



SUMMARY

DATE: December 11, 2024

REQUEST: Ordinance Amendment to Ukiah City Code to preserve and strengthen agricultural uses in and around Ukiah that impact the regional economy consistent with the Ukiah 2040 General Plan

LOCATION: Within the Agricultural Exclusive (A-E) and Combining Agricultural (-A) Zoning Districts of the City of Ukiah

ENVIRONMENTAL DETERMINATION: Statutory Exemption pursuant to Section 15183

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

STAFF Jesse Davis, Chief Planning Manager
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INTRODUCTION

Community Development staff present a request to amend existing provisions of Ukiah City Code to preserve and strengthen agricultural uses in and around Ukiah that impact the regional economy consistent with the Ukiah 2040 General Plan. The Agricultural Consistency Ordinance (hereafter referred to as the “Ordinance”) represents a planned alignment within the Ukiah 2040 General Plan and EIR, of the City of Ukiah’s zoning regulations with regional agricultural standards, particularly those established by Mendocino County. By revising the Agricultural Exclusive (A-E) and Combining Agricultural (-A) zoning districts, the Ordinance reflects the adaptation of agricultural practices and land-use policies to support the long-term sustainability of the region’s cultural and ecological landscape.

Reflective of the goals and polices of the Ukiah 2040 General Plan, the Ordinance responds to a need to protect agricultural lands from fragmentation and encroachment. Policies such as **LU-7.5** highlight the importance of preserving agricultural viability by discouraging incompatible development, while **AG-1.2** reinforces the commitment to safeguarding these lands within the City’s Sphere of Influence through zoning practices that maintain minimum lot sizes and encourage compatibility with surrounding uses. These principles maintain the integrity of agricultural spaces in an increasingly urbanized landscape.

Overall, the Ordinance seeks to provide a clear regulatory framework for agricultural and ancillary uses by codifying Mendocino County regulations such as minimum lot sizes, setbacks, and performance standards. It also anticipates evolving land-use needs by incorporating select Mendocino County outdoor cannabis cultivation provisions, while maintaining alignment with City of Ukiah goals and discretionary processes to ensure minimal environmental and social disruption.

PROPOSED ORDINANCE AMENDMENTS

The Ordinance proposes amendments to Division 9, Chapter 2, Article 10 (Combining Agricultural Districts) and Article 13 (Agricultural Exclusive (A-E) Zoning Districts) to align Ukiah's agricultural standards, allowances and land-use terminology with those adopted by Mendocino County, particularly Chapter 20.032 (Agriculture Use Types), Chapter 20.052 (Agricultural District), and Chapter 20.060 (Rangeland District) of the County Code, as conveyed by the 2040 Ukiah General Plan Agriculture Element, Implementation Program C (Align Agricultural Standards). Additionally, the ordinance includes amendments to Article 15.7 of Chapter 2, Division 9 of the Ukiah City Code to establish regulations related to outdoor commercial cannabis cultivation in the A-E district and parcels with an (-A) district overlay. Lastly, the ordinance would amend Ukiah City Code by updating definitions in Division 9, Chapter 2, Article 21 (Definitions).

GENERAL PLAN CONSISTENCY

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

Goal LU-7 To ensure the orderly and timely growth and expansion of the City.

Policy LU 7.7 Development Pattern The City shall ensure an orderly, contiguous development pattern that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.

Policy LU 7.5 Agriculture and Annexation The City shall discourage urban development of unincorporated land in the City's Sphere of influence until such lands are annexed by the City. The City shall support County land use regulations that require minimum lot sizes to protect the viability of local agriculture and to prevent the development of incompatible or undesirable land use patterns prior to eventual annexation and urbanization.

Goal LU-10 To assure coordination and consistency with special planning areas.

Policy 10.3 Ukiah Valley Area Plan The City shall coordinate with Mendocino County to assure consistency with the Ukiah Valley Area Plan goals and policies

Goal AG-1 To preserve and strengthen agricultural uses in and around Ukiah that influence the regional economy.

Policy AG-1.1 Reduce Agricultural/Urban Conflict The City shall reduce conflict between incompatible uses and agriculture within and adjacent to the City.

Policy AG-1.2 Preserve Agricultural Lands With the exception of presently proposed or approved subdivisions, the City shall discourage urban development on unincorporated land within its Sphere of Influence until annexed by the City. The City shall support County land use designations that protect the viability of local agriculture in the Ukiah Valley.

Policy AG 1.3 Plan Together The City shall identify and involve stakeholders, as well as advisors with knowledge and expertise, to create and implement a comprehensive

planning framework that preserves and strengthens agricultural uses in and around Ukiah that inform and influence the regional economy.

Agriculture Element Implementation Program C: Align Agricultural Standards The City shall revise agricultural standards and use terminology to be consistent with adjacent jurisdictions within the Ukiah Valley for the support of future annexations efforts.

The Agricultural Element of the Ukiah 2040 General Plan emphasizes the importance of regional consistency to foster collaboration between the City and Mendocino County. The proposed Ordinance directly implements these goals and policies by updating Ukiah’s zoning code to align with County regulations. This alignment ensures that agricultural lands within Ukiah’s planning area are protected from incompatible uses and that zoning standards support sustainable and economically viable agricultural practices.

Moreover, the General Plan recognizes that consistency between City and County standards reduces administrative complexity for property owners and operators, creating a streamlined regulatory framework. By adopting the Agricultural Consistency Ordinance, the City of Ukiah demonstrates its commitment to the preservation and enhancement of agricultural lands as a key regional resource. (City of Ukiah 2022)

ENVIRONMENTAL ANALYSIS

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. Cod, § 21065). “Project” means the whole of the 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 [including]...enactment and amendment of zoning ordinances... pursuant to Government Code Sections 65100-65700.

Although defined as a “Project” due to its discretionary adoption before the City Council, the Agricultural Consistency Ordinance qualifies for an exemption from further environmental review under the Act pursuant to Section 15183 of the CEQA Guidelines as the following findings can be made:

- 1) The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.
- 2) There are no project-specific effects which are peculiar to the project or its site, and which the Ukiah 2040 EIR failed to analyze as significant effects.
- 3) There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.
- 4) There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.

- 5) There is no substantial new information that results in more severe impacts than anticipated by the Ukiah 2040 EIR.

The full staff analysis and consistency findings in accordance with this statutory exemption may be found within Attachment 6, *CEQA Guidelines Section 15183 Findings of Consistency*.

RECOMMENDATION

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

ATTACHMENTS

1. Draft Resolution
2. Ordinance Amendments – (Redline) – Ukiah City Code Division 7, Chapter 1, Article 10, Marijuana Cultivation Enforcement; Division 9, Chapter 2, Article 10 Combining Agricultural (-A) Districts, Article 13 Agricultural Exclusive (A-E) District, Article 15.7 Standards for Specific Land Uses that are Subject to Discretionary Review, Article 19 Special Situations, Article 20 Administration and Procedures, and Article 21 Definitions
3. Ordinance Amendments – (Clean)
4. Ukiah Valley – Agriculture Maps
5. Mendocino County Zoning Regulations – Chapter 20.020 Civic Use Types, Chapter 20.024 Commercial Use Types, Chapter 20.032 Agricultural Use Types, Chapter 20.052 (A-G) Agricultural District, Chapter 20.056 U-R (U-R) Upland Residential District, and Chapter 20.060 (R-L) Rangeland District
6. CEQA Guidelines Section 15183 Findings of Consistency
7. City of Ukiah – Agricultural Element