



**Draft Findings of Consistency:**  
**Downtown Zoning Code (DZC) Amendments**  
**CEQA Section 15183**  
**February 25, 2026**

**SCH No: XXXXXXXXXXXX**

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## Table of Contents

<b>I. PROJECT INFORMATION</b>	<b>2</b>
<b>II. INTRODUCTION</b>	<b>3</b>
1. <i>Purpose of the CEQA Guidelines Section 15183 Findings of Consistency</i>	3
2. <i>Ukiah 2040 General Plan EIR</i>	3
3. <i>Rationale for Utilization of Section 15183</i>	3
4. <i>2012 Downtown Zoning Code Mitigated Negative Declaration</i>	4
<b>III. PROJECT DESCRIPTION</b>	<b>4</b>
1. <i>Project Purpose</i>	4
2. <i>Environmental Setting and Project Location</i>	5
<b>IV. EVALUATION OF ENVIRONMENTAL EFFECTS</b>	<b>9</b>
1. <i>Density</i>	9
2. <i>Project-Specific Effects Peculiar to the Project or its Site</i>	11
3. <i>Significant Impacts Not Analyzed in the Prior EIR</i>	14
4. <i>Cumulative Impacts</i>	15
5. <i>New Information</i>	16
<b>V. DETERMINATION</b>	<b>16</b>

## I. PROJECT INFORMATION

<b>Project Title:</b> Downtown Zoning Code (DZC) Boundary Modification
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<b>Applicant:</b> City of Ukiah
<b>Property Owner:</b> City of Ukiah
<b>Project Location:</b> Downtown Ukiah, specifically the Downtown Core, the East Perkins Street Corridor, and adjacent parcels including portions of the Great Redwood Trail Corridor. The project area is located within Airport Influence Area Compatibility Zones 4 (Outer Approach/Departure Zone), and 6 (Traffic Pattern Zone), and Other Airport Environs (OAE) of the Ukiah Municipal
<b>General Plan Designation:</b> Downtown Core (DC), Community Commercial (CC), Public (P), Recreation (REC) and Open Space (OS)
<b>Zoning Designation:</b> <i>Existing:</i> Downtown Zoning Code (General Urban, Urban Center, Downtown Core); Heavy Commercial (C-2). <i>Proposed:</i> <ul style="list-style-type: none"><li>• <u>Community Commercial (C-1)</u>: Applied to the majority of the Perkins Street Corridor (currently General Urban);</li><li>• <u>Public Facilities (PF)</u>: Applied to specific parcels currently zoned General Urban and Urban Center.</li><li>• <u>Public Facilities (PF) (Map Label "REC/PF")</u>: Applied to specific parcels currently zoned Urban Center and Heavy Commercial (C-2) to implement the "Recreational" (REC) General Plan land use designation. The proposed zoning map utilizes the composite label "REC/PF" to distinguish these recreational assets (such as the Great Redwood Trail) from other civic facilities. Until the Recreation zoning district is created, these parcels will be regulated under the Public Facilities (PF) zoning district provisions of the Ukiah City Code;</li><li>• <u>Heavy Commercial (C-2)</u>: Applied to specific parcels currently zoned Urban Center.</li><li>• <u>Downtown Zoning Code Expansion</u>: The General Urban (GU) classification would be expanded to include parcels along Oak/Seminary.</li></ul>

## II. INTRODUCTION

### 1. Purpose of the CEQA Guidelines Section 15183 Findings of Consistency

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

Section 15183 specifies that examination of environmental effects shall be limited to those effects that:

- (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,
- (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
- (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

### 2. Ukiah 2040 General Plan EIR

The Ukiah 2040 General Plan and its associated EIR (SCH# 2022050556) were certified in December 2022. The General Plan designates land uses defining the type and amount of development that can occur throughout the City through the planning horizon year of 2040. The EIR comprehensively evaluated environmental impacts that would result from the General Plan's implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures. The EIR explicitly states that future projects consistent with the General Plan may qualify for streamlined environmental review under CEQA Guidelines Section 15183.

### 3. Rationale for Utilization of Section 15183

The City has determined that Section 15183 of the CEQA Guidelines is the appropriate environmental compliance pathway for this Project. The legislative intent of Section 15183 is to streamline the review of such projects and reduce the need to prepare repetitive environmental studies. By utilizing this exemption, the City relies on the comprehensive analysis, mitigation measures, and development assumptions already certified in the Ukiah 2040 General Plan EIR. This allows the environmental review to focus strictly on whether the rezoning action presents

peculiar effects that were not previously analyzed, rather than re-analyzing region-wide impacts that were already adjudicated.

This streamlining mechanism is distinct from a Negative Declaration (ND) or Mitigated Negative Declaration (MND), which could be a similar pathway a project like this might take. An ND or MND is only appropriate when there is no substantial evidence that a project may have a significant effect on the environment, or when revisions in the project plans would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur.

For example, the Ukiah 2040 General Plan EIR identified significant and unavoidable impacts regarding Vehicle Miles Traveled (VMT) and Noise resulting from the City's planned buildout. As this Project implements that buildout by updating zoning densities and maps, it inherently contributes to those previously identified significant effects. Consequently, the City cannot legally adopt a standard Negative Declaration or MND claiming "no significant impact" without contradicting the certified General Plan EIR and the Statement of Overriding Considerations adopted by the City Council.

Section 15183 solves this conflict by explicitly stating that if an impact is not peculiar to the parcel or has been addressed as a significant effect in the prior EIR, an additional EIR need not be prepared for the project solely on the basis of that impact. This allows the City to implement the General Plan without redundant environmental review for impacts that have already been acknowledged and accepted.

As documented in Section IV below, this Project is consistent with the density established by the Ukiah 2040 General Plan and does not present peculiar effects that were not analyzed in the 2040 General Plan EIR or the 2012 DZC MND. Therefore, the statutory exemption provided by Section 15183 applies, and further environmental review is restricted to the analysis contained herein.

#### 4. 2012 Downtown Zoning Code Mitigated Negative Declaration

In September 2012, the City of Ukiah adopted a Mitigated Negative Declaration (MND) (SCH# 2012062026) for the adoption of the original Downtown Zoning Code [\[See Attachment 1 DZC Final ISMND\]](#). This prior environmental document analyzed the transition of the project area from standard commercial zoning to form-based codes. It identified potentially significant impacts regarding air quality (construction dust), biological resources (creek setbacks), cultural resources, and traffic, all of which were mitigated to a less than significant level through adopted mitigation measures. These measures have since been integrated into standard City operating procedures and ordinances. This Findings of Consistency document draws upon the environmental setting and analysis established in the 2012 MND to demonstrate that modifying the zoning boundaries does not introduce new peculiarities or significant effects.

### III. PROJECT DESCRIPTION

#### 1. Project Purpose

The proposed Project involves amendments to the Downtown Zoning Code (DZC) text and a comprehensive rezoning of specific parcels within the DZC boundary to align zoning regulations

with existing land uses, the Ukiah 2040 General Plan, and the physical characteristics of the parcels. Specifically, the Project proposes to:

- Rezone parcels currently designated General Urban (GU) mostly back to Community Commercial (C-1), to address the misapplication of form-based codes on auto-oriented lots (e.g., the commercial parcels along the East Perkins Street corridor), but also to Public Facilities (PF) where civic uses exist or are planned (e.g., the New Ukiah Courthouse infrastructure and related public grounds)
- Rezone portions of the Urban Center (UC) district to Public Facilities (PF), hereinafter identified as "REC/PF", to be consistent with the "Recreational" (REC) General Plan designation. This specifically affects the Great Redwood Trail alignment and Depot assets to reflect their open space function.
- Rezone portions of the Urban Center (UC) district to Heavy Commercial (C-2) (reflecting existing intensive commercial/industrial uses located east of Main Street that do not match the pedestrian-oriented Urban Center vision).
- Rezone one parcel from Heavy Commercial (C-2) to Recreation/Public Facility (REC/PF) to ensure the zoning designation matches the public use of the Great Redwood Trail infrastructure.
- Refine the DZC boundaries to focus form-based coding on the Downtown Core areas (specifically maintaining the code where it aligns with the traditional block structure of State Street and expanding it to the Oak Street and Seminary Avenue corridors which share similar pedestrian-oriented characteristics).

The purpose of this Project is to resolve the mismatch between the form-based standards of the DZC and the existing development patterns on Perkins Street and the rail corridor, facilitate mixed-use development through objective design standards in the C-1 district, and accurately categorize public and recreational lands.

## 2. Environmental Setting and Project Location

The Project area encompasses approximately 65 acres comprising 216 parcels within the central portion of the City of Ukiah (See Attachment 2, Existing DZC Maps & Parcels, and Attachment 3, Proposed DZC Map). 96 of those parcels are proposed for a change in zoning (See Attachment 4, Table of Rezoned Parcels). The area includes the historic Downtown Core, the East Perkins Street corridor, and the rail corridor:

- Perkins Street Corridor: Characterized by auto-oriented commercial uses and larger irregular parcels.
- Airport Influence Area: The project site is located approximately one mile north of the Ukiah Municipal Airport. The project area falls within the Airport Influence Area (AIA) as defined by the 2021 UKIALUCP. Specifically, portions of the project area are located within Compatibility Zone 4 (Outer Approach/Departure Zone), Compatibility Zone 6 (Traffic Pattern Zone), and the Other Airport Environs (OAE) zone (See Attachment 5 *DZC Existing Airport Zone Map*).
- Hydrology: Gibson Creek flows through a portion of the project area from the northwest to the southeast.

### 3. Background

#### Legislative History

In 2007, the City conducted a design charrette to develop a vision for the Downtown and Perkins Street areas, which led to the adoption of the DZC in 2012. The original environmental review for the DZC determined that the code would result in beneficial impacts to aesthetics and air quality by encouraging compact, walkable development. However, the original DZC relied heavily on the availability of redevelopment funds to finance the site assembly, infrastructure upgrades, and gap financing necessary to transform irregular, auto-oriented parcels into the pedestrian-oriented urban grid envisioned by the charrette.

The dissolution of redevelopment agencies by the State of California in 2012 fundamentally altered the implementation landscape. This legislative shift transferred the burden of public infrastructure improvement, as is evidenced by the street extensions originally planned to break up large blocks, almost entirely to private development. Consequently, the strict form-based standards of the DZC, which required buildings to be pulled to the street and parking to be hidden, became economically infeasible for many property owners along the Perkins Street corridor, where parcels vary widely in width, depth, and frontage.

#### Ukiah 2040 General Plan

The Ukiah 2040 General Plan mandates the update of the DZC to ensure consistency with other General Plan goals, policies and land use designations (Policy LU-10.1). Table 2-1 within the General Plan's Land Use Element explicitly differentiates the "walkable, infill-oriented environment" envisioned for the Downtown Core from the "auto-oriented uses" and "large format retail" designated for the Highway Commercial and Community Commercial corridors. This distinction acknowledges that while the downtown core is suited for form-based codes, the auto-oriented corridors require a regulatory approach that matches their physical reality and economic function. Subsequent analysis by the DZC Ad Hoc Committee determined that form-based codes were misapplied to auto-oriented corridors and public lands, leading to the specific realignments proposed in this Project.

#### New Ukiah Courthouse EIR and Addendum (2012/2022)

In December 2022, the Judicial Council of California adopted an Addendum to the New Ukiah Courthouse EIR (SCH #2011042089). This Addendum analyzed the specific environmental impacts of developing the new courthouse on the parcels the City proposing to rezone to Public Facilities (PF), (APNs associated with the "Railroad Depot site"). The Addendum concluded that the finalized project design would result in reduced environmental impacts compared to the original 2012 analysis. Specifically, the facility size was reduced from 114,000 square feet to 77,887 square feet, and the project site was configured to exclude the parcel containing the historic Railroad Depot, thereby avoiding direct impacts to the historic resource. This environmental document serves as a specific benchmark confirming that the transition of these parcels to civic use does not present new or peculiar environmental effects.

Prior to the Courthouse EIR, the City prepared an Initial Study and Mitigated Negative Declaration for the Railroad Depot Site Land Acquisition and Soil Remediation (July 2011). This document specifically analyzed the environmental effects of assembling the parcels now proposed for Public Facilities (PF) zoning and remediating soil contamination associated with historic rail uses. Additionally, the 2012 New Ukiah Courthouse EIR provided site-specific analysis regarding hazardous materials, railroad safety and traffic interactions at the Perkins Street crossing. These documents established a baseline of mitigation for the Depot site that remains applicable to the proposed rezoning.

#### 4. Comparative Zoning Analysis

To demonstrate that the Project is consistent with the Ukiah 2040 General Plan and remains within the scope of the certified Environmental Impact Reports (EIRs), this section provides a comparative analysis of the existing and proposed zoning standards.

- **Table 1** (Zoning Realignments) details the specific parcel counts for both the “unwinding” of the DZC along Perkins Street and the “expansion” of the DZC along Oak/Seminary. For a comprehensive overview all changed parcels, please refer to Attachment 3 *Proposed DZC Zoning Map* and Attachment 4 *Table of Rezoned Parcels*.
- **Table 2** (Comparison of Density Standards) further illustrates the DZC reduction and expansion:
  1. DZC Reduction: Returning the Perkins Street corridor to Community Commercial (C-1) maintains the historic density cap of 28 du/ac, ensuring no loss of housing capacity.
  2. DZC Expansion: Incorporating the Oak Street/Seminary Avenue parcels into the General Urban (GU) zone effectively “upzones” or maintains density (increasing from 15 du/ac to 28 du/ac for CN parcels), which implements the Downtown Core General Plan designation for high-density infill.
- **Table 3** (Changes to Land Use Allowances) highlights the regulatory trade-offs. For the Perkins corridor, it restores auto-oriented uses (drive-throughs). For the Oak/Seminary expansion area, it applies form-based protections that prohibit auto-intensive uses, ensuring these streets transition to the walkable, pedestrian-oriented character envisioned in the General Plan.

**Table 1: Zoning Realignments**

Existing Zoning (GP Designation)	Proposed Zoning	Count	Rationale
UC (DC) UC (CC) GU (DC)	C-1	69 parcels	Realigns form-based districts to standard commercial zoning (C-1) better suited for auto-oriented corridors.
UC (DC)	C-2	2 parcels	Acknowledges heavy commercial uses east of Main Street.
GU (DC) UC (DC)	PF	2 parcels	Reflects the specific civic use of the Courthouse and Depot.



CN (NC) C-1 (CC)	GU	23 parcels	Incorporates the Oak/Seminary corridors into the DZC to enforce pedestrian-oriented design, consistent with their "Downtown Core" GP Designation.
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**Table 2: Comparison of Density Standards**

Zoning District	Residential Density (Min/Max)	Rationale
CN <i>Existing Zoning for Expansion Area</i>	1-15 du/ac	The current low density (max 15) conflicts with the General Plan "Downtown Core" designation, which envisions higher intensity infill.
GU <i>Proposed Zoning for Expansion Area</i>	10-28 du/ac	The GU zone was intended for moderate density, but the form-based requirements of the DZC often made maximizing this density financially infeasible on irregular lots.
UC <i>Existing Zoning for Perkins St</i>	15-28 du/ac	While allowing up to 28 du/ac, the UC zone often restricted ground-floor residential, limiting actual achievable density.
C-1 <i>Proposed Zoning for Perkins St</i>	15-28 du/ac	The C-1 District maintains the exact same maximum density (28 du/ac) as the DZC districts, ensuring no loss in theoretical capacity, while facilitating actual production through Objective Design Standards.
C-2	N/A (Mixed Use Allowed)	Residential uses are permitted in C-2 when complying with Objective Design Standards, allowing for high-density infill (typically 28–40 du/ac) consistent with the Highway Commercial GP designation.
PF	N/A	Civic uses do not generate residential density; this zoning reflects the existing built condition of the Courthouse and Depot.

**Table 3: Changes to Land Use Allowances**

Land Use Category	Area of Change	Effect of Zoning Change	Planning Rationale
Housing Approvals	Perkins St Corridor (DZC→C-1)	Discretionary → Ministerial	Shifting to C-1 allows housing by-right (with ODDS), removing DZC process barriers and facilitating housing

			production consistent with Housing Element Implementation Program 2h.
Formula Restaurants	Perkins St Corridor (DZC→C-1)	Prohibited →Allowed	Removes the ban on chain restaurants, acknowledging that Perkins Street functions as a regional commercial corridor rather than a boutique downtown street.
Drive-Through Facilities	Perkins St Corridor (DZC→C-1)	Prohibited →Allowed	Restores auto-oriented commercial uses to the City's primary arterial where they are economically viable and compatible with the "Community Commercial" designation, acknowledging Perkins Street's function as a regional commercial corridor rather than a boutique downtown street.
Auto-Oriented Uses	Oak/Seminary Corridor (C-1/CN →DZC)	Allowed →Restricted	Applying DZC standards prohibits new drive-throughs and auto-intensive uses, protecting the walkable grid adjacent to the historic downtown.
Building Form	Oak/Seminary Corridor (DZC→C-1/CN)	Standard →Form-Based	New development must now meet DZC frontage and architectural standards (e.g., buildings at the sidewalk edge), enforcing the "Downtown Core" vision for a pedestrian-oriented environment.

#### IV. EVALUATION OF ENVIRONMENTAL EFFECTS

The following evaluation determines whether the proposed Ordinance qualifies for streamlined review pursuant to CEQA Guidelines Section 15183 by addressing the three mandatory findings related to density, project-specific effects, and previously unanalyzed impacts.

##### 1. Density

**Finding:** The proposed Ordinance is consistent with the development density established by the Ukiah 2040 General Plan policies for which an EIR was certified.

**Discussion:** The Project realigns zoning boundaries to match the distinct "Character Areas" envisioned in the Ukiah 2040 General Plan. A comparative analysis demonstrates that the proposed zoning changes result in a maintenance of development intensity compared to the theoretical buildout analyzed in the Ukiah 2040 General Plan EIR and the 2012 Downtown Zoning Code (DZC) MND.

Crucially, the proposed rezoning of the Perkins Street corridor and commercial centers from DZC districts (General Urban/Urban Center) to Community Commercial (C-1) does not reduce the residential density potential envisioned under the original DZC initial buildout. The 2012 DZC MND analyzed the project area with a maximum residential density of 28 dwelling units per acre

(du/ac). The proposed C-1 zoning district also permits a maximum density of 28 du/ac, consistent with the Community Commercial designation in the 2040 General Plan. Therefore, returning these parcels to standard commercial zoning maintains the exact density envelope established and expected during the adoption of the DZC in 2012.

While consistent with historic density expectations, the Project represents a reduction in intensity compared to the theoretical maximums analyzed in the 2040 General Plan EIR. The General Plan EIR analyzed the Downtown Core (DC) designation with a maximum density of 40 dwelling units per acre (du/ac). By rezoning approximately 72 parcels currently designated DC or Community Commercial to standard Community Commercial (C-1), which is capped at 28 du/ac, the Project significantly reduces the potential theoretical residential buildout and associated traffic generation compared to the maximum intensity certified in the 2040 General Plan EIR. This confirms the Project does not exceed the density thresholds established in the certified environmental documents.

In addition to maximums, the Project is consistent with the minimum density standards relied upon in the General Plan EIR to meet the City's housing goals. The 2012 DZC established minimum residential densities (10–15 du/ac) to prevent the underutilization of land. The proposed rezoning to Community Commercial (C-1) maintains consistency with this intent. The Ukiah 2040 General Plan Land Use Element defines the Community Commercial designation with a density range of 15–28 du/ac (Table 2-2). Therefore, future residential mixed-use development within the proposed C-1 zones remains subject to the General Plan's minimum density floor. This ensures that the rezoning will not result in the underutilization of infill sites, maintaining the validity of the "compact growth" and "infill" assumptions analyzed in the General Plan EIR.

Furthermore, the rezoning of the new Courthouse site and Great Redwood Trail parcels to Public Facilities (PF) removes them from mixed-use residential density calculations entirely, reflecting their specific government function. As confirmed by the 2022 Courthouse EIR Addendum, the actual built intensity of the new Courthouse (77,887 gross square feet) is significantly lower than the 114,000 square feet originally analyzed in the 2012 Courthouse EIR. This confirms that the transition of these parcels to PF zoning results in a development intensity well within the envelope analyzed in prior certified environmental documents.

Where the Project intensifies zoning, specifically by expanding the General Urban (GU) form-based code to approximately 22 parcels along the Oak Street and Seminary Avenue corridors, it remains strictly consistent with the General Plan. While some of these parcels are currently zoned Neighborhood Commercial (CN) (typically 15 du/ac), the Ukiah 2040 General Plan designates this area as Downtown Core, envisioning it as a high-density pedestrian transition zone. The 2012 DZC MND previously analyzed the environmental effects of the General Urban district (up to 28 du/ac) in this vicinity and determined that the downtown grid infrastructure is sufficient to support this intensity. Therefore, applying the GU zone to these corridors implements the General Plan's infill strategy without exceeding the density thresholds already environmentally cleared.

Finally, the proposed density remains compatible with the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP). The project area lies within Compatibility Zone 4 (Outer Approach/Departure Zone) and Compatibility Zone 6 (Traffic Pattern Zone). While Zone 6

generally imposes no limit on residential density, Zone 4 includes a specific "Urban Overlay Zone" designation for the downtown area that permits residential densities up to 35 dwelling units per acre to reflect existing urban patterns [UKIALUCP Table 3A]. Because the proposed Ordinance generally caps density at or below the 28 du/ac threshold analyzed in the 2012 MND, which is well within the 35 du/ac limit established by the Airport Land Use Commission, the Project does not introduce new density-related impacts or conflict with airport safety standards.

## 2. Project-Specific Effects Peculiar to the Project or its Site

**Finding:** 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.

**Discussion:** The Project involves administrative changes to zoning maps and text within an already urbanized area, reflecting existing uses and intended civic functions of the Ukiah 2040 General Plan.

### Aesthetics

The Oak and Seminary Avenue corridors contain structures with potential historic or architectural value. Expanding the DZC to these areas introduces form-based codes that are specifically designed to respect historic patterns, unlike standard commercial or residential zoning. The 2012 DZC MND analyzed the DZC's Historic Building Standards (Ukiah City Code § 9227) and concluded they would result in beneficial impacts by strictly regulating alterations to historic structures. Applying these form-based design standards to Oak Street ensures that new infill development will be compatible with the existing neighborhood character, thereby preventing peculiar aesthetic impacts that might otherwise occur under standard zoning.

### Airport Safety and Airspace

The project area is located within the Airport Influence Area (Zones 4, 6, and OAE). The proposed rezoning to PF and REC/PF establishes land uses (parks, civic buildings) that are compatible with the UKIALUCP, provided they do not result in high-intensity assemblages prohibited in inner zones. UKIALUCP Policy 3.2.3(c) and Table 3A list "Outdoor Group Recreation" and "Public Safety Facilities" as conditionally compatible. The proposed C-2 zoning is also compatible with Zones 4 and 6, subject to intensity limits. The Project does not introduce "incompatible" uses as defined by the UKIALUCP.

### Biological Resources

The project area encompasses Gibson Creek, a sensitive riparian corridor that also presents flood hazards. The proposed rezoning to Public Facilities (PF) and Community Commercial (C-1) does not create peculiar environmental effects because the creek is protected by a robust framework of existing mitigation measures and recently adopted City ordinances that address both biological integrity and flood safety.

The 2012 DZC MND identified potential impacts to the creek from development and adopted mitigation measures requiring a 50-foot building setback from the riparian corridor (unless a shorter distance is supported by CDFW) and prohibiting native plant removal. These protections are reinforced by Ukiah 2040 General Plan Policy ENV-6.5. Additionally, the 2011 IS/MND for the

Depot site acquisition specifically evaluated excavation activities located 50–75 feet from the creek and found impacts to be less than significant through the implementation of a Stormwater Pollution Prevention Plan (SWPPP) to protect the riparian corridor from sedimentation.

Portions of the creek corridor are located within flood hazard areas (Zones A and B). However, flood risks are not peculiar to this rezoning because they are uniformly regulated by the City's 2025 Floodplain Management regulations (Ordinance 1259, adding Division 9, Chapter 6 to the Ukiah City Code). This ordinance adopts the most recent Flood Insurance Rate Maps (FIRM) and requires that any new development obtain a floodplain permit and elevate structures above the base flood elevation. Furthermore, the 2022 Courthouse EIR Addendum confirmed that recent infrastructure, such as the bridge crossing over Gibson Creek built subsequent to the 2012 EIR, has accommodated site access without worsening flood conditions.

Because these specific site constraints are managed by the 2025 Floodplain Ordinance and the biological mitigation measures established in the 2012 MND, the rezoning does not introduce new, unmitigated peculiar effects related to the creek.

### Cultural Resources

The project area includes the historic Ukiah Railroad Depot. While the 2012 MDN and the 2012 Courthouse EIR identified potential impacts to this resource, the 2022 Courthouse EIR Addendum provides substantial evidence that the specific rezoning of the courthouse parcels to Public Facilities (PF) will not adversely affect the depot. The Judicial Council acquired only the vacant tracts adjacent to the depot and did not acquire the parcel containing the historic structure. Consequently, the 2022 Addendum concluded that construction will have no direct impact on the historic depot structure. Therefore, rezoning the courthouse site to PF does not create a peculiar significant effect on historic resources.

### Hazards and Hazardous Materials

The parcels proposed for Public Facilities (PF) zoning (the Depot site) are identified on the Regional Water Quality Control Board's hazardous materials list (Case #1NMC397) due to historic railroad operations. The 2011 IS/MND and the 2012 Courthouse EIR (Impact 4.6-2) analyzed these peculiar site conditions and determined that impacts would be less than significant through compliance with the Remedial Action Plan approved by the North Coast Regional Water Quality Control Board. Because the cleanup and construction activities are governed by these existing regulatory frameworks and adopted mitigation measures, the rezoning does not create a new or peculiar unmitigated hazard.

### Housing

The most significant change in the proposed rezoning to Community Commercial (C-1) is the facilitation of housing production through Objective Design and Development Standards (ODDS). While the 2012 Downtown Zoning Code (DZC) Initial Study/Mitigated Negative Declaration explicitly stated that the form-based regulations were designed to provide opportunity for well-planned compact pedestrian-oriented development, mixed land uses, a variety of housing types, it was largely unsuccessful; only one new standalone structure (The Chipotle at 536 E. Perkins)

has been constructed under DZC regulations since 2012. The DZC's complex regulations often forced projects into discretionary "Exception" processes (Ukiah City Code § 9231.5), increasing cost and uncertainty.

In contrast, the proposed C-1 zoning, in conjunction with Ukiah City Code Chapter 2, Article 5.2 (Objective Design and Development Standards for New Residential Construction), allows for Multi-Family Dwellings to be "permitted by right" provided they comply with objective standards (Ukiah City Code §9055; §9081, see also Table 3 above). This effectively creates a ministerial approval pathway for housing on the Perkins Street corridor that did not exist under the DZC. This regulatory shift implements the 2040 General Plan Housing Element by removing subjective barriers and utilizing the C-1 zone to deliver the mixed-use density the DZC envisioned but failed to produce.

### Land Use

Rezoning portions of Urban Center to C-2 (Heavy Commercial) acknowledges existing auto-repair, manufacturing, or heavy service uses. This corrects a peculiarity of the DZC which applied urban form standards to functional industrial sites. Reverting to C-2 removes a conflict between the regulatory vision and the physical reality of the site, eliminating peculiar variances that would otherwise be required.

### Transportation

The 2012 Courthouse EIR (Impact 4.10-3) analyzed potential safety hazards resulting from increased traffic near the at-grade railroad crossing on East Perkins Street. The EIR adopted mitigation requiring coordination with the California Public Utilities Commission, and the North Coast Railroad Authority to ensure safety standards are met. The proposed rezoning to C-1 and PF maintains the land use assumptions of that analysis. Therefore the specific safety hazard regarding the rail crossing has already been analyzed and mitigated, and this Ordinance creates no new peculiar safety effects.

### Wildfire

The project area is located within the Local Responsibility Area (LRA). However, portions of the City, specifically along the western boundary, are designated as Very High Fire Hazard Severity Zones (VHFHSZ). To address this, the City adopted Ordinance 1256 (effective July 18, 2025) and updated Ukiah City Code Section 5200 to formally designate these fire hazard severity zones.

Pursuant to Ukiah City Code Section 5200, the City has adopted the State Responsibility Area (SRA) fire safe regulations for lands within the City limits located in High or VHFHSZs. This ensures that any new development facilitated by the rezoning, particularly near the wildland-urban interface, must comply with stringent standards for defensible space, ignition-resistant construction, and emergency access (Public Resources Code 4290 and 4291). Therefore, the zoning amendments do not introduce new wildfire risks that have not been addressed by the City's adoption of current fire maps and safety codes.

### 3. Significant Impacts Not Analyzed in the Prior EIR

**Finding:** There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.

**Discussion:** The Ukiah 2040 General Plan EIR served as a Program EIR, comprehensively analyzing the impacts of land use changes. The 2012 MND provided site-specific analysis for the DZC area.

#### Air Quality

The 2012 MND identified short-term production of PM-10 (dust) as a potential impact of redevelopment in the DZC area. It adopted mitigation measures requiring dust control plans (watering, covering stockpiles, etc.). The 2040 General Plan EIR (Impact AQ-2) acknowledges construction emissions but notes that BAAQMD Basic Construction Mitigation Measures are required for future projects. Additionally, the 2022 Courthouse EIR Addendum confirms that the Public Facilities (PF) site has been cleared of all structures, meaning no demolition is required for the new courthouse construction, thereby reducing potential construction emissions and hazards compared to the 2012 analysis.

#### Cultural Resources

The project area includes historic resources. The 2012 MND determined that the DZC would not cause substantial adverse changes to historic resources because it included historic building standards. The 2040 General Plan EIR (Impact CUL-1) acknowledges impacts to historic resources as significant and unavoidable but provides mitigation through the Historic Resources Study Program. The proposed Ordinance maintains historic review procedures found in Ukiah City Code Section 3016. As noted above, the 2022 Addendum confirms that the specific rezoning for the courthouse avoids the historic depot.

#### Land Use

The DZC previously prohibited "Restaurant – Formula Fast Food" and drive-through restaurants within the Downtown Zoning districts to promote a pedestrian-oriented environment. However, as shown in Table 3 above, these prohibitions created a conflict with the economic reality of the Perkins Street arterial. The Project rezones these parcels to Community Commercial (C-1), which lists drive-through facilities and formula restaurants as permitted or conditionally permitted uses.

This change eliminates the regulatory non-conformance of existing businesses and allows for the modernization of commercial services that rely on auto-access. Because Perkins Street is already a major arterial designed for vehicle traffic, re-introducing drive-through allowances aligns the zoning with the street's function and the 2040 General Plan's acknowledgment that "auto-oriented corridors require a regulatory approach that matches their physical reality". Potential traffic impacts from specific drive-through proposals will be managed through the standard Site Development Permit process.

#### Noise

The General Plan EIR Impact NOI-3 analyzed airport noise impacts and determined that continued regulation of airport noise consistent with state/federal regulations and the UKIALUCP would minimize disturbance. The project area lies generally outside the 55 dB CNEL noise contour for the airport.

### Public Services

The rezoning of C-2 and Urban Center parcels to Public Facilities/Recreation (REC/PF) was anticipated in the General Plan's analysis of public infrastructure needs (e.g., Great Redwood Trail, Depot improvements). Impact PSR-3 in the 2040 EIR analyzed the impacts of new recreational facilities and found them less than significant. This rezoning implements the General Plan's direction to expand recreational amenities (Policy PFS-12.2).

### Traffic

Previous environmental documents, including the 2012 DZC MND and the 2012 Courthouse EIR, specifically identified that development in this area would exacerbate unacceptable operations at the US-101 Northbound Ramp/Perkins Street intersection (Courthouse EIR Impact 4.10-2). To address this, the 2012 Courthouse EIR adopted Mitigation Measure 4.10-2, requiring fair-share contributions toward signalization and roadway improvements. The proposed rezoning of the Perkins Street corridor to Community Commercial (C-1) and the courthouse site to Public Facilities (PF) does not increase trip generation potential beyond the DZC (General Urban/Urban Center) designations analyzed in 2012; in fact, designating land as Public Facilities (PF) or Recreation (implemented via PF zoning) often results in lower peak-hour trip generation compared to the commercial or mixed-use retail/residential buildout originally anticipated.

Additionally, the expansion of the DZC to Oak Street and Seminary Avenue reinforces the pedestrian-oriented grid network analyzed in the 2012 MND, which determined that the DZC promotes walking and bicycling by requiring pedestrian-friendly frontages, thereby reducing vehicle dependency. The Ukiah 2040 General Plan EIR analysis of VMT (Impact TRA-2) confirmed that a diversity of land uses (including civic, recreation, and pedestrian-oriented core) supports VMT reduction. Consequently, the significant traffic impacts at the US-101 interchange have already been disclosed and mitigation mechanisms identified, and the Project's rezoning and boundary refinements create no new peculiar traffic effects.

#### 4. Cumulative Impacts

**Finding:** There are no potentially significant offsite and/or cumulative impacts that the Ukiah 2040 EIR failed to evaluate.

**Discussion:** The General Plan EIR analyzed cumulative impacts for all resource areas.

### Traffic

The 2012 MND identified the US-101/Perkins Street ramp intersections as operating at unacceptable levels and adopted a mitigation measure requiring future development to contribute fair share payments toward signalization and improvements. The 2040 General Plan EIR also analyzed VMT and traffic impacts. The rezoning to C-1 does not increase the trip generation



potential beyond what was analyzed in the 2012 MND or the 2040 General Plan EIR, as density caps remain consistent.

#### Airport Operations

The cumulative effect of development in the Airport Influence Area (AIA) was analyzed in the UKIALUCP and the General Plan EIR. The proposed rezoning ensures that high-intensity commercial uses are not forced into areas better suited for lower-intensity Public/Recreation uses, thereby maintaining compatibility with airport operations in the long term.

#### 5. New Information

**Finding:** There is no substantial new information that results in more severe environmental impacts than anticipated by the Ukiah 2040 EIR.

**Discussion:** No substantial new information has emerged since the certification of the Ukiah 2040 General Plan EIR in December 2022 that results in more severe impacts. The 2022 Courthouse EIR Addendum provides new information confirming that impacts related to the courthouse site (density, cultural resources, hazards) are less severe than previously analyzed. The 2012 MND provides historical context for the DZC area, confirming that the high-density mixed-use concept was environmentally cleared. The proposed downzoning of certain parcels to Public Facilities or Recreation and the adjustment of others to C-1/C-2 are administrative corrections to align with the 2040 General Plan Land Use Map.

## V. DETERMINATION

In accordance with CEQA Guidelines Section 15183, the Downtown Zoning Code (DZC) Amendments and Rezoning qualifies for an exemption because 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.

Therefore, the City Council relies upon the EIR previously certified for the Ukiah 2040 General Plan, and further CEQA review is limited pursuant to CEQA Guidelines Section 15183 and Public Resources Code Section 21083.3.