitlements for development. All future development associated with the proposed Zoning Code amendments would be in residential or commercial zoning districts where housing development is already generally allowed by right, or with an approved use permit and site development permit by the City's Zoning Code and General Plan.

There are many possible scenarios and outcomes of the proposed Zoning Code amendments. Future development could result in impacts to the physical environment depending on location, intensity, and other siting factors. However, the exact intensity, location, size and timing of future development is unknown. However, all future development would be analyzed on a project level basis for consistency with land use policies and development standards, and would be subject to Building Permits for consistency with building and safety codes; additional environmental and discretionary review may also be required.

Based on the findings and conclusions contained in the Initial Study, the Proposed Project does not have the potential to impact any environmental resources. All impacts were found to have no impact or result in a less than significant impact as a result of the Project.

Cumulative impacts are generally considered in analyses of air quality, biological resources, cultural resources, noise, and traffic. As discussed throughout the Initial Study, the Proposed Project would have less than significant impacts on these resources. Housing development that may result from implementation of the Zoning Code amendments could result in impacts to environmental resources that may be considered cumulatively considerable. However, at this time, location, intensity and timing of specific housing development is not known. All future housing development would be analyzed on a project level basis. Based on the findings and conclusions contained in the Initial Study, cumulative impacts related to the Proposed Project would be less than significant.

Based on the aforementioned, impacts to the environment, human beings, and cumulative impacts would be **less than significant**.

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