California Environmental Quality Act

INITIAL ENVIRONMENTAL STUDY AND MITIGATED NEGATIVE DECLARATION

Downtown Zoning Code

Department of
Planning and Community Development
June, 2012

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1. INTRODUCTION

After a well-attended five-day community visioning workshop process, City staff has been developing a new set of zoning regulations for Downtown Ukiah and the Perkins Street corridor. The new zoning regulations will provide opportunity for well-planned compact pedestrian oriented development, mixed land uses, a variety of housing types, and a re-creation of the best of Ukiah's form and architecture.

The Planning Commission and City Council each conducted a series of separate public workshops over a period of nearly two years to discuss and develop the proposed Downtown zoning code.

This Initial Environmental Study examines the potential environmental effects of the proposed new Downtown Zoning Code for the City of Ukiah. This initial Study was prepared for the City of Ukiah as the lead agency for this project. The proposed project is described in detail below, as are the project objectives and the environmental setting of the project area.

A number of recently prepared environmental documents were used to gather information for this Initial Environmental Study (References Cited, page 58). Most notably, Staff examined and used information from the FEIR for the New Ukiah Courthouse (SCH #2011042089), prepared by RBF Consulting for the Judicial Council of California – Administrative Office of the Courts.

The findings contained within this Initial Environmental Study will be used in support of the preparation of a Mitigated Negative Declaration for the project.

2. BACKGROUND INFORMATION

Project Name: City of Ukiah Downtown Zoning Code

Project Location: The project area is generally bounded by Oak Street on the west, Henry Street and Norton Street on the north, Seminary Avenue and Cleveland Lane on the south, and Leslie Street on the east. The area also includes the parcels fronting on East Perkins Street from Oak Street to Highway 101 (See map on page 7)

Project Applicant: The City of Ukiah is the project proponent.
300 Seminary Avenue
Ukiah, CA 95482

Project Planner: Kim Jordan, Senior Planner (707) 463-6207 / kjordan@cityofukiah.com

Initial Study Preparation: Staff – Department of Planning and Community Development

Date of initial Study Completion: June 4, 2012

30-day Public Review and Comment Period: June 10, 2012 through July 10, 2012

Purpose of Initial Study: This Initial Environmental Study has been prepared in conformance with the California Environmental Quality Act of 1970 (CEQA) and the State CEQA Guidelines to evaluate the environmental effects of implementation of the proposed project. The purpose of the Study is not to recommend approval or denial of a project, but to provide decision-makers, public agencies, and the general public with objective information regarding the range of the potential environmental effects that could result from implementation of the proposed new Downtown Zoning Code. The environmental review process is specifically designed to objectively evaluate and disclose potentially significant direct, indirect, and cumulative impacts of a proposed project; to identify alternatives that could reduce or eliminate a project's significant effects while continuing to achieve the major objectives of the project; and to identify potentially feasible mitigation measures that reduce or avoid the significant effects of a project.

Initial Study and Mitigated Negative Declaration Process: This draft Initial Environmental Study and Mitigated Negative Declaration are being circulated for public review and comment for a period of 30 days. During this period, the general public, organizations, and agencies can submit comments to the lead agency on the draft Initial Environmental Study and Negative Declaration accuracy and completeness.

Because Gibson Creek is regulated to some degree by the State Department of Fish and Game and the Regional Water Quality Control Board, and it flows through the project site, the Initial Environmental Study and proposed Negative Declaration were sent to the State Clearing house for distribution to State Agencies and a 30-day review and comment period.

Upon completion of the public review period, comments on the draft Initial Environmental Study and Mitigated Negative Declaration will be reviewed and responses to those comments will be prepared. Before the City can consider approval of the proposed project, it must first find that the Negative Declaration is complete, accurate and adequate, and in compliance with CEQA. The City Council must make this finding using its independent judgment.

Upon publication of this Initial Environmental Study and Mitigated Negative Declaration, the City of Ukiah provided public notice of the document’s availability for public review and invited comment from the general public, agencies, organizations, and other interested parties.

Copies of the Initial Environmental Study and Mitigated Negative Declaration can be found at the following locations:

City of Ukiah
Planning and Community Development Department
300 Seminary Avenue
Ukiah, CA 95482
Website: www.cityofukiah.com

The public review and comment period is 30 days from June 10 2012 through July 10, 2012. All written public comments on the draft Mitigated Negative Declaration must be received no later than 5:00 p.m. on July 10, 2012. All written comments or questions regarding the draft Mitigated Negative Declaration should be addressed to:

Charley Stump, Director
Planning and Community Development
300 Seminary Avenue
Ukiah, CA 95482
cstump@cityofukiah.com

Lead Agency:

Lead Agency: In conformance with Sections 15050 and 15367 of the State CEQA Guidelines, the City of Ukiah is the "lead agency" for the proposed project, defined as the "public agency which has the principal responsibility for carrying out or disapproving a project." The City of Ukiah, as lead agency, is responsible for scoping the analysis, preparing the Initial Environmental Study and Mitigated Negative Declaration, and responding to comments received on the draft Mitigated Negative Declaration.

Responsible Agency: Responsible agencies are state and local public agencies other than the lead agency that have authority to carry out or approve a project or that are required to approve a portion of the project for which a lead agency is preparing or has prepared an Initial Environmental Study/Mitigated Negative Declaration. For the Downtown Zoning Code project, there are no Responsible Agencies.

Trustee Agencies: Trustee agencies under CEQA are public agencies with legal jurisdiction over natural resources that are held in trust for the people of California and that would could potentially be affected by a project, whether or not the agencies have authority to approve or implement the project. For the Downtown Zoning Code project, the State Department of Fish and Game and the State Regional Water Quality Control Board are Trustee Agencies.

3. PROJECT DESCRIPTION

The proposed Ukiah Downtown Zoning Code is a land development regulatory tool (Zoning) that places primary emphasis on the urban form, the relationship of buildings to each other, to the street, and to open spaces - rather than a code that is based primarily on land use. The Form Based Code:

- Places less emphasis on the use of land as opposed to the form and location of the build environment.
- Recognizes uses may change but the building remains.
- Encourages mixed use and a mix of housing types.
- Relies on design concepts and patterns intended to preserve the best of the downtown, creating more livable environments and spaces.
- Achieves compatibility of uses through design and orientation, instead of strict land use separation.
- Gives more attention to the streetscape and the design of the public realm.
- Is based on a design focused public participation process.

The basic principle is that design is emphasized more than use. It includes simple and clear graphic prescriptions for building height, how a building is placed on site, and how building elements are used to manage development. The form-based approach of the proposed code regulates new infill development in the existing downtown core and Perkins Street corridor with respect to the existing character/context, and prevents new out-of-scale development. The code supports mixed uses with a range of housing types and commercial land uses with a focus on form, size, and placement of buildings, landscaping and parking, and less on land use and density. The proposed maximum residential density of 28 units per acre is unchanged from the existing code density standards.

The proposed code includes sections addressing building and site uses, land use standards, site planning and development standards, architectural standards, historic building standards, parking requirements, tree preservation and planting requirements, and circulation standards.

The Downtown Zoning Code area is divided into three separate zoning districts: General Urban (GU); Urban Center (UC); and Downtown Core (DC). Separate allowed and permitted land uses and development standards are proposed for each district.

The proposed code has been designed to provide the following:

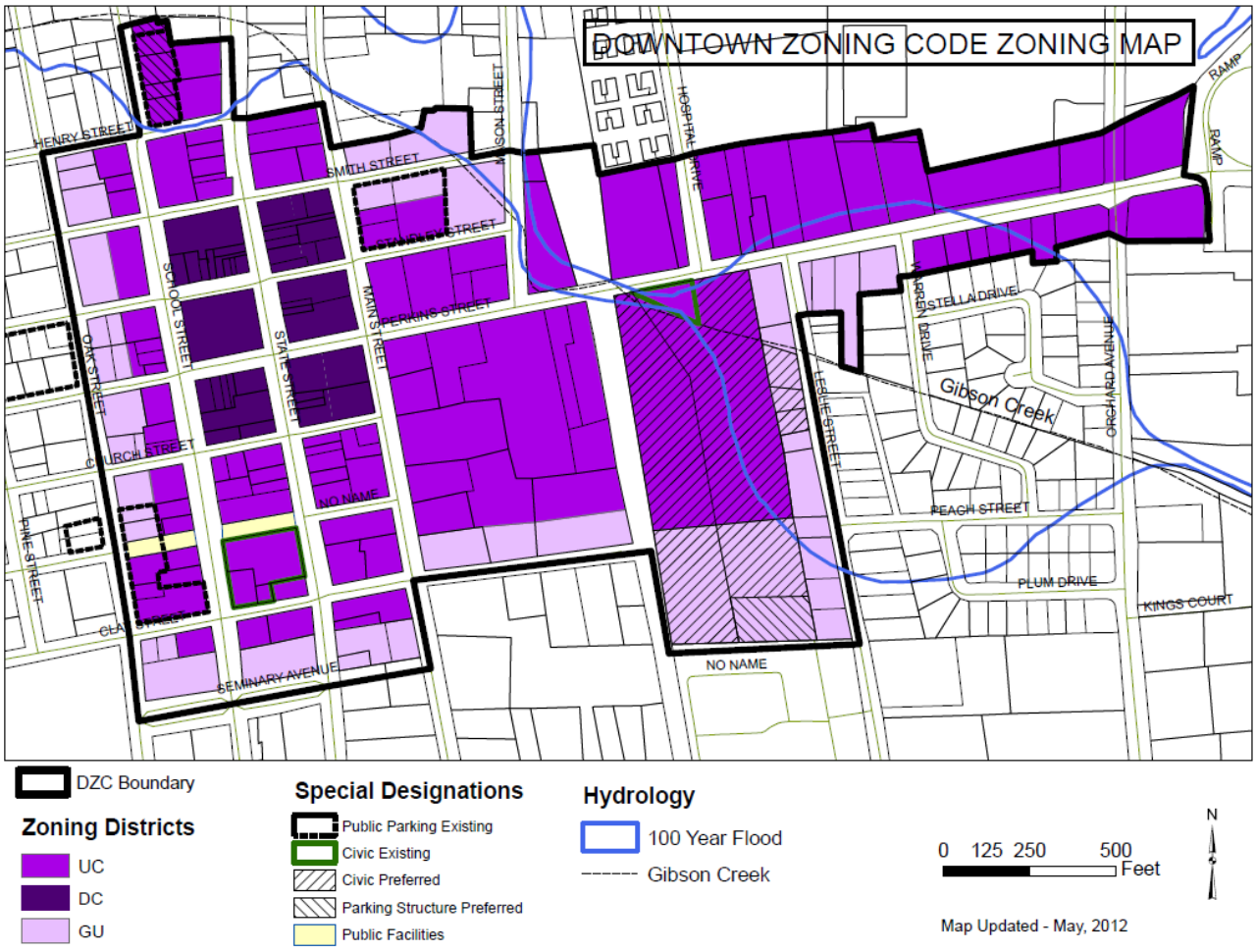
- Clear standards for development and uses that implement the vision and purpose of the Code. The requirements are written in a clear and easy to understand manner in order to provide clarity and remove subjectivity and ambiguity. Uses and terms are defined and have been expanded. The intent is to provide certainty for property owners, developers, decision makers, the community, and staff.

- A process that allows a deviation from a standard to be requested by an applicant. This process requires a discretionary application and includes public notice and public hearing.

- A reduced review process for projects that are consistent with the requirements of the DZC since these projects provide certainty as to their outcome and would be consistent with purpose of the DZC.

- A zoning code that is easy to use and understand with requirements provided primarily in table form; defined terms and uses; and references to other relevant sections of the DZC or Ukiah City Code.

- Design guidelines, including for signs that would guide development and fulfill the community vision that evolved from the design charrette.



Downtown Zoning Code Area Map

4. PROJECT OBJECTIVES

1. To create an urban environment that implements and fulfills the goals, objectives and strategies of the Ukiah General Plan by encouraging the development of a healthy, safe, diverse, compact and walkable urban community.

2. To implement the vision for the study area created by the community during an intense and open community design charette process in 2007. That vision is one of environmentally sustainable and economically vital public spaces and buildings with a renewed civic square, attractive civic buildings and spaces, a healthy creek corridor, gateways that reflect Ukiah's sense of place, a mix of building types and affordability, new development that supports and enhances the train depot and rail corridor, interconnected and pedestrian-oriented public streets, specific locations for potential anchor buildings (such as large-scale retail, employment centers and parking structures), and pedestrian-friendly buildings and streetscapes.

3. To manage the scale and general character of new development to emulate the best elements of Ukiah's heritage, such as shady downtown streets, diverse architecture, mixed-use shop-front buildings in the Downtown, and the architecture of historic civic buildings.

4. To ensure that public and private spaces are connected and compatible. Buildings that line public spaces relate to the natural surroundings and character of the local built environment, and connect to one another at the pedestrian scale. Public spaces are more than streets and paths for people traveling on foot, on bicycles and in cars. They are the community gathering places. The character of these public spaces is defined by their design and detail, and by the way that private buildings connect to public spaces.

5. To coordinate the design of public and private elements in a comprehensive and systematic approach. The Downtown Zoning District provides this system, focusing on the pedestrian experience as well as on the efficient movement of pedestrians, bicycles, and automobiles.

6. To facilitate the coexistence of a wide range of residential, commercial and similar uses in close proximity within a lively downtown urban environment.

7. To preserve and enhance the historic Downtown.

8. To support local businesses and create a vibrant commercial downtown where buildings meet the street and activate a wide range of pedestrian-friendly uses.

9. To promote and encourage a sustainable community through the reuse and improvement of existing buildings, infill development, green building and smart growth practices, and resource conservation (such as the enhancement of the Gibson Creek corridor, tree planting, and tree preservation).

5. ENVIRONMENTAL SETTING

According to the State CEQA Guidelines, an Initial Study must include a description of the existing physical environmental conditions in the vicinity of the project to provide the "baseline condition" against which project-related impacts are compared. The baseline condition for the proposed project is the physical condition that existed when the City Council completed its workshop review process of the draft Downtown Zoning Code in 2011.

The environmental setting of the Downtown and Perkins Street corridor area affected by the proposed code is characterized by dense urban development. The Perkins Street corridor is the primary vehicular access from State Highway 101 to the historic Downtown, and carries the heaviest number of vehicles during peak traffic hours. The majority of the area is built out, but is ripe for redevelopment because many of the buildings are old and reaching their practical usefulness. Additionally, there are a number of vacant parcels in the boundaries of the code area, most notable the property referred to as the Railroad Depot parcels. This approximate 10 acre property is prime for redevelopment (old railroad yard) and represents a significant opportunity site for future urban development.

Gibson creek also flows through portion of the area from the northwest to the southeast. This stream supports animal populations in its riparian bands, as well as aquatic life, including migrating salmon and steelhead fish.

6. SUMMARY OF POTENTIAL IMPACTS

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

☒ Aesthetics	☒ Global Climate Change	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology / Soils
☒ Hazards & Hazardous Materials	☒ Hydrology / Water Quality	☒ Land Use / Planning
☒ Mineral Resources	☒ Noise	☒ Population / Housing
☒ Public Services	☒ Recreation	☒ Transportation / Traffic
☒ Utilities / Service Systems	☒ Mandatory Findings of Significance	

This Initial Environmental Study concludes that the adoption and implementation of the new Downtown Zoning Code would have potentially significant adverse impacts on air quality, cultural resources, biological resources, and traffic. However, reasonable and feasible mitigated measures have been identified to avoid or reduce these impacts to levels of insignificance. The project, as mitigated would not have significant adverse impacts on the environment for the following reasons:

1. No increase in potential density or intensity of land uses from what is currently allowed or permitted would result.

2. It requires wider sidewalks, bicycle paths/routes, street trees, and other features to promote walking, bicycling, and the use of other alternative modes of transportation.

3. It allows for the mixing of land uses to promote walking, bicycling, and the use of other alternative modes of transportation.

4. It requires the preservation and enhancement of Gibson Creek and its riparian corridor.

5. It requires the preservation of landmark trees and includes standards to preserve and enhance the historic downtown.

6. It requires all newly proposed development to be consistent with the requirements of the Airport Master Plan and Mendocino County Airports Land Use Plan.

7. No mineral resources or agricultural lands are located within or in close proximity to the project area, therefore none would be adversely impacted by implementation of the new Downtown Code.

8. There are adequate public services to serve future development in the project area without a need for additional staff or infrastructure.

9. It promotes and encourages a sustainable community through the reuse and improvement of existing buildings, infill development, green building and smart growth practices, and resource conservation (such as the enhancement of the Gibson Creek corridor, tree planting, and tree preservation).

10. Review of recent environmental data prepared as part of the New Ukiah Courthouse project (EIR) and Railroad Depot Site Land Acquisition and Soil Remediation project (Mitigated Negative Declaration) provided up to date information on the environmental setting, potential impacts from future development/redevelopment, and assisted in the conclusions reached in this document.

11. The project would clearly provide benefits to the environment. The proposed Code includes requirements for the preservation and restoration of Gibson Creek and its riparian corridor; the preservation of landmark trees; the preservation and enhancement of the historic fabric of the downtown; the requirement for wider sidewalks, bicycle paths/routes, and street trees – all intended to enhance pedestrian and bicycle use and discourage automobile use, thereby reducing air pollution and greenhouse gas emissions.

12. Any future development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would expose people to hazardous substances. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future.

13. Mitigation measures are included that require the preservation and enhancement of Gibson Creek and its riparian corridor, the imposition of standard air quality (PM-10) measures for future development, the imposition of standard cultural resource protection measures, and financial contribution for traffic improvements if the City adopts a traffic impact fee program for the project area.

Accordingly, it has been determined that the project would not have a significant adverse impact on the environment and a Mitigated Negative Declaration is appropriate for the project.

7. TABLE OF MITIGATION MEASURES

Impact	Mitigation Measure
Air Quality: Short-term production of particulate matter (PM-10) resulting from future construction activities	1. Prior to any future site disturbance, grading or excavation of soil, the project proponents shall submit an application to the Mendocino County Air Quality Management District to determine if a permit is required. 2. The project contractors/applicants for future projects involving grading and the disturbance of soil shall prepare dust control plans. The project contractors shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manor during all phases of the project. The dust control plans shall include, at minimum, the following measures: a. Water shall be applied by means of truck(s), hoses, and/or sprinklers as needed prior to any land clearing or earth movement to minimize dust emissions. b. All material excavated, stockpiles, or graded shall be sufficiently watered to prevent fugitive dust from leaving the site or causing a public nuisance. Watering should occur at least twice daily, however frequency of watering shall be based on the type of operation, soil, and wind exposure. c. All on-site vehicle speed shall be limited to 15 miles per hour (mph) on unpaved roads. d. All land clearing, grading, earth moving, and/or excavation activities shall be suspended as necessary, based on site conditions, to prevent excessive windblown dust when winds are expected to exceed 20 mph. e. All inactive portions of the disturbed site, including soil stockpiles, shall be covered or routinely watered to control dust emissions. f. Paved areas adjacent to the site shall be routinely swept or washed as required to remove excess accumulations of silt and/or mud, which may have resulted from grading and excavation at the project site.

Biological Resources: Potential impacts to the Gibson Creek riparian corridor resulting from future construction activities	3. Future development projects in the planning area shall maintain a 50-foot building setback from the edge of the Gibson Creek riparian corridor, unless a shorter distance is supported by the State Department of Fish and Game. 4. Future construction activities shall not cut, disturb, or remove native riparian plants or trees along the Gibson Creek riparian corridor, unless supported by the State Department of Fish and Game.
Cultural Resources: Disturbance of pre-historic or historic resources during future construction activities	5. If, during site grubbing, grading, soil excavation or any aspect of future project development project, any pre-historic, historic, or significant cultural resources are discovered, all work shall be halted and the contractor/project proponent shall immediately contact the City of Ukiah Director of Planning and Community Development. The City shall engage the services of a qualified professional archaeologist at the expense of the project proponents, to perform a site reconnaissance and to develop a precise mitigation program, if necessary.
Traffic: The US 101/Perkins Street interchange – currently operating at an unacceptable LOS	6. Once a funding mechanism is identified and implemented for improvements to the US-101/Perkins Street interchange, future development projects shall contribute their fair share payments toward the signalization and roadway improvements.

Checklist and Environmental Analysis

I. AESTHETICS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime	☐	☐	☐	☒

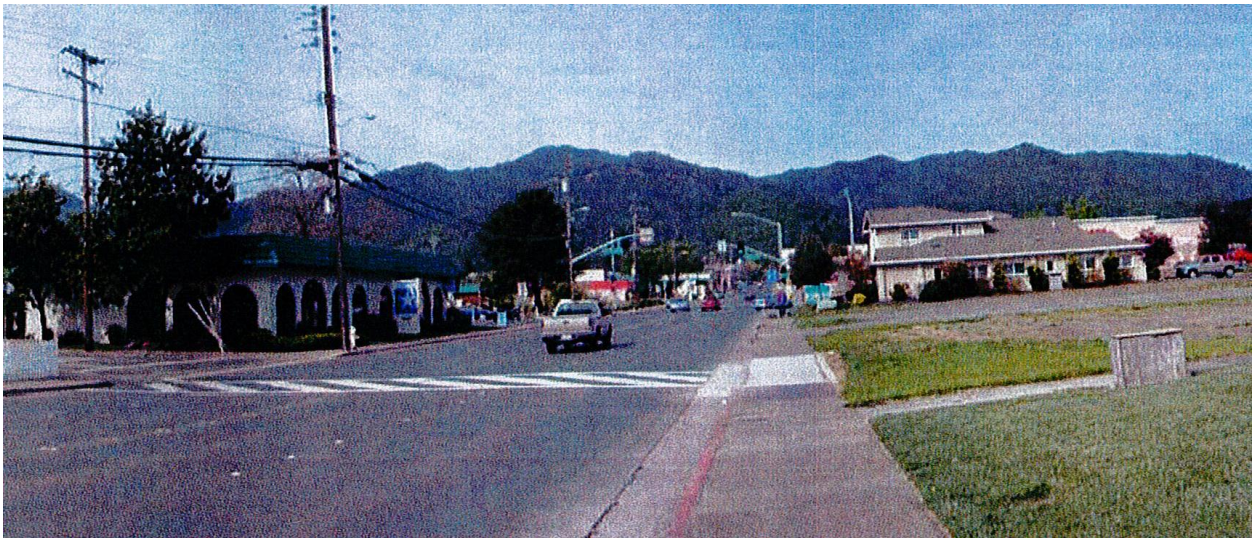
I. AESTHETICS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
views in the area?				

Setting: The City is situated within the Ukiah Valley and includes background views to wooded or chaparral covered mountains. The project site is located in the immediate downtown area of Ukiah. The downtown area includes historic buildings and tree-lined streets. Downtown Ukiah also includes streets dominated by small scale commercial buildings with a pedestrian orientation. According to the city's General Plan, "gateway" is a term used to describe the "first impression" that a resident or visitor has of the Ukiah Valley. Per the City's General Plan, East Perkins Street is one of six main gateways identified as a "second gateway level", which is the entrance into the city itself.

The Downtown Code area has a City of Ukiah General Plan land use designation of C (Commercial), and a zoning designation of C1 (Community Commercial), C2 (Heavy Commercial), and CN (Neighborhood Commercial). The general character of the surrounding area consists of a mix of land uses including commercial, heavy commercial, low to high density residential, professional offices, medical, and public.

Potential Impacts: Although future development or redevelopment in the project area would be visible, it would not interfere with a designated public scenic vista or view by diminishing the extent to which it is visible from the public right-of-way or by interfering with public access to a vantage point currently available to the public from which it may be appreciated. This conclusion is based on the fact that the architectural standards and design guidelines contained in the Code and developed with substantial citizen involvement would not permit large unpleasing structures that would block views of the western hills or other prominent view sheds. Therefore, the project would not adversely impact designated scenic vistas. Building heights are limited to two-stories throughout a major portion of the project area due to airport regulations.

Additionally, the proposed new Downtown Zoning Code includes architectural design standards, building siting, building height, landscaping, light/glare standards, and building form standards that have undergone a lengthy and detailed public involvement process. These standards have been found to be consistent with the goals and policies of the Ukiah General Plan, and with the community's vision for the aesthetics for the Downtown and Perkins Street corridor. The project will result in beneficial impacts to the aesthetics and scenic quality of the area.



Existing East Perkins Street Corridor

East Perkins Street Corridor after Implementation of the Code

Beneficial Aesthetic Impacts

It is concluded that the proposed project would not have significant adverse impacts on the aesthetics or scenic qualities of the project site or surrounding area.

Mitigation Measures: None Needed.

Impact Significance After Mitigation: N/A

2. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
d) Result in the loss of forestry land or conversion of forestry 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?	☐	☐	☐	☒

Setting: The project area is characterized by dense urban development. While orchards and vineyards are located to the northeast and southeast across Highway 101, none exist within or in close proximity to the project area.

Potential Impacts: Because no agricultural or forestry resources exist on or near the project site, none would be affected if the existing dense urban environment were to be redevelopment under the provisions of the proposed new downtown zoning code.

Mitigation Measures: None required.

Impact Significance After Mitigation: N/A

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management 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 Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Setting: The potential project area evaluated in this draft Initial Environmental Study is located in the City of Ukiah, within Mendocino County, California, which is within the North Coast Air Basin (NCAB). The NCAB also includes Del Norte, Humboldt, Trinity, Mendocino counties and a part of the northern Sonoma County. The ambient concentrations of air pollutant emissions are determined by the amount of emissions released by the sources of air pollutants and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, existing air quality conditions in the area are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources, as discussed separately below.

Topography

The Ukiah Valley is located in the south-central portion of Mendocino County. The Valley lies within the coastal mountain range, approximately 30 miles east of the Pacific Ocean, at about 630 feet in elevation. The Valley lies at about 39 degrees north latitude and 123 degrees west longitude. The Valley runs north-south for about 9 miles, with a maximum width of about 3 miles. The Russian River enters the Valley at the north end, and runs south along the Valley floor.

Climate

The climate of the Mendocino County is considered Mediterranean and is transitional between that of the coast and that of the interior of California. The climate is characterized by warm dry summers and cool damp winters. During summer, high temperatures of 90 to 100 degrees Fahrenheit (F) are common, while nighttime temperatures range in the 50s and 60s. High temperatures in the 50s and 60s are common during wintertime. Freezing or near-freezing temperatures are common on clear late fall and winter nights. Rainfall occurs mostly during the winter, with an average of 38 inches. December and January are typically the wettest months with an average of seven to eight inches falling during each of these months. Winds are primarily from the northwest direction, especially during the summer. Winds can flow from the south under certain synoptic weather conditions, such as when Pacific low pressure systems affect Northern California, and during the warm weather spells where low-level cooler marine air penetrates in the area through the Russian River Valley. For the most part, winds are light in the Ukiah Valley, which calm wind conditions present up to 50 percent of the time. Most calm wind conditions occur during late fall or early winter.

Meteorology

The Ukiah Valley frequently experiences temperature inversions where warm air aloft traps cold air near the surface. Two types of temperature inversions affect the region: elevated inversions caused by subsidence (sinking air caused by strong high pressure systems) and/or marine air penetration and ground-based inversions where nighttime cold air sinks into the Valley below from surrounding ridges. Inversions limit vertical mixing creating a very stable layer of air near the earth's surface. During late fall and winter, the ground-based inversions are usually present on clear cold nights. In the morning, these ground-based inversions may be weakened and eventually eliminated by solar heating; however, extreme inversions may last several days or weeks. These stagnant periods allow locally produced air emissions to occasionally build up to unhealthy levels.

Existing Air Quality:

Criteria Air Pollutants

Air pollution is a general term that refers to one or more chemical substances that degrade the quality of the atmosphere. Individual air pollutants may adversely affect human or animal health, reduce visibility, damage property, and reduce the productivity or vigor of crops and natural vegetation. Seven air pollutants have been identified by the United States Environmental Protection Agency (EPA) as being of concern nationwide: CO; O3; NO2; PM10; PM2.5; sulfur dioxide (SO2); and lead (Pb). These pollutants are collectively referred to as criteria pollutants. The sources of these pollutants, their effects on human health and the nation's welfare, and their final deposition in the atmosphere vary considerably.

Most criteria pollutants are directly emitted. O3, however, is a secondary pollutant that is formed in the atmosphere by chemical reactions between NOX and VOCs, most commonly referred to as reactive organic gases (ROG). According to the most recent emissions inventory data for Mendocino County, mobile sources are the largest contributors of both ROG and NOX.

Criteria air pollutants are classified in each air basin, county, or in some cases, within a specific urbanized area. The classification is determined by comparing actual monitoring data with state

and federal standards. If a pollutant concentration is lower than the standard, the area is classified as attainment for that pollutant. If an area exceeds the standard, the area is classified as nonattainment for that pollutant. If there is not enough data available to determine whether the standard has been exceeded in an area, the area is designated unclassified.

Carbon Monoxide

Carbon monoxide (CO) is a product of incomplete combustion, principally from automobiles and other mobile sources of pollution. CO emissions from wood-burning stoves and fireplaces can be measurable contributors. The major immediate health effect of CO is that it competes with oxygen in the blood stream and can cause death by asphyxiation. However, concentrations of CO in urban environments are usually only a fraction of those levels where asphyxiation can occur. Peak CO levels occur typically during winter months, due to a combination of stagnant weather conditions and higher emission rates, such as ground-level radiation inversions. Mendocino County is in attainment of the federal CO standard.

Ozone

Ozone (O3) is the principal component of smog, and is formed in the atmosphere through a series of reactions involving ROG and NOX in the presence of sunlight. ROG and NOX are called precursors of O3. NOX includes various combinations of nitrogen and oxygen, including NO, NO2, etc. O3 is a principal cause of lung and eye irritation in the urban environment. Significant O3 concentrations are normally produced only in the summer, when atmospheric inversions are greatest and temperatures are high. ROG and NOX emissions are critical in O3 formation. Control strategies for O3 have focused on reducing emissions from vehicles, industrial processes using solvents and coatings, and consumer products.

Emissions of the ozone precursors ROG and NOX have decreased over the past several years because of more stringent motor vehicle standards and cleaner burning fuels. During the last 20 years the maximum amount of ROG and NOX over an 8-hour period decreased by 17 percent. The NCAB did not participate in the Early Action Compact (EAC) and is no longer subject to the 1-hour ozone standard, and is therefore subject to the new 8- hour ozone standard. Mendocino County is currently in attainment of the federal 8-hour ozone standard.

Nitrogen Dioxide

Nitrogen dioxide (NO2) is a brownish, highly reactive gas that is present in all urban environments. The major human-made sources of NO2 are combustion devices, such as boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines. Combustion devices emit primarily nitric oxide (NO), which reacts through oxidation in the atmosphere to form NO2. The combined emissions of NO and NO2 are referred to as NOX and are reported as equivalent NO2. Because NO2 is formed and depleted by reactions associated with photochemical smog (ozone), the NO2 concentration in a particular geographical area may not be representative of the local sources of NOX emissions (EPA, 2011). There are currently no attainment designations for the federal nitrogen dioxide standard.

Respirable Particulate Matter (PM10)

PM includes both liquid and solid particles of a wide range of sizes and composition. While some PM10 comes from automobile exhaust, the principal source in Mendocino County is dust

from construction, and from the action of vehicle wheels on paved and unpaved roads. In other areas, agriculture, wind-blown sand, and fireplaces can be important sources. PM10 can cause increased respiratory disease, lung damage, and premature death. Control of PM10 is through the control of dust at construction-sites, the cleaning of paved roads, and the wetting or paving of frequently used unpaved roads. Mendocino County is in attainment of the federal PM10 standards.

Fine Particulate Matter

Fine particulate matter (PM2.5) includes a subgroup of smaller particles that have an aerodynamic diameter of 2.5 micrometers or less. PM2.5 emissions have remained relatively steady over the last 20 years and are projected to increase slightly through 2020. Emissions of PM2.5 are generally dominated by the same sources as emissions of PM10 (ARB, 2009). Mendocino County is in attainment of the federal PM2.5 standards.

Sulfur Dioxide

Sulfur dioxide (SO2) is produced when sulfur-containing fuel is burned. Health and welfare impacts attributed to SO2 are due to the highly irritant effects of sulfate aerosols, such as sulfuric acid, which is produced from SO2.

Natural gas contains trace amounts of sulfur, while fuel oils contain larger amounts. SO2 can increase the occurrence of lung disease and cause breathing problems for asthmatics. It reacts in the atmosphere to form acid rain, which is destructive to lakes, streams, vegetation, and crops, as well as to buildings, materials, and works of art. All areas in the state are considered either attainment or unclassified for sulfur dioxide. Mendocino County is in attainment of the federal SO2 standard.

Lead (Pb)

Lead is a stable compound, which persists and accumulates both in the environment and in animals. The lead used in gasoline anti-knock additives represented a major source of lead emissions to the atmosphere. However, lead emissions have significantly decreased due to the near elimination of the use of leaded gasoline.

Monitoring Station Data and Attainment Area Designations Concentrations of emissions from criteria air pollutants are used to indicate the quality of the ambient air. The air quality within Mendocino County is generally good. The MCAQMD is designated at attainment for all state and federal ambient air quality standards with the exception of the state standard for PM10. Sampling for PM10 is conducted every six days. In 1999, there were two exceedances of the PM10 standard in Ukiah. These exceedances were thought to be caused by severe smoke inundations due to wildfires north and east of Mendocino County.

The MCAQMD maintains a network of five air quality monitoring stations within its jurisdiction. The two nearest air monitoring stations to the potential project sites are maintained in the city of Ukiah at 306 East Gobbi Street and the county library (105 N. Main Street). These air monitoring stations monitor ozone (O3), nitrogen oxides (NOX), carbon monoxide (CO), particulate matter less than 10 microns (PM10), and particulate matter less than 2.5 microns (PM2.5). The Table below summarizes the air quality data from 2008-2010:

	2008	2009	2010
8-hour OZONE (O_3)[1]			
Maximum concentration (1-hr/8-hr avg, ppm)	0.090/0.072	0.094/0.063	0.097/0.051
Number of days state standard exceeded (1-hr/8-hr)	0/1	0/0	1/0
Number of days national standard exceeded (8-hr)	Not applicable/0	Not applicable/0	Not applicable/0
Nitrogen Dioxide (NO_x)[1]			
Maximum concentration (ppm)	0.110	0.094	*
Number of days state standard exceeded	0	0	0
Number of days national standard exceeded	Not applicable	Not applicable	Not applicable
CARBON MONOXIDE (CO)[1]			
Maximum concentration (ppm)	3.38	*	*
Number of days state standard exceeded	0	0	0
Number of days national standard exceeded	0	0	0
FINE PARTICULATE MATTER ($PM_{2.5}$)[2]			
Maximum concentration ($\mu g/m^3$)	31.6	25.9	22.0
Number of days state standard exceeded	Not applicable	Not applicable	Not applicable
Number of days national standard exceeded	Not applicable	Not applicable	Not applicable
RESPIRABLE PARTICULATE MATTER (PM_{10})[2]			
Maximum concentration ($\mu g/m^3$)	222.3	*	*
Number of days state standard exceeded	Not applicable	Not applicable	Not applicable
Number of days national standard exceeded	Not applicable	Not applicable	Not applicable

Notes: $\mu g/m^3$ = micrograms per cubic meter; ppm = parts per million
[1] Measurements from the Ukiah – East Gobbi Street station (Source: ARB, 2011c).
[2] Measurements from the Ukiah – County Library (101 N. Main Street).
* There was insufficient data to determine the value.

Source: Draft EIR - New Ukiah Courthouse, October, 2012

Toxic Air Contaminants

In addition to the criteria air pollutants, another group of airborne substances called TACs are known to be highly hazardous to health, even in small quantities. TACs are airborne substances capable of causing short-term (acute) and/or long-term (chronic or carcinogenic) adverse human health effects (injury or illness). TACs are classified as non-criteria pollutants, because no air quality standards have been established for them. The effects of these substances are very diverse and their health impacts tend to be local rather than regional.

TACs can be emitted from a variety of common sources, including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. Natural source emissions include windblown dust and wildfires. Farms, construction-sites, and residential areas can also contribute to toxic air emissions. The State ARB has also identified diesel particulate matter (DPM) as a TAC. The ARB has determined that any source that poses a risk to the general population that is equal to or greater than 10 people out of 1 million contracting cancer as excessive. When estimating this risk, it is assumed that an individual is exposed to the maximum concentration of any given TAC continuously for 70 years. The ARB has conducted studies to determine the total cancer inhalation risk to individuals due to outdoor toxic pollutant

levels. According to the map prepared by ARB showing the estimated inhalation cancer risk for TACs in the State of California (State), the proposed project site is located in an area with an existing estimated risk that is less than 50 cancer cases per one million people. This represents the lifetime risk that between 0 and 50 people in one million may contract cancer from inhalation of toxic compounds at current (2010) ambient concentrations. While TACs are produced by many different sources, the largest contributor to inhalation cancer risk in California is DPM.

Emission Sources and Concentrations

MCAQMD has identified several types of emission sources, which need to be considered when evaluating the impacts of a project under CEQA. For many development projects, motor vehicle trips are the principal source of air pollution; projects in this category, such as shopping centers, office buildings, arenas, and residential developments, are often referred to as indirect sources. Such sources do not directly emit significant amounts of air pollutants from on-site activities but cause emissions from motor vehicles traveling to and from the development over its planning lifetime. Most development projects also generate what are known as area source emissions. Area source emissions are relatively small quantities of air pollutants when considered individually, but cumulatively may represent significant emissions. Water heaters, fireplaces, lawn maintenance equipment, and application of paints and lacquers are examples of area source emissions.

Certain projects may directly generate stationary or point source emissions from operations. Examples of facilities with point sources include manufacturing plants, quarries, and print shops. Project-related demolition and construction emission impacts are also a significant contributor to regional air pollution. On- and off-road construction vehicles, along with on-site portable equipment (such as generators and air compressors) generate exhaust emissions. Construction vehicles and equipment operation can also cause unacceptable levels of entrained dust (PM10). Even though they are temporary, in some cases construction emissions may be quantitatively greater on a daily basis than emissions from the operation of the development once it is built.

Sensitive Receptors

The location of a development project is a major factor in determining whether it will result in localized air quality impacts. The potential for adverse air quality impacts increases as the distance between the source of emissions and members of the public decreases. Impacts on sensitive receptors are of particular concern. Sensitive receptors are facilities that house or attract children, the elderly, and people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. Residential uses are considered sensitive because people in residential areas are often at home for extended periods of time, so they can be exposed to pollutants for extended periods. Recreational areas are considered moderately sensitive to poor air quality because vigorous exercise associated with recreation places a high demand on the human respiratory function.

The project area contains dense urban uses (e.g., office, retail, commercial, and residential uses). Existing noise and vibration-sensitive land uses in the project vicinity primarily include offsite low-density residences, the Ukiah Valley Medical Center, and the Hudson-Carpenter Park. Air quality problems arise when sources of air pollutants and sensitive receptors are located near one another.

The ARB notes that a sensitive receptor in close proximity to a congested intersection or roadway with high levels of emissions from motor vehicles, with high concentrations of CO, fine PM, or TACs, is a common concern. A sensitive receptor close to a source of high levels of nuisance dust emissions is also a concern.

Potential Impacts: Major objectives of the proposed Downtown Zoning Code include encouraging the development of a healthy, safe, diverse, compact and walkable urban community, mixed land uses, improved pedestrian facilities, additional bike lanes/routes, and other measures that will reduce the dependency on the automobile. These measures will reduce the local production of criteria air pollutants that would result from implementation of the current code which does not discourage use of the automobile.

The proposed new Code does not increase the density or intensity of the land uses contained in the current regulations – it focuses on site planning and building form and architecture. Therefore there would not be an increase in air pollutants from construction activities or due to an increase in residential densities and automobile use from what is currently permitted and designated in the Ukiah General Plan.

However, the production of non-attainment PM-10 resulting from short-term construction activities is regarded as a potentially significant impact. While large scale grading operations are subject to the review authority of the Mendocino County Air Quality Management District, who would impose routine mitigation/conditions to reduce the production of PM-10, smaller construction projects may not be. These smaller projects would contribute to an already significant (non-attainment) adverse condition, and therefore mitigation is warranted.

Additionally, any specific future development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would result in contributions to CO, O3, NO2, sulfur dioxide (SO2); and lead (Pb). At this time, it is premature and would be speculative and unreasonable to assume what type, size, scale, and intensity of development would be proposed in the future, and whether or not criteria air pollutants would be produced.

Mitigation Measures: The following mitigation measures are recommended to reduce the production of particulate matter resulting from short-term construction activities:

1. Prior to any future site disturbance, grading or excavation of soil, the project proponents shall submit an application to the Mendocino County Air Quality Management District to determine if a permit is required.

2. The project contractors/applicants for future projects that involve grading and the disturbance of soil shall prepare dust control plans. The project contractors shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manor during all phases of the project. The dust control plans shall include, at minimum, the following measures:

    g. Water shall be applied by means of truck(s), hoses, and/or sprinklers as needed prior to any land clearing or earth movement to minimize dust emissions.

    h. All material excavated, stockpiles, or graded shall be sufficiently watered to prevent fugitive dust from leaving the site or causing a public nuisance. Watering should

occur at least twice daily, however frequency of watering shall be based on the type of operation, soil, and wind exposure.

i. All on-site vehicle speed shall be limited to 15 miles per hour (mph) on unpaved roads.

j. All land clearing, grading, earth moving, and/or excavation activities shall be suspended as necessary, based on site conditions, to prevent excessive windblown dust when winds are expected to exceed 20 mph.

k. All inactive portions of the disturbed site, including soil stockpiles, shall be covered or routinely watered to control dust emissions.

l. Paved areas adjacent to the site shall be routinely swept or washed as required to remove excess accumulations of silt and/or mud, which may have resulted from grading and excavation at the project site.

Impact Significance After Mitigation: N/A

(Sources of Information for this Section: Final EIR – New Ukiah Courthouse Project, judicial Council of California, Administrative Office of the Courts, April, 2012) and Initial Environmental Study/Mitigated Negative Declaration: Railroad Depot Site Land Acquisition and Sale/Soil Contamination Remediation, City of Ukiah Department of Planning and Community Development, July, 2011.

4. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 Game 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, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

4. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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?	☐	☐	☐	☒

Regional Setting: Ukiah is located within the Russian River Valley in southern Mendocino County, California, north of the greater San Francisco Bay Area and west of the Central Valley. The Russian River Valley lies within the northern portion of the Coast Ranges province of California. The northern Coast Ranges trend northwestward, parallel to the major structural features of the region. The mountain range that lies west of the Russian River Valley and extends to the coast is commonly called the Mendocino Range and ranges in elevation between 1,400 and 3,000 feet. The highlands located east of the Russian River in the vicinity of Ukiah are known as the Mayacamas Mountains and range in elevation between 3,000 and 4,000 feet above mean sea level (amsl).

The Ukiah Valley is a subarea of the Russian River Valley. The Ukiah Valley is approximately 22 miles long, averages approximately three miles wide, and occupies an area approximately 65 square miles in size. The altitude of the valley floor ranges from approximately 500 feet at the southern end to approximately 700 feet in the northern end. The valley floor at Ukiah is approximately 600 feet above sea level.

The City of Ukiah is located along the Highway 101 corridor, approximately five miles south of California Highway 20. The city lies along the flatter portions of the valley floor, with the mountains adjacent to the west and east generally defining the Valley within the corridor. To the north are the communities of the Forks andCalpella; to the east are Vichy Springs and Regina Heights; to the southeast is Talmage and to the south is El Roble; and, to the west and northwest are Old Bailey Place and Orrs Springs, respectively. The Montgomery Woods State Reserve is located to the northwest of the city, and Lake Mendocino is located approximately two miles to the northeast.

The City of Ukiah offers a Mediterranean climate with an average annual rainfall of approximately 35 inches. The average high temperature is 73.5 degrees Fahrenheit (°F), and the average low temperature is 44.6 °F.

Local Setting: The project area is located in an older, urbanized area of the city that has been developed with a variety of different land uses. The immediate downtown Ukiah area supports commercial, residential, civic, and recreational uses, along with visible infrastructure features such as roadways, utilities, and street trees.

Gibson Creek flows through a portion of the site from the northwest to the southeast. Gibson Creek begins in the mountain ranges west of the city of Ukiah and flows through the city into the Russian River. As the city has developed over time, different strategies and techniques have been employed to control the Creek. In some areas, the Creek has been allowed to follow its natural route, while in other areas the Creek is contained by culverts, retaining walls, and earthen berms. The Creek has further been straightened and rerouted to accommodate agricultural uses and urban development. As a result, the current condition of the Creek varies along its length.

An Upper Stretch of Gibson Creek

The valley foothill riparian type habitat along Gibson Creek is utilized by a variety of wildlife. Numerous bird species, raccoons, and ringtails utilize streamside vegetation as nesting habitat. Riparian habitats act as dispersal corridors for amphibians, turtles, and some mammals. Riparian vegetation provides shade for streams, thereby lowering water temperatures and benefiting salmonids which prefer streams with cool, well-oxygenated water. Streamside vegetation also introduces coarse woody debris into streams, which provides shelter for fish and amphibians. Additionally, leaves and branches are broken down by many invertebrate species

and are subsequently consumed by fish or amphibians. This habitat holds a very high value for fish and wildlife species.

Historically, it is assumed that the on-site stream banks would have historically supported a moderately developed riparian community, similar to that visible along undisturbed stream segments both upstream and downstream of the project area. Generally, riparian vegetation along the project area segment has been degraded over the years as the City urbanized. However, riparian vegetation was planted along the banks of the railroad depot site segment of Gibson Creek by the Mendocino Fisheries Program in 2003. As a result, willows and other native plant species are visibly established along the banks, along with Himalayan blackberry and grasses. A variety of migratory bird species utilize this riparian vegetation as nesting habitat.

Potential Impacts on Riparian Habitat or Other Sensitive Biological Natural Community:
The Downtown Zoning Code area is located in the immediate downtown area of Ukiah. Gibson Creek flows through a portion of the area, which is largely developed and supports mostly non-native vegetation; however, the area does support some Valley Foothill Riparian Forest which is considered to have a high habitat value for fish and wildlife species. The banks along the railroad depot site segment of Gibson Creek in the project area historically would have supported a moderately developed riparian community. Riparian vegetation along a portion of this segment was recently replanted and established willows and other native species are visible along the banks, which may provide nesting habitat for a variety of migratory bird species. No special-status plant species were identified in the Final EIR for the Courthouse relocation project.

Implementation of the new zoning standards would result in the same potential density and intensity as the current zoning regulations. However, the proposed regulations would result in development sited and laid-out in a different way than the current regulations require. While the project area is highly urbanized and the proposed new Code envisions the revitalization of the creek through most of its course through the planning area, if future development is not sited with adequate setbacks from the riparian corridor of Gibson Creek, adverse impacts could result to biological communities. Additionally, while future development in the study area would be subject to environmental review and CEQA compliance to determine, based on the type, size and intensity of individual projects whether or not they would have a significant adverse impact on biological resources, guiding general mitigation measures are warranted.

Mitigation Measures:

3. Future development projects in the planning area shall maintain a 50-foot building setback from the edge of the Gibson Creek riparian corridor, unless a shorter distance is supported by the State Department of Fish and Game.

4. Future construction activities shall not cut, disturb, or remove native riparian plants or trees along the Gibson Creek riparian corridor unless supported by the State Department of Fish and Game.

Impact Significance After Mitigation: N/A

5. CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Prehistoric Setting: Archaeologically, the Ukiah Valley lies within the Russian River Valley sub-region of the North Coast Ranges. The City of Ukiah and the surrounding area have had a long cultural history and are known to have been occupied by Native American groups for thousands of years prior to settlement by non-Native peoples. Recent work in Northern California at Clear Lake near Borax Lake indicates that the region was initially colonized at the end of the Pleistocene and associated with the "Western Clovis Tradition," dating around 13,500 years ago. Obsidian data in that area indicates use may have begun as early as 16,000-20,000 years ago, although such findings have not been absolutely confirmed. The Russian River Valley is thought to have been first occupied sometime during the Paleo Indian period (10,000 – 6,000 B.C.) by speakers of the Yukian languages. Cultural constituents of the Yukian habitation include widestem points and share common elements with Borax Lake Pattern assemblages. Hokan speakers are believed to have come into the Clear Lake area, radiating out to the surrounding Russian River Valley, by the Middle Archaic (circa 3,000 B.C.). Cultural constituents of Hokan occupation are characterized by Mendocino Aspect assemblages marked by milling slabs and hand stones, as well as by nonfluted, concave base, and lanceolate projectile points, although it is suggested that the Mendocino Aspect is a localized manifestation of the Borax Lake Pattern.

Ethnographic Context: At the time of European-American contact, the project area was occupied by both the Northern and Central Pomo, both considered to be speakers of the Hokan language family. The Northern and Central Pomo were the groups that occupied the Ukiah Valley at the time of European-American contact, Ukiah being an Anglicized version of the Pomo word ."Yokaya," meaning "south valley."

Many families would aggregate into small groups variously referred to as tribes, villages, village-communities, or tribelets. Each group was autonomous and owned a tract of land that was recognized by neighboring communities. The extent and nature of these land claims was based on both the surrounding terrain and ecology, determined by the need to assure access to an adequate food supply for each group. The differences in carrying capacity of different environments and regions led to differential spacing between villages. The Northern Pomo inhabited the California coast from the Navarro River north to Fort Bragg and inland in an irregular pattern from Horse Mountain, south to the northwestern shore of Clear Lake, and east

into the Ukiah Valley. The Central Pomo inhabited the California coast from the Navarro River south to the Gualala River and inland to the Russian River and Ukiah Valley. Central Pomo has generally been subdivided into three dialects: Boya—being a primarily coastal dialect, and Yokaya and Shanel - being interior dialects. Both the Northern and Central Pomo had a seasonal pattern of exploiting coastal and estuary resources during the summer months, subsisting primarily on shellfish, surf fish, and sea vegetables, some of which were preserved for winter consumption. During the fall and winter months they would move inland and rely on faunal resources such as deer and elk. Primary interior floral resources were acorns, buckeye, and other nuts as well as various berries, seeds, and roots.

Historic Setting: Rancho Yokaya was one of several Spanish land grants. It was 35,541 acres and extended through the Ukiah Valley, being approximately one mile east/west and 18 miles north/south. The Yokaya land grant was made to Cayetano Juárez in 1845 by the then California governor, Pio Pio. Juárez filed his petition as claimant to the grant in 1852, after the land had been accessioned into the United States. His petition was rejected in 1854 and then appealed to the District Court of the United States. Settlers began arriving in the area in the 1850s in spite of the pending appeal. The grant was finally patented to Juárez by the United States Land Commission in 1866.

In 1850, by an act of the California Legislature, present-day Mendocino County became part of Sonoma County. Ukiah was founded in 1856 by Samuel Lowry. He was Ukiah's first settler and built a log cabin at the southwest corner of E. Perkins Street and N. Main Street. Lowry sold the cabin to A. T. Perkins in 1857. Perkins moved his family to the Ukiah homestead from Wheatland, California. Perkins soon established a store, and a settlement began to grow. The state legislature formed Mendocino County in 1859 and Ukiah was chosen for the county seat at that time. Ukiah has remained the county seat of Mendocino County ever since.

In 1860, for a cost of $9,000, the first courthouse was constructed in Ukiah at 100 North State Street where the current courthouse annex still stands. That year also witnessed the establishment of Ukiah's first newspaper, the Mendocino Herald. One of the earliest known roads in Mendocino County was constructed in order to promote efficient travel between Ukiah and the San Francisco Bay Area. A stage line between Petaluma and San Francisco was in operation by 1863. By 1880, this trip could be made in a single day. The road followed the present route of California State Highway 101. The Gschwend Toll Road from Boonville to Ukiah was established in 1868. In 1869, the road was extended west from Boonville to Point Arena, thereby connecting Ukiah and Anderson Valley to
the Mendocino coast. A stage began running tri-weekly between Lakeport and Ukiah in the 1870s. H. W. Knowles, followed by James H. Burke, planted the first hops in Mendocino County in 1859. By the 1880s, hops were an important contribution to the local economy. In 1940, Mendocino County produced 18 percent (1.6 million pounds) of California's total hop production. In 1950, Mendocino County's 1,200 acres of hops produced almost one million dollars in revenue. By the 1960s, the bottom had fallen out of the market and agricultural production then shifted to grapes, pears, and prunes.

The Cloverdale and Ukiah Railroad was incorporated in 1886 to extend the San Francisco and Northern Pacific Railroad north to Ukiah. Service to Ukiah commenced in 1889. The completion of rail service to Ukiah caused land prices to soar. The price of a city lot rose from $30 to $150. Drug stores, saloons, doctor's and law offices, and livery and feed stables were established around the courthouse to support the burgeoning population, which reached 2,000 soon after the completion of the railroad. The San Francisco and Northern Pacific Railroad merged with

the Northwestern Pacific Railroad in 1907. The Ukiah Depot was designed by Southern Pacific, but built by the Northwestern Pacific Railroad in 1929. Redwood lumbering became an important economic activity in Mendocino County in the 1940s. The Lumber Rush of 1949 saw Ukiah's population grow to 6,000.

The Historic Ukiah Train Depot

Architectural and Historical Inventory/Survey Report Update, 1999: The City of Ukiah updated its Architectural and Historic Resources Inventory Report in 1999. There are a number of identified significant historic buildings in the Downtown Zoning Code area.

Potential Impacts: It is not anticipated that the proposed new zoning regulations would cause a substantial adverse change in archaeological or historical resources in the project area because the code requires the scale and general character of future development be based on the best elements of City's heritage, such as shady downtown streets, diverse architecture, mixed-use shopfront buildings, and the architecture of historic buildings.

Additionally, the Code contains historical building standards intended to ensure that any buildings over 50-years old that are proposed for modification will retain their historic charm and elegance.

Additionally, the current City Code requirements for demolishing a historic building (over 50 years old) would remain unchanged and would apply to any such proposal in the project area.

The project area contains no known paleontological or cultural resource sites. No human remains are likely to be encountered, as the project area has not been known to be used as a burial ground. This conclusion is based on the Figure V.3-DD contained in the Ukiah General Plan, which does not show the project area to be an area of high sensitivity for archaeological/cultural resources. Furthermore, the majority of the project area has been previously disturbed and no known cultural resources have been discovered. However, Gibson Creek does flow through a portion of the site and numerous archaeological surveys in the Ukiah Valley have discovered prehistoric artifacts along areas adjacent to creeks. Accordingly, a guiding mitigation measure for future development to protect prehistoric or historic resources in the event of a discovery is appropriate.

5. If, during site grubbing, grading, soil excavation or any aspect of future project development project, any pre-historic, historic, or significant cultural resources are discovered, all work shall be halted and the contractor/project proponent shall immediately contact the City of Ukiah Director of Planning and Community Development. The City shall engage the services of a qualified professional archaeologist at the expense of the project proponents, to perform a site reconnaissance and to develop a precise mitigation program, if necessary.

Mitigation Measures: None Required

Impact Significance After Mitigation: N/A

(Primary Source of Information for this Section: Final EIR – New Ukiah Courthouse Project, judicial Council of California, Administrative Office of the Courts, April, 2012).

6. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to 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?	☐	☐	☐	☒

6. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Setting: The City of Ukiah is located within the Russian River Valley, which is within the northern portion of the Coast Ranges of California, which trend to the northwest. The mountain range that lies west of the Russian River Valley and extends to the Pacific Coast is commonly called the Mendocino Range.

The Ukiah Valley is a subarea of the Russian River Valley. The Ukiah Valley is approximately 22 miles long, averages 3 miles wide, and occupies an area approximately 65 square miles. The altitude of the valley floor ranges from approximately 500 feet at the southern end to approximately 700 feet in the northern end. The valley floor at the City of Ukiah is approximately 600 feet above sea level.

The primary soil stratigraphy in the Downtown Zoning Code area consists of various fill materials, silt, clay, sand, and silt/sand mixtures. Groundwater is typically encountered in two distinct zones, the upper silty sand (approximately 2 to 7 feet) and the lower silt/sand mixture (29 to 30 feet). Groundwater in these zones appear to be under confined conditions due to the overlying low-permeability clay units. Satic water levels in the upper zone generally range from approximately 5 to 13 feet; however, at the central ,portion of the site static water can be as high as 0.1 feet. Static water levels in the lower zone generally range from 21 to 30 feet. Due to the confining conditions of the subsurface lithology, it has been estimated that static groundwater levels are likely to have significant seasonal variations.

Potential Impacts: The adoption of new zoning regulations would not, in and of themselves, cause impacts on the geology and soil conditions in the area. Additionally, the new zoning regulations would not permit or allow a denser or more intense development that the current regulations allow – they would merely require new development to be sited and designed differently. Development has occurred in the project area without noticeable geology/soils impacts. The new Code would not alter hos development occurs in terms of addressing geology and soils. The California Building Code requires soils/geotechnical reports for construction projects.

Future development projects will require Geotechnical and Soils Reports that will include recommendations based on the individual proposed projects and the soils and geologic conditions on each site. These recommendations will be imposed on future development projects during standard environmental review procedures and through the Building Permit review process.

Accordingly, Staff is able to conclude that the proposed project would not result in significant adverse impacts on the geology and soils in the area.

Mitigation Measures: None required.

Impact Significance After Mitigation: N/A

(Primary Source of Information for this Section: Final EIR – New Ukiah Courthouse Project, judicial Council of California, Administrative Office of the Courts, April, 2012).

HAZARDS & HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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?	☐	☐	☐	☒
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 for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

HAZARDS & HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Setting: Ukiah is generally regarded as a healthy City with relatively clean air and water. While there are some known toxic "spots" resulting from the past storage of hazardous materials underground, the City is not regarded as having a highly contaminated environment.

Under Title 22 of the California Code of Regulations (CCR), a hazardous material is defined as a substance or combination of substances that may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating illness, or may pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, disposed of, or otherwise managed (CCR, Title 22, Chapter 11, Article 2, Section 66261.10). Hazardous wastes are hazardous substances that no longer have practical use, such as materials that have been discarded, discharged, spilled, or contaminated or are being stored until they can be properly disposed. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3), which are further defined below.

- Toxic substances may cause short-term or long-lasting health effects, ranging from temporary effects to permanent disability or death. Toxic substances can cause eye or skin irritation, disorientation, headache, nausea, allergic reactions, acute poisoning, chronic illness, and other adverse health effects, depending on the level of exposure. Carcinogens (substances known to cause cancer) are a special class of toxic substances. Examples of toxic substances include most heavy metals, pesticides, and benzene (a carcinogenic component of gasoline).

- Ignitable substances, such as gasoline, hexane, and natural gas, are hazardous because of their flammable properties.

- Corrosive substances, such as sulfuric acid (battery acid) and lye, can damage other materials or cause severe burns upon contact.

- Reactive substances, such as explosives, pressurized canisters, and pure sodium metal (which reacts violently when exposed to water), may cause explosions or generate gases or fumes.

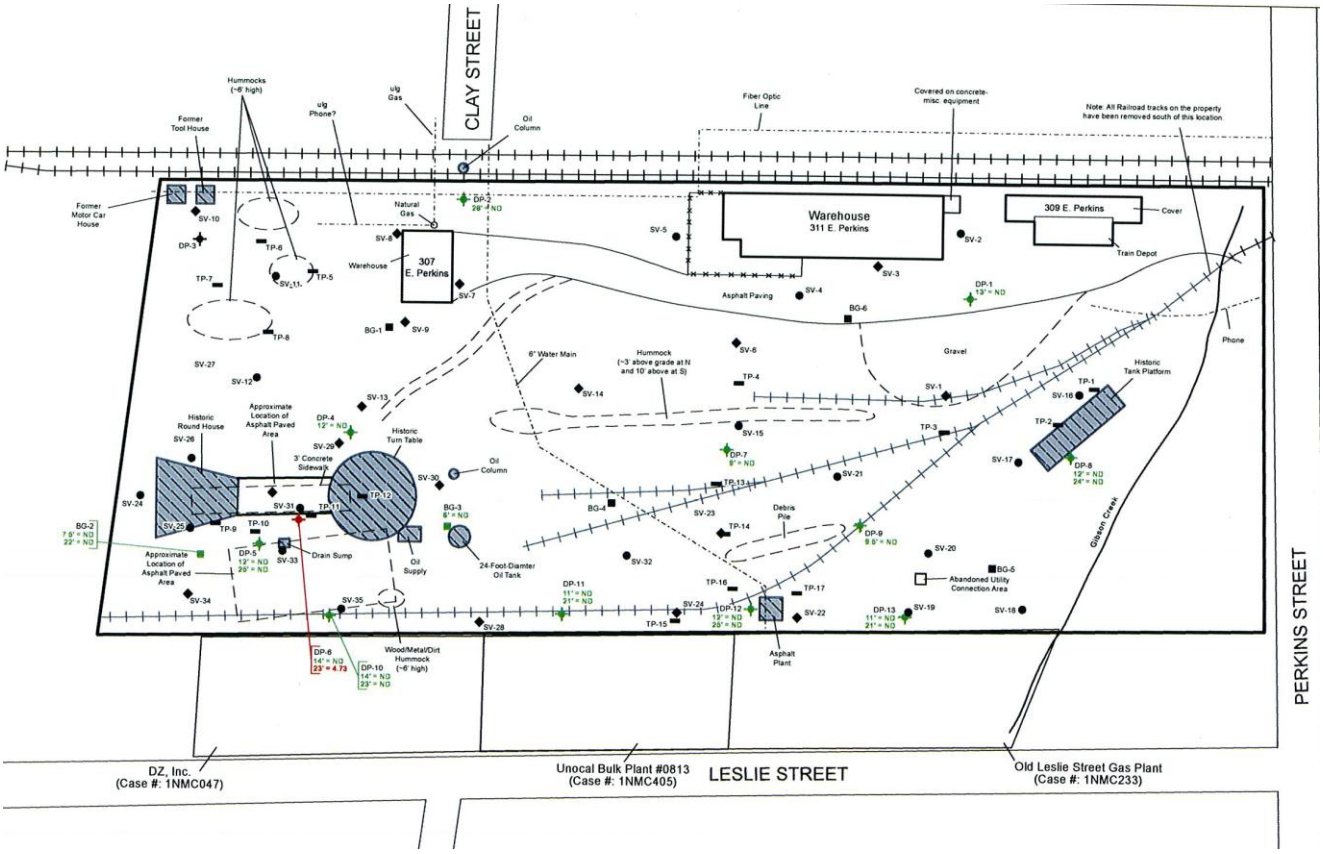
- Soil that is excavated from a site containing hazardous materials is a hazardous waste if it exceeds specific CCR Title 22 criteria. Remediation (cleanup) of hazardous wastes found at a project site is generally required if those materials are excavated. Cleanup requirements are determined on a case-by-case basis by the agency with lead jurisdiction over the project.

Hazardous Land Use Conditions in the Project Area

Airport: According to the Ukiah Regional Airport Master Plan and Mendocino County Airports Comprehensive Land Use Plan (MCCLUP), the site is located within the B2 Infill Compatibility Zone, as the Ukiah Municipal Airport is located less than two miles south of the site. According to the 2002 California Airport Land Use Planning Handbook, a portion of the project area lies within Handbook Safety Compatibility Zone 4, the Outer Approach/Departure Zone and Zone 6, the Traffic Pattern Zone. Zone 4 compatibility guidelines recommend that non-residential uses having higher usage intensities (such as major shopping centers, meeting halls, and buildings with more than three above-ground habitable floors) should be avoided. The Handbook defines the term "Avoid" as "use generally should not be permitted unless no feasible alternative is available." Zone 6 is identified as having a "generally low likelihood of accident occurrence" and includes "all other portions of regular traffic patterns and pattern entry routes." Residential and most non-residential uses are allowed; however, the Handbook recommends that such uses as day care centers, schools, and nursing homes be avoided.

Railroad Depot Site: The railroad depot property subject property has known contamination from historic railroad and industrial activities. Site investigation performed by potential buyers Weston Solutions, Inc., a company specializing in brownfield clean-up and development, indicated that results of soil sampling, groundwater sampling and soil-vapor sampling indicate the primary impacts at the site above potential levels of concern are limited to petroleum hydrocarbons (diesel and motor oil) and/or PAHs (primarily benzopyrene) in shallow soil *(Remedial Action Plan, Weston Solutions, Inc. May, 2011)*. The Remedial Action Plan for the site indicated that since the impact from these compounds is limited to a fairly small volume in shallow soil, excavation and disposal of soil at an appropriate off-site facility is the most effective means of remediation. The Plan identified 10 small separate areas for soil removal, and that an approximate 650 to 1,150 cubic yards of soil would be removed from a total area of less than ½ acre.

The Remedial Action Plan includes an Implementation Work Plan for soil management, traffic control, waste management and decontamination. The Remedial Action Plan has been reviewed and approved by the North Coast Regional Water Quality Board.



Railroad Depot Property Soil Remediation – Sampling Locations

Potential Impacts: The adoption of new zoning regulations would not, in and of itself, disturb any site or disrupt any soil, and therefore would not directly expose people to hazardous material. However, if contaminated sites are not cleaned-up prior to future development activities, people occupying buildings could be exposed to hazardous vapors and soil material. It is reasonable to assume that no development would occur prior to clean-up of the site because the property is identified by the State Regional Water Quality Control Board as a site with contamination issues (Site ID No. 1NMC397) and approval to development the site would be predicated on successful remediation of the contamination and a declaration of site closure by the Regional Board.

Additionally, any future development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would expose people to hazardous substances. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future.

The proposed Downtown Zoning Code includes provisions requiring future development to be consistent with the standards for development in the Ukiah Airport Master Plan and Mendocino County CLUP regulations, including appropriate land uses, building heights, number of building stories, etc.

Staff is able to conclude that the adoption of new zoning regulations would not create hazards or produce hazardous substances, nor would it expose people to hazardous conditions. No impacts.

Mitigation Measures: None Required

Impact Significance After Mitigation: N/A

(Primary Source of Information for this Section: Final EIR – New Ukiah Courthouse Project, Judicial Council of California, Administrative Office of the Courts, April, 2012), Ukiah Regional Airport Master Plan, Remedial Action Plan: Former Rail Yard, Ukiah, CA., Weston Solutions, June 2011 and Draft Technical Memorandum of Floodplain Analysis and Recommendations – Railroad Depot Site, City of Ukiah, Weston Solutions, April 25, 2011.

8. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) 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?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

8. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: FEMA)	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Regional Setting: The City of Ukiah is located within the Russian River Watershed. The Russian River is approximately 110 miles long and originates in central Mendocino County, approximately 15 miles north of the City of Ukiah in Redwood and Potter Valley. The east and west forks combine to form the Russian River within the Ukiah Valley. Several streams are tributary to the Russian River within the Ukiah Valley including: York, Hensley, Ackerman, Mill, Howell, Morrison, Parsons, Robinson, Orrs, Howard, Gibson, and Doolin Creeks.

Russian River Mainstem: The mainstem of the Russian River generally flows to the southeast to its confluence with Mark West Creek, at which point it turns sharply to the west and traverses the Coast Range, ultimately emptying into the Pacific Ocean at Jenner. Within the Russian River Watershed, the Coyote Dam and the Warm Springs Dam are major reservoirs and provide flood protection, water supply and storage, and recreational opportunities.

Coyote Dam: Coyote Dam is located on the East Fork of the Russian River near Ukiah and construction of the dam resulted in the creation of Lake Mendocino; the Warm Springs Dam is located on Dry Creek west of Healdsburg, and resulted in creation of Lake Sonoma.

Following construction of the Coyote Dam on the east fork in 1959, the Russian River has experienced substantial physical changes. Continued urbanization of the Russian River floodplain may result in impacts to the free flow of flood waters, increase exposure of persons and property to flooding, and cause deterioration or destruction of natural riparian habitats. As the dam holds back both water and sediment, the river experiences erosion of its bed and banks and subsequently incises (entrenches) into its floodplain, allowing the river to entrench over 18 feet in the Ukiah Valley in the past. Erosion of the banks of the Russian River and loss of riparian trees typically result from these conditions, as well as the erosion of creeks tributary to the river.

Land use patterns within the Ukiah Valley have also resulted in the conversion of streams and creeks to channelized and tunneled drainage facilities. Such channelization has interfered with natural drainage patterns, and has the potential to increase the occurrence of flooding due to an

increase in impermeable surfaces within the Valley. Within the Russian River Basin, approximately 93 percent of the average seasonal runoff occurs in a five-month period beginning in December and ending in April. Surface runoff within the City's basin is derived almost entirely from rainfall, although snow does fall in the mountains of the eastern part of the Eel watershed, located north of the Russian River. Annual rainfall in the City of Ukiah is approximately 35 inches. Stream flow responds directly to the rainfall pattern; high flows will drop quickly without sustaining rainfall. During the dry summer months, stream flow consists of groundwater seepage, channel storage, or reservoir storage.

Project Setting: Three major creeks flow through the City of Ukiah on their way to the Russian River. Gibson Creek traverses the northern portion of the project site and is a tributary to the Russian River. Gibson Creek receives runoff from a watershed that is approximately 2.77 miles in size. Elevations range from 2,722 feet above mean sea level (amsl) at its headwaters to approximately 584 feet amsl at its discharge to the Russian River. Gibson Creek is under the supervision of the U.S. Army Corps of Engineers and the State Department of Fish and Game (CDFG).

The project area generally slopes from northwest to southeast. The northwest portion of the area drains and enters the City's existing storm drain system along Mason Street, prior to being discharged into Gibson Creek. The storm drain system along Mason Street generally consists of seven inlets varying in size. These inlets are connected via storm drain pipes that convey runoff to Gibson Creek via gravity flow.

The project area presently supports surface parking and buildings. Pervious areas, such as landscaping, are limited and generally occur in the form of street trees or small grassy areas.

Water Quality: The entire Russian River watershed is impaired for sediment and temperature. Additionally, impairments for indicator bacteria (also known as pathogens) apply to several portions of the mainstem Russian River and Santa Rosa Creek tributary. Big Sulphur Creek is impaired for specific conductivity, and Pocket Canyon Creek is impaired for pH, both of which are tributary to the Russian River. The Laguna de Santa Rosa is impaired for nitrogen, phosphorus, dissolved oxygen, and mercury, in addition to the watershed-wide sediment and temperature impairments.

Additionally, Lake Mendocino, Lake Pillsbury, and Lake Sonoma in the Russian River, as well as Laguna de Santa Rosa, the largest tributary to the Russian River, have been listed under Section 303(d) of the Clean Water Act for mercury pollution measured in fish tissue. Possible mercury sources include inactive mining and processing sites for mercury and gold, soil erosion due to human activities such as logging and road construction, and airborne sources from North America and Asia. Mercury present in the bottoms of rivers and reservoirs and is transported by erosion processes and can be converted into methylmercury. As methylmercury accumulates in the food chain, it becomes concentrated, so that in larger predatory fish (e.g., trout and bass), concentrations can exceed levels of concern for human consumption. Sediment loads within the watershed can be attributed to historical activities, as well as recent human activities such as road construction, agriculture, land development, and recreation. Temperature is also a significant water quality concern in the Russian River watershed. Warming water temperatures can be attributed to dams, water diversions, inadequate shading by limited riparian canopy, and/or low instream flows.

Based on routine and required water quality testing, the City's domestic water supply is not contaminated and does not violate any water quality standard.

Flooding: The Ukiah Valley is subject to potential inundation if the Coyote Dam (located at the base of Lake Mendocino) were to fail. The U.S. Army Corps of Engineers (USACE) resource documents associated with Coyote Dam do not indicate the current level of risk associated with a potential dam failure; however, it is anticipated that additional studies regarding dam safety will be conducted in the future as funding becomes available.

Flooding as a Result of the Failure of a Levee or Dam: According to the Draft Ukiah Valley Area Plan (December, 2010) Health and Safety Section, hypothetically, in the event of a total dam failure when Lake Mendocino is filled to capacity, water would flow north up the Russian River channel to a point north of Highway 20. Between Highway 20 and Calpella, the topography of the channel would keep the water confined between the bluffs and North State Street. The greatest damage would likely occur south of Calpella. Inundation is predicted to occur along most creek channels from the Russian River nearly to the base of the foothills on the west side of the Valley. The main channel of flooding would likely follow Highway 101 or State Street, whichever is further west. In the southern portions of the Ukiah Valley, the flood waters have a large land area in which to fan out both east and west of the Russian River, although the USACE projects that most segments of Highway 101 south of Talmage Road will be under water. The project site is located north of Talmage Road.

Flood Zone Requirements: The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) that delineate flood hazard zones for communities. The FEMA FIRM map indicates that the project area has Zone A3, Zone A1, Zone A4, and Zone B within its boundaries. Zones A1, A3, and A4 are defined as areas inundated by 100-year flooding, for which no base flood elevations have been established. Zone B is defined as an area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than one foot or with drainage areas less than one square mile; or, an area protected by levees from 100-year flooding. Portions of the project area are considered to be within the 100-year flood area.

Potential Impacts:

Erosion: Erosion from the disturbed areas during future site preparation and development activities, most notably grading, could cause adverse impacts to water quality if the exposed soil is not properly stabilized and storm water carries silt into Gibson Creek and into the Russian River.

However, Division 9, Chapter 6, Floodplain Management, and Chapter 7, Erosion and Sediment Control, of the Ukiah City Code provide regulations pertaining to proposed development and the potential for effects on existing hydrology or water quality within the City and/or region. As flood hazards may result in the loss of life and property, health and safety hazards, disruption of land uses, and increased public expenditure for flood protection and relief, the Ukiah City Code is aimed at reducing the potential for flooding to occur and increasing protection from flood damage. Section 9602 of the Ukiah City Code requires methods for reducing flood losses, and associated erosion, within the City.

Division 9, Chapter 7, Erosion and Sediment Control, Sections 9700 to 9706, of the Ukiah City Code provides requirements for reducing the potential for development to result in an increase in erosion or contribution of sediment to onsite or offsite water bodies. Measures are identified

to address the requirement to prepare an erosion and sediment control plan and to address such issues as grading and storage methods, clearing and grading activities, and waterway crossings.

These standards are mandatory, and as a result, all future development projects will provide erosion control measures to preclude siltation of Gibson Creek and the Russian River.

Additionally, the North Coast Regional Water Quality Control Board (NCRWQCB) has primary responsibility for protecting the surface and groundwater quality within the proposed project area. The NCRWQCB's efforts are generally focused on preventing either the introduction of new pollutants or an increase in the discharge of existing pollutants into bodies of water that fall under its jurisdiction. The NCRWQCB is concerned with all potential sources of contamination that may reach subsurface water supplies through direct surface runoff or infiltration. Discharges from the project area are subject to state water quality laws and regulations.

Therefore, erosion related impacts would be less than significant. No mitigation is required.

Water Quality: Construction of future projects on the limited vacant sites within the project area could result in a net increase in impervious surfaces, which could potentially increase pollution levels in stormwater and non-stormwater (e.g. landscape irrigation) runoff entering Gibson Creek and ultimately the Russian River. Because the vacant sites are limited, this contribution is expected to be limited.

The post-project runoffs would contain varying types and amounts of chemical constituents typical of urban runoff, which would ultimately be conveyed to the Russian River during large storm events. Pollutants likely to occur in stormwater from the potential project site include the target pollutants such as pesticides and metals, among other urban pollutants.

The State Regional Water Quality Control Board requires Best Management Practices (BMPs) to be implemented by developers, property owners, and public agencies engaged in new development or redevelopment activities. The intent of incorporating BMPs is to prevent any net detrimental change in runoff quantity or quality resulting from new development and redevelopment. Runoff reduction control measures should be implemented according to the New Development and Redevelopment Handbook (California Stormwater Quality Association, 2004), which provides general guidance for selecting and implementing BMPs to reduce pollutants in runoff in newly developed areas and redeveloped areas to waters of the state. The New Development and Redevelopment Handbook also provides guidance on developing project-specific stormwater management plans including selection and implementation of BMPs for a particular development or redevelopment project.

Additionally, consistent with requirements of the NCRWQCB, potential future projects would implement the use of Low Impact Development (LID) measures to treat and retain stormwater runoff on the potential project site. LID is a development site design strategy intended to maintain or reproduce the pre-development hydrologic system through the use of design techniques to create a functionally-equivalent hydrologic setting. LID strategies may include the use of integrated stormwater retention and detention areas, reduction of impervious surfaces, lengthening of flow paths and runoff time, or use of natural vegetation and soil to filter runoff, among other methods.

Overall, future proposed projects must meet existing City and State requirements that include implementation of BMPs (structural and non-structural) and LID measures that are best suited

to maximize reduction of the pollutants of concern. These requirements are specifically designed to protect water quality and downstream beneficial uses. Therefore, impacts on the quality of runoff as a result of potential future projects would be less than significant. No mitigation is required.

Flooding: Placement of a Structure within a 100-year Flood Hazard Area that Would Impede or Redirect Flood Flows. The project area is partially located within the 100-year flood hazard zone and therefore, future development has the potential to result in impacts with regard to flooding.

The FEMA FIRM map designates the project area as Zone A3, Zone A1, Zone A4, and Zone B (FEMA, 2011). Zones A1, A3, and A4 are defined as areas inundated by 100-year flooding, for which no base flood elevations have been established. Zone B is defined as an area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than one foot or with drainage areas less than one square mile; or, an area protected by levees from 100-year flooding.

Per FEMA flood insurance rate maps, approximately 4 acres of the project area is designated Zone A, areas of 100-year flood; base flood elevations and flood hazard factors not determined. An additional 3.2 acres± is designated Zone B, areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. As a result, approximately six acres resides within the floodplain.

The Ukiah City Code Chapter 6: Floodplain Management, Article 5: Provisions for flood hazard reduction with a section for Standards for Construction, includes the following excerpt: "…New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above the base flood elevation." This would indicate that building within the floodplain is permitted; however, unadvised. Any development within the floodplain would require mitigation to compensate for the loss of storage area and obstructions within the floodplain flow path. For example, if a building is placed within the floodplain and subsequently the storage volume is decreased in the floodplain, mitigation would be required. Such mitigation could include additional storage volume being created or credits from a floodplain mitigation bank being purchased. Not all floodplain mitigation occurs at a ratio of 1:1, meaning for every one square foot of floodplain taken up 1 square foot is created to mitigate it. Once the impact to floodplain storage is determined agencies can require higher levels of mitigation, such as 1:3 or 1:5 ratios.

Additionally, the Ukiah City Code Chapter 6: Floodplain Management, Article 5: Provisions for Flood Hazard Reduction with Section 9669 Floodways, includes the follow excerpt: "Prohibit encroachments, including fill, new construction, substantial improvements and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge." A full dynamic analysis of Gibson Creek would be required to build within the floodplain and likely necessitate an application with the U.S. Army Corps of Engineer, the State Water Resources Control Board, other state and county agencies, and the City of Ukiah.

In addition to building structures, post-construction BMPs would need to be located outside of the floodplain but below the grade of proposed imperious surfaces. To hydraulically maintain

operations during 100-year storm recurrence interval, both stormwater quality and quantity standards require freedom from the floodplain.

In addition, there are safety risks associated with developing in the floodplain, including but not limited to accessing the affected site during flood events. An essential facility such as a public building may necessitate access during emergency situations. If access during the flood conditions is required, then the access roads in addition to structures would be required to be constructed above the flood elevation. Costs associated with development in the floodplain have the potential to add significantly to the proposed project, due to excess waterproofing required for such elements as the building foundation.

The floodplain zones surround Gibson Creek would therefore impact potential building structure and postconstruction BMP locations and should be considered when selecting potential building locations. A full dynamic analysis of Gibson Creek would be required to build within the floodplain and would likely necessitate an application with the U.S. Army Corps of Engineers, California State Department of Fish and Game, and the State Water Resources Control Board. Through avoidance of the floodplain and/or compliance with applicable federal, state, and local design requirements with regard to development within the floodplain, impacts resulting with the proposed project would be reduced to less than significant.

Moreover, future development projects would be subject to separate environmental review and compliance with the California Environmental Quality Act. Based on the size, scope, location, and scale of future development projects, potential impacts would be determined and appropriate mitigations measures prepared if necessary.

Mitigation Measures: No mitigation is required at this time.

Impact Significance After Mitigation: N/A

(Primary Source of Information for this Section: Final EIR – New Ukiah Courthouse Project, judicial Council of California, Administrative Office of the Courts, April, 2012)

9. LAND USE AND PLANNING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion: The City of Ukiah is a compact urban environment, and functions as the County seat for Mendocino County. Commercial, residential and industrial land uses are planned for

specific areas of the City as set forth in the 1995 Ukiah General Plan (Housing Element updated in 2011). Allowed/permitted land uses are defined via zoning districts as stipulated in the Ukiah Municipal Code. The proposed project involves rezoning the Downtown area and Perkins Street Corridor from the existing commercial districts to a new commercial zoning district.

Several General Plan goals, policies, and implementation programs are relevant to this proposal:

The City's General Plan includes goals, policies, and implementation strategies for each of the thirteen elements of the General Plan. The City's General Plan is aimed at providing long-term guidance for development within the incorporated City of Ukiah and its Sphere of Influence. The proposed new Downtown Zoning Code is consistent with the following General Plan goals, policies, and implementation measures:

- Goal GP-20: Maintain and enhance area natural resources balancing the use of the resources, replenishment, and remaining supply.
    - Policy GP-20.1: Create natural resource guidelines for use in future planning and development decisions.
    - Policy GP-20.2: Protect water supplies from adverse impacts.
    - Policy GP-20.3: Maintain and enhance air quality.
- Goal GP-21: Conserve open space, hillsides, stream courses, and indigenous flora and fauna for the enjoyment of future generations.
- Goal GP-22: Promote reclamation, additional storage, and conservation of water.
- Goal GP-24: Conserve and enhance the natural beauty of Ukiah Valley.
- Goal GP-25: Ensure aesthetic qualities in the design and construction of the community.
    - Policy GP-25.2: In areas to be developed or redeveloped, ensure usable open space and common spaces.
- Goal GP-26: Require that landscaping be a significant component of development and redevelopment.
- Goal GP-27: Maintain scenic viewsheds of the Valley.
- Goal GP-28: Make Ukiah a leader in the development of responsible, resource-conserving ways of living and doing business, giving fullest consideration to the impacts of our actions on future generations.
    - Policy GP-28.2: Provide incentives, wherever possible, to environmentally responsible activities, both business and personal.
    - Policy GP-28.3: Model the sustainable use of resources. This shall include investing in comprehensive conservation of energy, minimizing polluting activities, and avoiding needless consumption and waste.

  - Policy GP-29.1: Minimize the use of fossil fuels to the greatest feasible extent in all activities including investment in low and zero emission vehicles.

  - Policy GP-29.2: Encourage the use of low and zero emission alternatives to fossil fuels for all modes of transportation.

  - Policy GP-29.3: Promote public transportation, services within walking distance in neighborhoods, and any other feasible means of preventing needless vehicle use and pollution.

- Goal GP-31: Identify ways to replace wasteful practices that imprudently use resources.

  - Policy GP-31.1: Establish programs to reduce motor vehicle dependency.

  - Policy OC-1.3: Coordinate landscaping of public and private development with preservation and restoration of open space and native vegetation.

  - Implementation Measure OC-1.3(a): In the Land Development Code or design standards,3
  - incorporate requirements for enhancing native vegetation.

- Goal OC-7: Ensure the health and viability of the Russian River and its tributaries.

  - Implementation Measure OC-7.4(a): The revised Land Development Code shall incorporate standards for retention or volume reduction of stormwater flows as a means of reducing flood potential from surface runoff from large paved areas.

  - Implementation Measure OC-7.5(b): Review project landscaping proposals, working with proponents, to avoid removal or damage to riparian habitat and develop programs to avoid or manage sedimentation and erosion of river channels and tributaries.

- Goal OC-9: Conserve and enhance channels for creeks and waters flowing through the Planning Area.

  - Policy OC-9.3: Creek restoration programs shall not interfere with the existing and future floodwater capacity of creek channels.

  - Implementation Measure OC-9.3(a): As part of stream restoration and maintenance programs, the City and County shall ensure that floodwater carrying capacity has not been significantly reduced or damaged.

  - Implementation Measure OC-9.3(b): Whenever possible, riparian vegetation shall be used for streambank protection in conjunction with natural material or appropriate structural material to achieve a natural-looking appearance.

- Goal OC-15: Protect surface and groundwater from adverse impacts from chemicals and soil sediments found in urban and agricultural runoff.

- Policy OC-15.1: Protect water quality from adverse impacts of urban and agricultural runoff.

- Implementation Measure OC-16.1(a): Parking lot design shall be reviewed to ensure that there are adequate containment features to separate contaminated surface water from storm water run-off.

- Implementation Measure OC-16.1(b): Utilize appropriate technology to delay storm surges from running off parking areas and potentially overburdening the drainage system.

- Policy OC-16.2: Manage stormwater flows to reduce the hazard of flooding from increased stormwater volumes.

- Implementation Measure OC-16.2(a): Review all proposed projects to ensure that the calculated volume and locations of surface water discharges do not exceed the capacity of area drainage systems. If the drainage system is exceeded, improvements can be required through Appendix 70 of the Uniform Building Code.

- Goal GP-21: Conserve open space, hillsides, stream courses, and indigenous flora and fauna for the enjoyment of future generations.

- Goal OC-22: Conserve and replenish valley oaks in the Valley.

  - Policy OC-22.1: Maintain, protect, and replant stands of Valley Oaks.

  - Implementation Measure OC-22.1(a): When reviewing proposal for development, require that all valley oaks on the project area be identified, and ensure that all reasonable efforts have been
  - undertaken to protect the trees.

- Goal OC-23: Native plant landscaping shall be encouraged.

  - Policy OC-23.1: Define standards that include native plant landscaping.

  - Implementation Measure OC-23.1(a): Provide information about native plant landscaping to
  - developers.

  - Implementation Measure OC-23.1(b): Develop landscaping standards which use native plant
  - landscaping for all new development and redevelopment projects.

- Goal OC-25: Maintain and enhance the City's canopy of shade trees.

  - Policy OC-25.1: Protect existing healthy mature trees to maintain shade and area attractiveness.

  - Implementation Measure OC-25.1(a): During the short-term planning period, utilize the Land Development Code or enact an ordinance identifying important shade tree areas and providing for their long-term management and health.

  - Implementation Measure OC-30.2(b): During the short-term planning period, promote the location of potential community garden sites.

- Goal EG-1: Create land use patterns which facilitate the conservation of energy.

  - Policy EG-1.1: Locate shopping, employment and recreation opportunities within walking or bicycling distance of proposed and existing housing.

  - Implementation Measure EG-1.1(a): The Land Development Code shall incorporate standards and incentives for new development to provide safe and reasonable access for pedestrians and bicyclists.

  - Implementation Measure EG-1.1(b): The land Development Code shall allow for mixed-use developments.

- Goal CD-1: Establish a design review program appropriate for the Ukiah Valley.

  - Policy CD-1.1: Encourage appropriate scale, materials, setbacks, and landscaping to enhance the Valley's beauty and historic fabric.

  - Implementation Measure CD-1.1(a): Ensure that the design standards in the Land Development Code include standards for material compatibility with the visual fabric of the area in terms of material, siting, scale, and landscaping.

  - Policy CD-1.2: Ensure consistent design guidelines throughout the Ukiah Valley.

  - Implementation Measure CD-1.2(b): The City shall administer the Design Review Guidelines through a Design Review Committee that passes advisory recommendations during the Site Development Review process.

- Goal CD-2: Seek out future designs to become "preservable" structures.

  - Policy CD-2.1: Encourage developers to construct new buildings and settings of such quality that Ukiah's future citizens will wish to protect them.

  - Implementation Measure CD-2.1(a): Utilize design standards in the Land Development Code which help to create quality designs which future residents will want to preserve.

  - Policy CD-2.2: Ensure that developments relate harmoniously with each other within districts.

  - Implementation Measure CD-2.2(a): Include design standards that reflect the land use intensity and the different design needs for separate areas within the Valley.

- Goal CD-3: Provide an aesthetically pleasing urbanscape.
    - Policy CD-3.1: Establish Design Review guidelines tailored to neighborhood character and land uses.
    - Implementation Measure CD-3.1(a): The design review guidelines in the Land Development Code shall be reflective of neighborhood character and land use intensity.
    - Policy CD-4.2: Encourage planting of native trees and plants.
    - Implementation Measure CD-4.2(a): Utilize design standards that encourage the planting of native, adaptive, and drought resistant vegetation in all introduced and approved landscaping plans.
    - Policy CD-4.3: Require landscaping that will result in the creation of new street canopies.
    - Implementation Measure CD-4.3-(a): The landscape standards in the Land Development Code shall include provisions for street canopies and streetscape enhancement.
- Goal CD-5: Preserve and enhance the scenic setting of the Ukiah Valley.
    - Implementation Measure CD-5.1(a): Consider the visual effects of density when assigning land use density and building intensity in areas between communities.
    - Policy CD-5.2: Preserve native riparian vegetation on both the Russian River and along tributary creeks in the Ukiah Valley.
    - Implementation Measure CD-5.2(a): Implement provisions of the Open Space Element related to riparian habitat in the Design Review Guidelines.
    - Policy CD-5.3: Encourage an attractive viewshed.
    - Implementation Measure CD-5.3(a): Ensure that design standards in the Land Development Code incorporate provisions to be responsive to enhancing or complementing views from US 101 through the use of landscaping or other site design characteristics.
    - Policy CD-8.1: Encourage the preservation of scenic views, vistas, and streetscapes.
- Goal CD-9: Improve and enhance the appearance of downtown Ukiah.
    - Implementation Measure CD-9.1(c): Ensure that new and rebuilt downtown properties maintain the character and sense of place for the downtown area.
    - Policy CD-9.2: Ensure compatibility of new development in the downtown area.

- Implementation Measure CD-9.2(a): Require that new building designs be complementary to the overall character of the neighborhood in which a project is located.

- Policy CD-9.3: Ensure Downtown design that will enhance the character of the area.

- Goal CD-12: Conserve the character and architecture of Ukiah and Valley neighborhoods.

  - Policy CD-12.1: Maintain and improve Ukiah's streets, lighting, trees, landscaping, and parks in a manner than enhances the City's beauty and historic fabric.

  - Implementation Measure CD-12.1(a): Establish public design standards for street furniture and landscaping that enhance the streetscape and general fabric of the City.

- Goal CD-16: Create attractive public places and buildings.

  - Policy CD-16.1: Work to create public places within the City.

  - Implementation Measure DC-16.1(a): Encourage creation of public places designed to serve City and neighborhood needs.

  - Implementation measure DC-16.1(b): Design public places to be safe and attractive for passive use.

  - Policy CD-16.2: Ensure attractive public buildings.

  - Implementation Measure DC-16.2(a): New public buildings shall be subject to design review standards.

  - Implementation Measure DC-16.2(b): Design review applied to public development shall be sympathetic to the location and use of the building as well as the standards that would be applied to similar private development.

- Goal CD-17: Require commercial and industrial parking lots to be designed and sited so as to increase the attractiveness of the areas in which they are located.

  - Policy CD-17.1: Site commercial and industrial parking lots to be designed subservient to the structure it serves.

  - Implementation Measure CD-17-1(a): When feasible, locate parking facilities to the rear of main structures.

  - Policy CD-17.2: Include parking lot design and landscaping standards within the land development code.

- Implementation Measure-17.2(a): Include within the land use development code a design requirement that parking lots include landscaping to increase attractiveness and to provide shade.

The reasons the proposed project is consistent with the above Goals, Policies and Implementation Measures are summarized in the project objectives, which are reiterated below:

1. To create an urban environment that implements and fulfills the goals, objectives and strategies of the Ukiah General Plan by encouraging the development of a healthy, safe, diverse, compact and walkable urban community.

2. To implement the vision for the study area created by the community during an intense and open community design charrette process in 2007. That vision is one of environmentally sustainable and economically vital public spaces and buildings with a renewed civic square, attractive civic buildings and spaces, a healthy creek corridor, gateways that reflect Ukiah's sense of place, a mix of building types and affordability, new development that supports and enhances the train depot and rail corridor, interconnected and pedestrian-oriented public streets, specific locations for potential anchor buildings (such as large-scale retail, employment centers and parking structures), and pedestrian-friendly buildings and streetscapes.

3. To manage the scale and general character of new development to emulate the best elements of Ukiah's heritage, such as shady downtown streets, diverse architecture, mixed-use shop-front buildings in the Downtown, and the architecture of historic civic buildings.

4. To ensure that public and private spaces are connected and compatible. Buildings that line public spaces relate to the natural surroundings and character of the local built environment, and connect to one another at the pedestrian scale. Public spaces are more than streets and paths for people traveling on foot, on bicycles and in cars. They are the community gathering places. The character of these public spaces is defined by their design and detail, and by the way that private buildings connect to public spaces.

5. To coordinate the design of public and private elements in a comprehensive and systematic approach. The Downtown Zoning District provides this system, focusing on the pedestrian experience as well as on the efficient movement of pedestrians, bicycles, and automobiles.

6. To facilitate the coexistence of a wide range of residential, commercial and similar uses in close proximity within a lively downtown urban environment.

7. To preserve and enhance the historic Downtown.

8. To support local businesses and create a vibrant commercial downtown where buildings meet the street and activate a wide range of pedestrian-friendly uses.

9. To promote and encourage a sustainable community through the reuse and improvement of existing buildings, infill development, green building and smart growth practices, and resource conservation (such as the enhancement of the Gibson Creek corridor, tree planting, and tree preservation).

Additionally, Chapter V.1, Infrastructure Elements – Airport, of the City's General Plan addresses operation of the Ukiah Municipal Airport. The Airport is owned and operated by the city, and the city has committed to the ongoing, long-term operation of the Airport in its existing location. As such, the City's General Plan provides guidance, consistent with the city of Ukiah Airport Master Plan, to ensure an ongoing balance of compatible land uses in areas surrounding the Airport and to minimize potential conflicts with regard to public safety. The proposed new Code requires future development to be consistent with the Ukiah Regional Airport Master Plan and Mendocino County Comprehensive Land Use Plan.

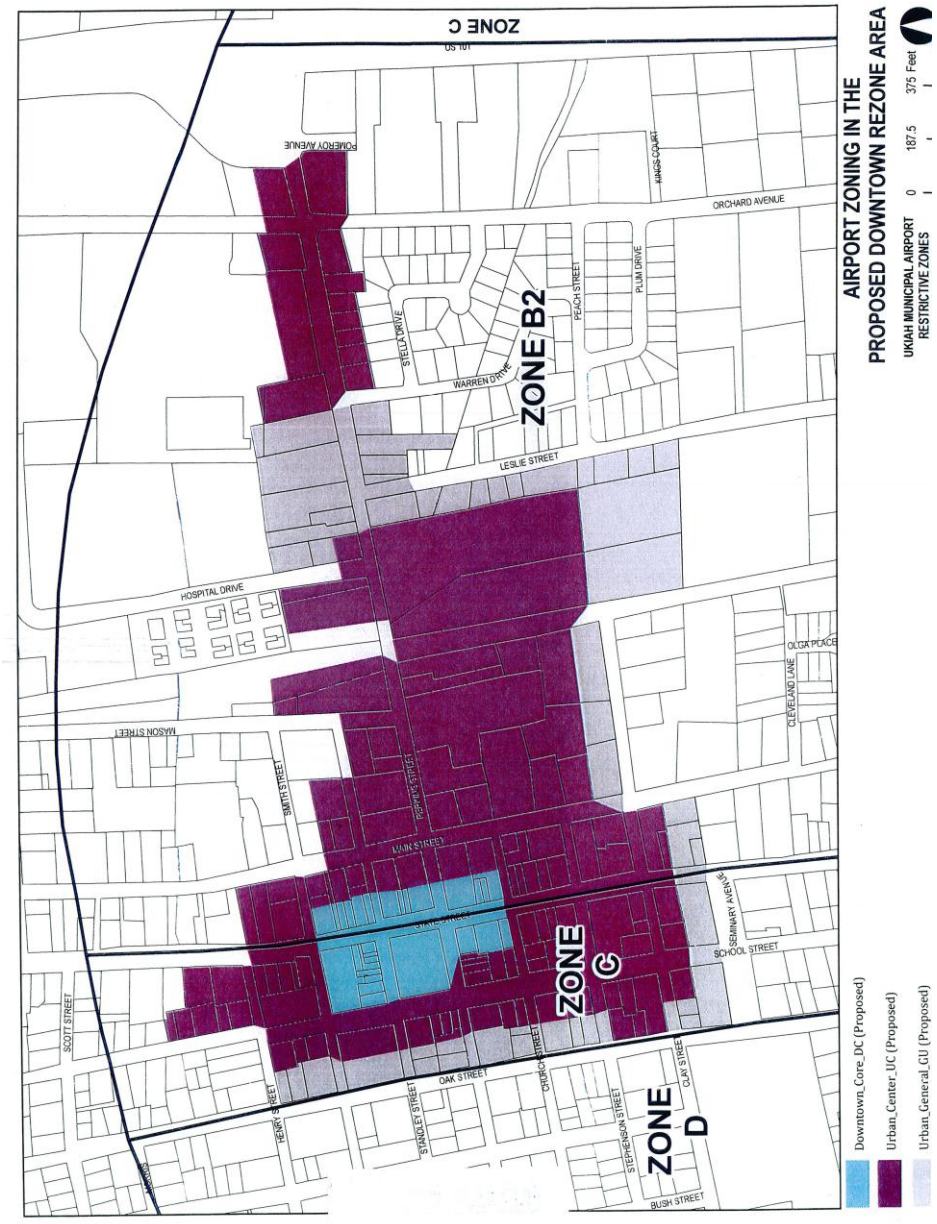
The Ukiah City Code, Chapter 9, *Building Heights Near Airport*, addresses height restrictions of development activities within proximity to the Ukiah Municipal Airport. Article 2, Section 3290(A), Prohibition of Structures Creating Air Navigation Hazards, states that "No person, firm, association, partnership, corporation, public entity subject to the jurisdiction of the city or other organized group acting as unit shall erect, construct, maintain or cause to exist within the corporate limits of the city of Ukiah any object, including a mobile object, structure or naturally growing thing, such as a tree or shrub, that would constitute an obstruction to air navigation by exceeding the heights or surfaces established in Title 14 of the Code of Federal Regulations Section 77.23 as it now reads or may be amended hereafter or any successor regulation, unless the Administrator of the Federal Aviation Administration (FAA) has issued a written order determining that the object will not constitute a hazard to air navigation or the California Department of Transportation (Caltrans) has issued a permit allowing the construction, alteration or growth of the object." Additionally, Section 3290(B) states that "The City of Ukiah shall not issue any permit, including a Use Permit or Building Permit, authorizing the construction, alteration, maintenance or repair of any object, structure or naturally growing thing prohibited by subsection A of this Section, unless a copy of the order or permit described in subsection A has been filed with the City official responsible for issuing said permit (Ord. 402, §3, adopted 1948; amd. by Ord. 928, §1, adopted 1992)."

City of Ukiah Downtown Master Plan (Adopted 1992): The Downtown Master Plan provides guidance for long-term development within the city's downtown area. The Plan identifies design and performance standards and provides measures aimed at guiding future land uses proposed within the City's urban core to ensure that development patterns remain consistent with and maintain the existing character, and reinforce the city's intended vision for the area.

The large portion of the project area lies within the boundaries of the Downtown Master Plan Area. In support of the Master Plan, the City participates in the Main Street Program, a nationally-certified program implemented by the National Trust for Historic Preservation. The City officially became a Main Street City in 1987. The program is intended to preserve and enhance the character of America's downtowns and promote downtown areas as economic and cultural centers of thriving communities. The program is implemented at the local level and focuses on improving economic management, strengthening public participation, and making downtown an enjoyable place to visit, as well as recruiting new businesses, rehabilitating buildings, and expanding parking, while creating a "sense of place." The proposed Downtown Zoning Code is consistent with the vision, purpose and intent of the Downtown Master Plan.

Ukiah Municipal Airport Master Plan Report (Adopted July 1996): The Ukiah Municipal Airport is located approximately one mile to the south of both potential project sites. According to the Mendocino County Airports Comprehensive Land Use Plan, the project area is located within both the C (Common Traffic Pattern) and the B2 Infill Compatibility Zone (Extended Approach-

Departure Zone). The B2 Zone places certain additional restrictions on land uses and applies to those locations where a moderate risk occurs, as aircraft are typically operating below 800 feet above ground level (agl). Additionally, significant noise impacts may occur. Allowed density for uses other than residential is restricted 60 people per two acres. The C Zone is less restrictive and allow a maximum of 150 people per acre. As indicated above, The proposed new Code requires future development to be consistent with the Ukiah Regional Airport Master Plan and Mendocino County Comprehensive Land Use Plan.



The Ukiah Municipal Airport Master Plan Report provides a comprehensive evaluation of the status, anticipated future uses, and proposed future course of development at the Airport. The Airport supports a variety of flight operations, although no scheduled air carriers operate out of the Airport; however, private and charter aircraft, delivery (cargo) aircraft, and the California

Department of Forestry and Fire Protection Attack Center utilize the Airport to provide passenger and public safety protection services. The Mendocino County Sherriff and other law enforcement agencies also maintain their air equipment at the Airport, and air ambulance services frequently utilize the air field.

Mendocino County Airport Comprehensive Land Use Plan (adopted October 1993; Revised 2010): The Mendocino County Airport Land Use Commission is responsible for ensuring that proposed development in the vicinity of county airports is consistent with airport activities. The Mendocino County Airport Comprehensive Land Use Plan establishes criteria and policies that the Land Use Commission uses in assessing the compatibility between the public-use airports in the county and proposed land use development in areas surrounding the county's airports. The Plan establishes Compatibility Criteria and identifies a specific set of zones and associated criteria for each of the potential impact types, which include noise, safety, airspace, and overflight.

On March 22, 2012, the Mendocino County Airport Land Use Commission conducted a public hearing, considered information prepared by its staff, and after considerable discussion, determined that the proposed new Downtown Zoning Code was consistent with the Mendocino County Airports Comprehensive Land Use Plan. The Commission made this determination with the understanding that minor language would be added to tables indicating that future development in the project area would be subject to the regulations contained in the City's Regional Airport Master Plan and County Airports Comprehensive Land Use Plan.

Potential Impacts: The project site is located within the immediate downtown area of Ukiah where the majority of lands are presently developed. Additionally, it is located (or partially located) within the City's designated Downtown Revitalization District and Downtown Ukiah Design District. The existing Commercial land use designation that applies to the area is intended to allow for a variety of uses, including retail, service businesses, general commercial, shopping centers, shopping malls, public facilities, places of public assembly, parking lots, and residential uses. The proposed project would not change the General Plan Land Use Designation. Therefore, the proposed Downtown Zoning Code would not enable land uses that would be inconsistent with that intended for the area, or that might create a barrier between uses within the existing neighborhood.

The project area is surrounded on all sides by urban development. Land uses immediately north of the potential project site include a residential manufactured home community and land uses south of the potential project site consist of a residential manufactured home community. Future development in the project area would be constructed on lands that are currently developed and/or highly disturbed, therefore, the proposed project would not change any lands from undisturbed lands to a developed condition. Additionally, all development would occur within the boundaries of the project area, and would not create a new division between any existing residential use and the surrounding neighborhoods.

The proposed project would not significantly divide or disrupt the arrangement of land uses in the surrounding area, nor would it displace any dwelling units or residents. In addition, the proposed project would not conflict with or disrupt the daily operations of surrounding commercial, residential, or public or governmental uses presently existing in the area. Therefore, the proposed project would not result in a division of an established community, and there would be no impacts.

Staff is able to conclude that the proposed project is consistent with the goals, policies and implementation measures contained in the Ukiah General Plan. For example, Goal CD-9: "*Improve and Enhance the Appearance of the Downtown"* is precisely the aim of the proposed project. Other goals and policies call for the conservation and enhancement of creeks and landmark trees; the preservation and enhancement of the historic nature of the Downtown, and locating parking lots behind buildings – all of which are accomplished by the proposed new Code.

Future development will be required to be consistent with all applicable plans and policies. Based on the discussion above, it has been concluded that the proposed new Downtown Zoning Code is consistent with the provisions of the Ukiah Regional Airport Master Plan and the Mendocino County Airports Comprehensive Land Use Plan.

In addition, any future proposed development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would be inconsistent with the City's Plans and policies. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future. No impacts identified.

Mitigation Measures: None required.

Impact Significance after Mitigation: N/A

10. MINERAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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?	☐	☐	☐	☒

Setting: The planning area is densely urbanized and is devoid of mineral resources. There are no mineral extraction operations in or near the project area, and the Ukiah General Plan does not identify or delineate and mineral resource areas or recovery sites within the City of Ukiah.

Potential Impacts: Because there are no known mineral resources, extraction or recovery sites on or near the project site, none would be impacted by the project.

Mitigation Measures: None required.

Impact Significance after Mitigation: N/A

(Primary Source of Information for this Section: Final EIR – New Ukiah Courthouse Project, judicial Council of California, Administrative Office of the Courts, April, 2012)

11. NOISE **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Setting: Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as medical facilities, parks, schools, historic sites, cemeteries, and recreation areas are also generally considered sensitive to increases in exterior noise levels. Places of worship and transit lodging, and other places where low interior noise levels are essential are also considered noise-sensitive. Those noted above are also considered vibration sensitive land uses in addition to commercial and industrial buildings where vibration would interfere with operations within the building, including levels that may be well below those associated with human annoyance.

The project area is comprised of dense urban uses (e.g., office, retail, commercial, and residential uses). Existing noise and vibration sensitive land uses in the proposed project vicinity primarily include offsite low-density residences, the Ukiah Valley Medical Center, and the Hudson-Carpenter Park/Sun House Museum.

Potential Impacts: Implementation of the proposed new zoning standards would not, in and of themselves, result in increased noise levels from stationary-sources that exceed the applicable standards at nearby sensitive receptors from the project area. The new zoning standards would not allow or permit any new land uses that would be large generators of noise, and certainly none that would exceed the noise standards contained in the Ukiah City Code. There would be no impact.

In addition, any future proposed development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would be inconsistent with the City's Noise ordinance. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future and what type or level of noise would be created.

Mitigation Measures: None Needed.

Impact Significance After Mitigation: N/A

12. POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting: The 2010 Census indicates that the population of Ukiah is approximately 16,075 persons, with a slow and stable growth taking place over the past several years.

Potential Impacts: The proposed new Downtown Zoning Code would not allow or permit more density in the project area than is current allowed or permitted. This is due in large part to the density standards contained in the Airport Master Plan, which classify much of the area as the Extended Approach and Departure Infill Area (B2). Additionally, no new infrastructure extensions would result, and therefore, the project would not induce growth in the area, either directly or indirectly.

The proposed Downtown Zoning Code project would not displace housing or people because it retains existing housing opportunities and provides new opportunities for housing in and near the downtown core area.

Mitigation Measures: None required.

Impact Significance After Mitigation: N/A

13. PUBLIC SERVICES / UTILITIES **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**:**				
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Setting: The project area is served by the utility providers within the City of Ukiah (City). Publicly and privately owned local purveyors provide and maintain utilities associated with water, wastewater, and solid waste, as described below. Public safety services (police, fire and ambulance) are provided by both the City and supplemented by county and state resources when needed. Other public services provided by the City include those for education and parks/recreation. These service systems and public services are described below.

Water Supply: Within the Ukiah Valley, there are five major providers for water service. The City of Ukiah is full-service and provides water service for customers within the City limits. Outside of the City limits, water is provided to customers by three water districts and one privately-owned water company. Underflow from the Russian River serves as the primary source for all water providers in the valley. Water from the River is primarily stored in Lake Mendocino to ensure a reliable water supply. On an annual basis, the Mendocino County Russian River Flood Control and Water Conservation Improvement District has the authority and water rights to purchase 21,000 acre-feet of water from the river for wholesale to the five major water providers. The City maintains five active groundwater wells that meet the winter demand and supplement the summer demand. In 2010, the city produced 962 million gallons or 2,952 acre-feet (AF), which is equivalent to 2.6 million gallons per day (mgd) of water servicing a 2010 population of approximately 16,075.

The most efficient, inexpensive and environmentally sensitive method of meeting anticipated future demand increases is to expand existing water storage capacities and to develop

mandatory and voluntary water conservation programs. In 2008, the City completed a major new water storage project and now has sufficient water year-around storage. Conservation through reduced-flow water fixtures, irrigation equipment, and other passive and active systems will reduce water demand. Reducing demand for water frees up capacity for new uses.

Water Treatment: For water treatment purposes, the City operates its own water treatment facility which is regulated by the State of California. The City's water treatment plant was constructed in 1992, and has the capacity to provide up to ten mgd. During the peak summer months, demand increases to approximately six mgd, or 60 percent of the plant's capacity. Modifications to the water treatment facility were completed in 2006, in order to improve reliability and provide redundancy at the water treatment plant.

Water Distribution: The City owns and operates the water distribution system that supplies potable water throughout the City. The City's water distribution system consists of surface water well pumping, percolating groundwater well pumping, water treatment plant high service pumping station, storage reservoirs, and piping to and within the water distribution system.

The City of Ukiah maintains eight reservoirs with a combined storage capacity of 6.1 million gallons (18.7 AF). These reservoirs allow for the short-term storage of treated water for use on daily basis, as well as for emergency purposes, such as fire-fighting.

Wastewater: The City of Ukiah operates and maintains its own wastewater treatment plant which provides service for the City of Ukiah and the Ukiah Valley Sanitation District. At peak wet weather flow, the plant has a treatment capacity of 20 mgd and 2.8 mgd of dry weather flow. Operation of the plant results in primary treatment which removes floating material, oils and greases, sand and silt and organic solids heavy enough to settle in water. During secondary treatment, suspended and dissolved organic material is biologically removed.

The wastewater treatment plant was recently improved via a $56.5M improvement project to upgrade the facility and ensure reliable and continued compliance with permit requirements and the plant's capacity to meet future demands as the result of growth. Wastewater is collected by gravity and force mains in a series of main, trunk, and interceptor sewers owned and operated by the City. The City maintains the main lines, and it is the responsibility of the property owner to maintain their sewer lateral. The project area is currently within areas served by the City sewer system.

Solid Waste and Recycling Services: Solid waste collection and disposal service for residents within the City limits is provided by the City's franchise waste hauler, Ukiah Waste Solutions. Household waste and yard waste are collected at the curb side. Additionally, curbside recycling service is provided and includes pick-up of newspaper, cardboard, paperboard, tin cans, aluminum cans, plastic containers bearing the triangle recycle symbol, glass, and office paper. Solid Waste Systems operates the Ukiah Valley Transfer Station located at 3151 Taylor Drive in Ukiah. Trash collected by the waste hauler is disposed of at the Transfer Station and then hauled to a permitted sanitary landfill in nearby Lake County. The former Ukiah Landfill closed in 2001. As no publicly-owned landfills exist in Mendocino County, the Lake County Landfill is operated as a private landfill, and has the capacity to serve the City well into the future.

Fire Protection Service: The City of Ukiah Fire Department provides fire protection services for land use within the city's boundaries, including the project area. The City of Ukiah Fire Department serves a population of approximately 16,075 residents within the city limits. The fire

station is located at 300 Seminary Avenue, approximately 0.30 mile to the southwest of the project area.

Currently, the Ukiah Fire Department employs 15 paid firefighters and 20 volunteer firefighters. The paid personnel are both firefighters and paramedics. The Department also maintains an on-going training program that addresses all services provided. All participating individuals receive training in such programs as CPR, emergency medical certification, hazardous materials response, self-contained breathing apparatus, and infection disease control, among others services.

The Ukiah Fire Department currently receives an average of 2,000 calls for service per year. Although these calls primarily include request for emergency medical service, calls for assistance with fire protection, hazardous materials, utility control, rescue service, mutual and automatic aid to other agencies, and storm-related situations, are received, among a variety of other requests.

The City of Ukiah is rated by the Insurance Services Office (ISO), which maintains a rating or classification scale for fire insurance risk purposes. Fire Protection Ratings range from Class 10 (least desirable) to Class 1 (best). The City of Ukiah is rated as Class 3, thereby providing a high level of fire safety for the community.

Additionally, the California Department of Forestry and Fire Protection (CAL FIRE) provides fire protection services for the area from its station located at 2690 North State Street within the city of Ukiah. CAL FIRE provides wildfire protection to undeveloped forested areas surrounding the city of Ukiah and beyond. CAL FIRE is largely concerned with the prevention and control of wildland fires and deterring the spread of fire into developed areas. Although CAL FIRE does not normally respond to structure fires, it provides protection to structures threatened by forest fire.

The Ukiah Valley Fire District (UVFD) also provides fire protection services for the Ukiah area. The station is located at 1500 South State Street approximately 1.5 miles south of the project area. The department is comprised of seven career firefighters, 19 volunteer firefighters, and two administrative employees.

Law Enforcement: The City of Ukiah Police Department is located at 300 Seminary Way in Ukiah and currently employs 26 sworn Law Enforcement Officers, with 11 civilian positions. The police department provides public safety and emergency protection services within the city limits. The Mendocino County Sheriff's Department (Sheriff's Department) and the California Highway Patrol (CHP) also provide protection services within the community when needed.

The Mendocino County Sheriff's Department is located at 589 Low Gap Road in Ukiah, approximately 0.9 mile northeast of the project area. The department currently provides law enforcement services and in-custody transport services for the existing Courthouse in Ukiah.

School Facilities: The Ukiah Unified School District provides school service within the proposed project area. The Ukiah Unified School District serves a population of approximately 5,800 students, pre-school through adult age. The District is comprised of eight neighborhood elementary schools, two middle schools, and a comprehensive high school.

Park and Recreation Services: The Ukiah area supports a range of public parks and recreational facilities. Regional recreational parks include Lake Mendocino and Cow Mountain. Mill Creek Park and Low Gap Park are operated under the jurisdiction of the county. The Mendocino Community College offers public recreational facilities such as an all-weather track, volleyball courts, tennis courts, and playground equipment, among other facilities. The Russian River and the Twelfth District Fairgrounds also offer recreational opportunities within the regional Area.

The City of Ukiah Community Services (Parks and Recreation) Department maintains a variety of neighborhood and community parks, the Grace Hudson Museum, the Civic Center, and various athletic fields. Additionally, the City maintains a system of trails and bikeways along City streets and within some recreational areas, as intended by the City of Ukiah Bicycle and Pedestrian Master Plan. The closest park to the proposed project area is the Hudson-Carpenter Park, located approximately 0.10 mile west of the Railroad Depot property. The park is located adjacent to the Grace Hudson Museum which is operated by the City's Community Services Department and offers a variety of cultural and educational opportunities pertaining to the history of the area.

To ensure that adequate parks and recreational facilities are provided for its residents over the long-term, the City requires the dedication of park land or payment of fees in lieu of dedication for new subdivision developments. Such fees may vary and are determined at the time when development is proposed.

Electric Utility: The Ukiah Electric Utility Department is Mendocino County's only municipal-owned electric utility, supplying electricity to more than 16,000 residents and 2,000 businesses. The utility serves 6,100 residential customers and 2,100 commercial customers. The utility's annual energy sales exceed $15,000,000 with a peak demand of nearly 36 megawatts (MW), recorded in July 2006.

Like the airport, the electric utility is considered an enterprise activity where electric services are funded by charges for electricity. In FY 2011-12 Ukiah Electric anticipates a net income of $2.3 million over expenses of $12.9 million.

The Electric Utility Department oversees the procurement of wholesale power and energy sales; maintains and operates the electric distribution system; and provides advanced engineering and planning for improvements, replacement, and expansion of the distribution system. In addition, the Department provides engineering services to new commercial and residential development projects. The Department also maintains Ukiah's traffic signals, the City's streetlights and provides engineering support to other City Departments.

Potential Impacts: The project will not result in impacts to municipal services and is not anticipated to impact area schools, nor will it place a demand on the City's parks or other public facilities or police and fire protection services. Additionally, it is concluded that the proposed project will not result in the need for new or expanded electrical generation sources or expanded water and sewer systems. These conclusions are based on the fact the proposed new Downtown Zoning Code would not increase the existing planned population densities in the project area or allow types and intensities of land uses different than what is currently allowed and planned for in the adopted General Plan. Additionally, City Staff has indicated that the electric utility, as well as the wastewater and water treatment plants have the capacity to accommodate build-out of the City with the new Code for the Downtown.

Mitigation Measures: None required.

Impact Significance After Mitigation: N/A

14. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☒	☐	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Setting: The characteristics of the roadway system within and adjacent to the project area are described below:

1. US 101 is a north-south state highway that traverses through the City of Ukiah. US 101 continues north towards the state of Oregon and south towards San Francisco. In the immediate vicinity of the project area, US 101 is a four-lane freeway. The interchange at Perkins Street provides direct access to the project area.

2. Perkins Street is an east-west arterial street that provides direct access to the project area. Four travel lanes are provided on Perkins Street between State Street and Orchard Street, and this roadway is posted for 30 miles per hour (mph).

3. State Street is an arterial roadway, located along the western portion of the project area parallel to US 101 and provides north-south access within city limits. State Street contains four travel lanes. The posted speed limited on State Street is 30 mph.

4. Main Street is a two-lane north/south collector street that is situated east of State Street. The posted speed limited on Main Street is 25 mph.

5. Mason Street is a two-lane local road that enters the project site from the north. The posted speed limited on Main Street is 25 mph.

6. Standley Street and Smith Street are two streets that extend westward from Mason Street through the project area.

7. Hospital Drive is a two-lane, north-south roadway that intersects Perkins Street to the east and provides access to the Ukiah Valley Medical Center.

8. Clay Street is a collector street that runs from the western city limit and currently terminates just west of the railroad tracks. The city's General Plan identified the extension of Clay Street through the Railroad Depot Site to connect to Peach Street.

Existing Roadway Operations: According to the Draft Environmental Impact Report for the New Ukiah Courthouse project published in October of 2011, the existing roadway system can be characterized as operating efficiently, with the exception of the US-101 on and off-ramp intersections with Perkins Street. Motorists typically incur modest delays, do not experience substantial vehicle queues, and benefit from the coordinated traffic signal system along primary commute corridors. The side-street approach at both US-101 ramp intersections operate at an unacceptable level during the a.m. peak-hour. The remaining study intersections currently operate at LOS C or better, an acceptable LOS under City of Ukiah standards.

Existing A.M. peak hour intersection operations:

Intersection	Control	Delay (seconds)	LOS
US-101 NB ramps/Perkins Street	Side Street Stop (Caltrans)	51.6	F
US-101 SB Ramps/Perkins Street	Side Street Stop (Caltrans)	11.9	B (E -Side Street)
Orchard Ave/Perkins St	Signal	21.1	C
Hospital Dr/Perkins St	Signal	6.3	A
Mason St/Perkins St	Side-Street Stop	0.6	A
Main St/Perkins St	All-Way Stop	12.1	B
State St/Perkins St	Signal	24.6	C
State St/Standley St	Signal	27.6	C
Leslie St/Perkins St	Side-Street Stop	2.7	A

Source: Draft EIR New Ukiah Courthouse, page 4.10.4, October, 2011

Intersection level of service definitions:

Level of Service	Signalized Avg Delay (seconds)	Unsignalized Avg Delay (seconds)
A	0-10.0	0-10.0
B	10.1-20.0	10.1-15.0
C	20.1-35.0	15.1-25.0
D	35.1-55.0	25.1-35.0
E	55.1-80.0	35.1-50.0
F	>80.0	>50.0

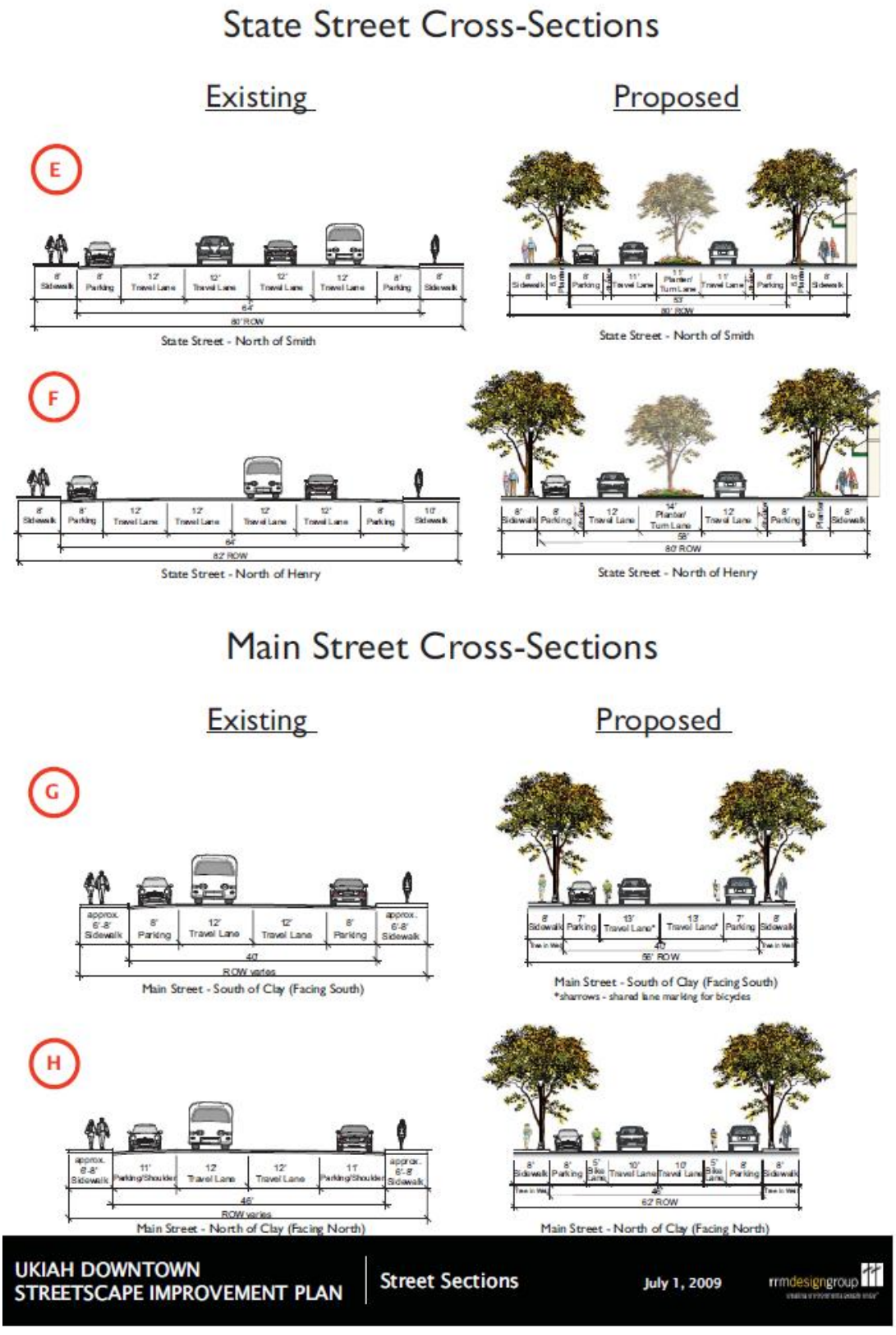
Source: Draft EIR New Ukiah Courthouse, page 4.10.4, October, 2011

Downtown Ukiah Parking Improvement Study

In 2007, the City commissioned a Downtown parking study to determine existing parking conditions and identify potential engineering, management, and enforcement solutions to enhance and improve downtown parking in the future. The Study found that the number of parking spaces in the Downtown (4,451 public and private parking lots and on-street spaces) was adequate to satisfy the 11:00 a.m. peak demand (646 spaces). However, the Study found that the spaces were spread out, used inefficiently, and under managed. A number of recommendations were advanced in the Study for improved efficiency and management, many of which would only be necessary if future infill development resulted in demand exceeding the number of available spaces.

The proposed Downtown Zoning Code provides increased flexibility for future development projects to satisfy parking requirements such as counting on-street parking and permitting off-site parking in certain circumstances. Moreover, the Code seeks to reduce automobile use and parking demand by requiring improved pedestrian facilities, mixed land uses, residential land uses in the downtown core, etc.

The State and Main Streets Streetscape Plan



Potential Impacts:

The US-101 Ramp Intersections: At the US-101 Northbound Ramp/Perkins Street intersection, the off-ramp is operating at LOS F under Existing Conditions. The addition of any new traffic would exacerbate unacceptable operations. At the US-101 Southbound Ramp/Perkins Street intersection, the addition new traffic would add delay to the side street approaches that are already operating at unacceptable LOS E.

The *Ukiah Ramps Improvement Project on US 101 Project Study Report* (September 2008, Caltrans) identified traffic signals and signal interconnect at the US 101/Perkins Street ramp intersections as potential improvements. The signals at the ramp intersections were also identified as short range projects in the Mendocino County *Regional Transportation Plan* (December 2010). The addition of traffic signals at both US-101 ramp intersections with Perkins Street would provide acceptable LOS for future projects.

The City, County, MCOG, and Caltrans have been meeting regularly and are seeking funding for these improvements. The City has included it as the highest priority in its 2012 Capital Improvement Plan, and as of April, 2012, MCOG and Caltrans indicated to the City that a highly probable source of funding was the State funded HSIP program (Hazards Safety Improvement Plan). Applications are currently being prepared to fully fund the improvements.

If the City, County and Caltrans do not secure funding and construct the US 101 ramp improvements, a funding mechanism, such as a traffic impact fee pursuant to AB1600, would need to be adopted. Future development projects would be required to pay their fair shares to help fund the improvements. The City and County adopted AB 1600 Studies and are positioned to pursue the adoption of new traffic impact fees.

Other Roadway and Intersections: The Draft EIR for the New Ukiah Courthouse (page 4.10.34) indicated that under cumulative 2030 conditions, all other intersection will operate at acceptable levels.

Parking: As indicated above, the 2007 Downtown Parking Study determined that there were enough private, public and on-street parking spaces to accommodate peak demand, as well as future development. The proposed Downtown Zoning Code provides increased flexibility for future development projects to satisfy parking requirements such as counting on-street parking and permitting off-site parking in certain circumstances. Moreover, the Code seeks to reduce automobile use and parking demand by requiring improved pedestrian facilities, mixed land uses, residential land uses in the downtown core, etc.

Mitigation Measure:

6. Once a funding mechanism is identified and implemented for improvements to the US-101/Perkins Street interchange, future development projects shall contribute their fair share payments toward the signalization and roadway improvements.

Impact Significance After Mitigation: N/A

15. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) 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?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Setting: (See discussion in Section 13 above – Public Services/Utilities)

Mitigation Measures: None Needed

Impact Significance After Mitigation: N/A

16. GLOBAL CLIMATE CHANGE / GHG

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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?	☐	☐	☐	☒

Setting: Certain gases in the earth's atmosphere, classified as Greenhouse Gas Emissions (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface, and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. The earth has a much lower temperature than the sun; therefore, the earth emits lower frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on Earth. Without the greenhouse effect, Earth would not be able to support life as we know it. Prominent GHGs contributing to the greenhouse effect include:

1) Carbon Dioxide (CO2) is an odorless, colorless gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. CO2 is the most widely emitted GHG; fossil fuel combustion in stationary and mobile sources is the primary source of anthropogenic (human-made) emissions. Due to the emergence of industrial facilities and mobile sources in the past 250 years, the concentration of carbon dioxide in the atmosphere has increased significantly

2) Methane (CH4) emissions come from biogenic sources, incomplete combustion in forest fires, landfills, manure management, and leaks in natural gas pipelines. In the United States, the top three sources of CH4 are landfills, natural gas systems, and enteric fermentation. CH4 is the primary component of natural gas, which is used for space and water heating, steam production, and power generation; 3) Nitrous oxide (N2O) production sources include natural and human-related sources. Primary human-related sources include agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production.

3) Hydrofluorocarbons (HFCs) are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is growing, as the continued phase out of chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) gains momentum.

4) Perfluorocarbons (PFCs) are compounds consisting of carbon and fluorine. They are primarily created as a by-product of aluminum production and semi-conductor manufacturing. PFCs are potent GHGs with a GWP several thousand times that of CO2, depending on the specific PFC. Another area of concern regarding PFCs is their long atmospheric lifetime (up to 50,000 years) range from 5,700 to 11,900.

5) Sulfur hexafluoride (SF6) is a colorless, odorless, nontoxic, nonflammable gas. It is most commonly used as an electrical insulator in high voltage equipment that transmits and distributes electricity. SF6 is the most potent GHG that has been evaluated by the Intergovernmental Panel on Climate Change (IPCC) with a GWP of 23,900; however, its global warming contribution is not as high as the GWP indicates due to its low mixing ratio compared to CO2 (4 parts per trillion (ppt) in 1990 versus 365 parts per million (ppm)). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. It is extremely unlikely that global climate change of the past 50 years can be explained without including the contribution from human activities.

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about 1 day), GHGs have long atmospheric lifetimes (1 year to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of any particular GHG molecule is dependent on multiple variables and cannot be pinpointed, it is understood that more CO2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO2 emissions, approximately 54 percent is sequestered through ocean uptake, uptake by northern hemisphere forest regrowth, and other terrestrial sinks within a year, whereas the remaining 46 percent of human-caused CO2 emissions remains stored in the atmosphere.

Global Warming Potential (GWP) - Water vapor is also a GHG, and is naturally occurring and unregulated. The most abundant GHGs are water vapor and CO2. Many other trace gases have greater ability to absorb and re-radiate long wave radiation; however, these gases are not as plentiful. For this reason, and to gauge the potency of GHGs, scientists have established a GWP for each GHG based on its ability to absorb and re-radiate long wave radiation and uses CO2 as the reference gas with a GWP of one.

Similarly, impacts of GHGs are borne globally, as opposed to localized air quality effects of criteria air pollutants and toxic air contaminants. The quantity of GHGs that it takes to ultimately result in climate change is not precisely known. The quantity is enormous, and no single project alone would measurably contribute to a noticeable incremental change in the global average temperature, or to global, local, or micro climate. From the standpoint of CEQA, GHG impacts related to global climate change are inherently cumulative.

Attributing Climate Change Greenhouse Gas Emission Sources: Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial and agricultural emissions sectors (California Air Resources Board (ARB), 2008). In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation (ARB, 2010). Emissions of CO2 are byproducts of fossil fuel combustion. CH4, a highly potent GHG,

results from off-gassing is largely associated with agricultural practices and landfills. N2O is also largely attributable to agricultural practices and soil management. CO2 sinks, or reservoirs, include vegetation and the ocean, which absorb CO2 through sequestration and dissolution, respectively, two of the most common processes of CO2 sequestration.

State Greenhouse Gas Emissions Inventory: According to different ranking systems, California is the 12th to 16th largest emitter of CO2 in the world (California Energy Commission (CEC), 2006). California produced 484 million metric tons (MMT) of CO2 equivalent (CO2e) in 2004 at its peak over the inventory period, and produced 478 MMT in 2008 (ARB, 2010). CO2e is a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the GWP of a GHG, is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, as described in Appendix C, "Calculation References," of the General Reporting Protocol of the California Climate Action Registry (CCAR, 2009), one ton of CH4 has the same contribution to the greenhouse effect as approximately 21 tons of CO2. Therefore, CH4 is a much more potent GHG than CO2. Expressing emissions in CO2e takes the contributions of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO2 were being emitted. Combustion of fossil fuel in the transportation sector was the single largest source of California's GHG emissions in 2008, accounting for 37 percent of total GHG emissions in the state (ARB, 2010). This sector was followed by the electric power sector (including both in-state and out-of-state sources; 24 percent) and the industrial sector (19 percent).

Local Inventory: Both the City and the County of Mendocino are currently preparing Greenhouse Gas Emission Inventories and Climate Action Plans. To date, these plans have not been adopted and neither the City nor the County have GHG emission inventories.

Potential Impacts: California is the 12th to 16th largest producer of GHGs in the world, producing 478 MMT in 2008. This is a fraction of the GHGs generated throughout the world, and an individual project cannot generate enough GHG emissions on its own to significantly influence global climate change. A project participates in this potential impact to the extent its incremental contribution, combined with the cumulative contributions of all other sources of GHGs, when taken together, is considerable in its contribution to global climate change impacts.

Although a numeric threshold is typically the best measure for determining significance in CEQA analyses, no agency with jurisdiction over the proposed project, or the area in which the project is located, has adopted a quantitative threshold. However, on June 3rd, 2010 the Mendocino County Air Quality Management District (MCAQMD) Air Pollution Control Officer issued new CEQA guidance for the MCAQMD which requested that planning agencies and consultants use the Bay Area Air Quality Management District (BAAQMD) CEQA Thresholds adopted on May 28th, 2010 (updated May 2011) to evaluate new projects. The BAAQMD's approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact, and would be considered significant.

The proposed new Downtown Zoning Code is intended to fulfill the goals, objectives and strategies of the Ukiah General Plan by encouraging the development of a healthy, safe, diverse, compact, forested and walkable urban community. An underlying goal of the new Code

is to encourage bicycling, walking, and the use of other alternative transportation sources. It also requires tree planting to create shaded public spaces and shaded buildings. In doing so, the Code would reduce the amount of greenhouse gas emissions attributable to vehicle use that would occur under the current code, and reduce energy consumption.

Additionally, the new Code allows and encourages a mixed of office, retail, commercial, and residential uses, and the project area is in close proximity to other similar land uses. These attributes would reduce overall emissions associated with build-out (redevelopment) of the project area. In a 2009 Study entitled "The Factors of Urban Morphology in Greenhouse Gas Emissions: A Research Overview" by Michael Mehaffy, Stuart Cowan, and Diana Urge-Vorsatz, it was concluded that compact urban form development can produce less greenhouse gas emissions and require less energy consumption:

> "Moreover, we know that a compact urban form can mitigate heat island effects, affecting cooling demands, and can correlate with more or less efficient building morphologies. More difficult to assess, the form can affect the behavior and consumption patterns of individual energy users, as they make decisions about a range of possible activities that affect energy consumption and emissions."
>
> "The evidence indicates that that these factors, and possibly others, create major variations in energy use per person, and major emissions and other contributions to climate change. The variation is not marginal, but, taken as whole, a significant percentage of all energy use: the evidence herein will suggest that it is perhaps on the magnitude of one-third of all energy use."

For these reasons, the proposed project would not result in a considerable contribution to cumulative GHG emissions. These same factors suggest the proposed project would not result in inefficient, wasteful or unnecessary consumption of energy, and per the criteria described in Appendix F of the CEQA Guidelines.

The proposed project would not be anticipated to generate GHG emissions, directly or indirectly, that would have a significant impact or cumulatively considerable contribution to climate change due to the fact that the project area already is substantially built-out and redevelopment under the new Code would result in an increase in bike lanes, wider sidewalks, increased tree planting, energy efficient buildings, etc.

Finally, any future proposed development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would generate and cumulatively contribute greenhouse gas emissions into the local environment. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future and if greenhouse gas emissions would be produced.

Mitigation Measures: None Needed.

Impact Significance After Mitigation: N/A

(Source of Information for this Section: Final EIR – New Ukiah Courthouse Project, judicial Council of California, Administrative Office of the Courts, April, 2012)

MITIGATION MONITORING AND REPORTING: AB 3180 requires all public agencies to adopt a monitoring and reporting program whenever they adopt an EIR or "Mitigated Negative Declaration."

Impact	Mitigation Measure	Responsibility	Timing	Verification
Air Quality: Short-term production of particulate matter (PM-10) resulting from future construction activities	1. Prior to any future site disturbance, grading or excavation of soil, the project proponents shall submit an application to the Mendocino County Air Quality Management District to determine if a permit is required. 2. The project contractors/applicants for future projects involving grading and the disturbance of soil shall prepare a dust control plans. The project contractors shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manor during all phases of the project. The dust control plans shall include, at minimum, the following measures: a. Water shall be applied by means of truck(s), hoses, and/or sprinklers as needed prior to any land clearing or earth movement to minimize dust emissions. b. All material excavated, stockpiles, or graded shall be sufficiently watered to prevent fugitive dust from leaving the site or causing a public nuisance. Watering should occur at least twice daily, however frequency of watering shall be based on the type of operation, soil, and wind exposure. c. All on-site vehicle	The applicants of future projects are responsible for implementing the mitigation measures. City Public Works Staff are responsible for verifying implementation.	During all phases of construction	

	speed shall be limited to 15 miles per hour (mph) on unpaved roads. d. All land clearing, grading, earth moving, and/or excavation activities shall be suspended as necessary, based on site conditions, to prevent excessive windblown dust when winds are expected to exceed 20 mph. e. All inactive portions of the disturbed site, including soil stockpiles, shall be covered or routinely watered to control dust emissions. f. Paved areas adjacent to the site shall be routinely swept or washed as required to remove excess accumulations of silt and/or mud, which may have resulted from grading and excavation at the project site.			
Biological Resources: Potential impacts to the Gibson Creek riparian corridor resulting from future construction activities	3. Future development projects in the planning area shall maintain a 50-foot building setback from the edge of the Gibson Creek riparian corridor, unless a shorter distance is supported by the State Department of Fish and Game. 4. Future construction activities shall not cut, disturb, or remove native riparian plants or trees along the Gibson Creek riparian corridor unless supported by the State Department of Fish and Game.	The applicants of future projects are responsible for implementing the mitigation measures. City Public Works and Planning Staffs are responsible for verifying implementation	During site plan review and during all phases of construction.	

Cultural Resources: Disturbance of pre-historic or historic resources during future construction activities	5. If, during site grubbing, grading, soil excavation or any aspect of future project development project, any pre-historic, historic, or significant cultural resources are discovered, all work shall be halted and the contractor/project proponent shall immediately contact the City of Ukiah Director of Planning and Community Development. The City shall engage the services of a qualified professional archaeologist at the expense of the project proponents, to perform a site reconnaissance and to develop a precise mitigation program, if necessary.	The applicants of future projects are responsible for implementing the mitigation measures. City Planning Staffs is responsible for verifying implementation	During all phases of construction	
Traffic: The US 101/Perkins Street interchange – currently operating at an unacceptable LOS	6. Once a funding mechanism is identified and implemented for improvements to the US-101/Perkins Street interchange, future development projects shall contribute their fair share payments toward the signalization and roadway improvements.	The applicants of future projects are responsible for implementing the mitigation measures. City Public Works Staffs is responsible for verifying implementation	Prior to the issuance of building permits.	

MANDATORY FINDINGS OF SIGNIFICANCE

FINDINGS Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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, 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) 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) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion: This Initial Environmental Study concludes that the adoption and implementation of the new Downtown Zoning Code would not have potentially significant adverse impacts on the environment for the following reasons:

1. The project area is substantially built-out and future redevelopment under the proposed new Code will result in increased bike lanes, wider sidewalks, increased tree plantings, revitalization of Gibson Creek, etc.

2. No increase in potential density or intensity of land uses from what is currently allowed or permitted would result.

3. It requires wider sidewalks, bicycle paths/routes, street trees, and other features to promote walking, bicycling, and the use of other alternative modes of transportation.

4. It allows for the mixing of land uses to promote walking, bicycling, and the use of other alternative modes of transportation.

5. It requires the preservation and enhancement of Gibson Creek and its riparian corridor.

6. It requires the preservation of landmark trees and includes standards to preserve and enhance the historic downtown.

7. It requires all newly proposed development to be consistent with the requirements of the Airport Master Plan and Mendocino County Airports Land Use Plan.

8. No mineral resources or agricultural lands are located within or in close proximity to the project area.

9. There are adequate public services to serve future development in the project area.

10. It promotes and encourages a sustainable community through the reuse and improvement of existing buildings, infill development, green building and smart growth practices, and resource conservation (such as the enhancement of the Gibson Creek corridor, tree planting, and tree preservation).

11. Reasonable and feasible mitigation measures have been identified to eliminate or reduce potentially significant adverse impacts to levels of insignificance.

12. Any future development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would expose people to hazardous substances. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future.

13. Review of recent environmental data prepared as part of the New Ukiah Courthouse project (EIR) and Railroad Depot Site Land Acquisition and Soil Remediation project (Mitigated Negative Declaration) provided up to date information on the environmental setting, potential impacts from future development/redevelopment, and assisted in the conclusions reached in this document.

14. The project would clearly provide benefits to the environment. These include requirements for the preservation and restoration of Gibson Creek and its riparian corridor; the preservation of landmark trees; the preservation and enhancement of the historic fabric of the downtown; the requirement for wider sidewalks, bicycle paths/routes, and street trees – all design to enhance pedestrian and bicycle use and discourage automobile use, thereby reducing air pollution and greenhouse gas emissions.

Accordingly, it has been determined that a Mitigated Negative Declaration is appropriate for the project.

DETERMINATION:

On the basis of this initial evaluation:

☐ 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 revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and 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:

Charley Stump, Director
Department of Planning & Community Development
City of Ukiah

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25. The Factors of Urban Morphology in Greenhouse Gas Emissions: A Research Overview by Michael Mehaffy, Stuart Cowan, and Diana Urge-Vorsatz, 2009

City of Ukiah

Planning and Community Development

CEQA MITIGATED NEGATIVE DECLARATION

Downtown Zoning Code

PROJECT: Downtown Zoning Code **DATE:** May _____, 2012

PROJECT PROPONENT: City of Ukiah, 300 Seminary Avenue, Ukiah

LOCATION: The project area is generally bounded by Oak Street on the west, Henry Street and Norton Street on the north, Seminary Avenue and Cleveland Lane on the south, and Leslie Street on the east. The area also includes the parcels fronting on East Perkins Street from Oak Street to Highway 101

PROJECT DESCRIPTION: The proposed Ukiah Downtown Zoning Code is a land development regulatory tool (Zoning) that places primary emphasis on the urban form, the relationship of buildings to each other, to the street, and to open spaces - rather than a code that is based primarily on land use. The Form Based Code:

- Places less emphasis on the use of land as opposed to the form and location of the build environment.
- Recognizes uses may change but the building remains.
- Encourages mixed use and a mix of housing types.
- Relies on design concepts and patterns intended to preserve the best of the downtown, creating more livable environments and spaces.
- Achieves compatibility of uses through design and orientation, instead of strict land use separation.
- Gives more attention to the streetscape and the design of the public realm.
- Is based on a design focused public participation process.

The basic principle is that design is emphasized more than use. It includes simple and clear graphic prescriptions for building height, how a building is placed on site, and how building elements are used to manage development. The form-based approach of the proposed code regulates new infill development in the existing downtown core and Perkins Street corridor with respect to the existing character/context, and prevents new out-of-scale development. The code supports mixed uses with a range of housing types and commercial land uses with a focus on form, size, and placement of buildings, landscaping and parking, and less on land use and density.

The proposed code includes sections addressing building and site uses, land use standards, site planning and development standards, architectural standards, historic building standards, parking requirements, tree preservation and planting requirements, and circulation standards.

ENVIRONMENTAL SETTING: The environmental setting of the Downtown and Perkins Street corridor area affected by the proposed code is characterized by dense urban development. The Perkins Street corridor is the primary vehicular access from State Highway 101 to the historic Downtown, and carries the heaviest number of vehicles during peak traffic hours. The majority of the area is built out, but is ripe for redevelopment because many of the buildings are old and reaching their practical usefulness. Additionally, there are a number of vacant parcels in the boundaries of the code area, most notable the property referred to as the Railroad Depot parcels. This approximate 10 acre property is prime for redevelopment and represents a significant opportunity site for future development.

Gibson creek also flows through portion of the area from the northwest to the southeast. This stream supports animal populations in its riparian bands, as well as aquatic life, including migrating salmon and steelhead fish.

FINDINGS SUPPORTING A MITIGATED NEGATIVE DECLARATION:

1. Based upon the analysis, findings and conclusions contained in the Initial Environmental Study, the project, as mitigated, does not have the potential to degrade the quality of the local or regional environment;

2. Based upon the analysis, findings and conclusions contained in the Initial Environmental Study, the project, as mitigated, will not result in short-term impacts that will create a disadvantage to long-term environmental goals;

3. Based upon the analysis, findings and conclusions contained in the Initial Environmental Study, the project, as mitigated, will not result in impacts that are individually limited, but cumulatively considerable; and

4. Based upon the analysis, findings and conclusions contained in the Initial Environmental Study, the project, as mitigated, will not result in environmental impacts that will cause substantial adverse effects on human beings, either directly or indirectly.

5. The Initial Environmental Study examined areas of potential impacts and based on the conclusions reached in the Initial Environmental Study, it has been determined that the proposed project, as mitigated, would not in and of itself, have significant adverse impacts on the environment for the following reasons:

    a. No increase in potential density or intensity of land uses from what is currently allowed or permitted would result.

    b. It requires wider sidewalks, bicycle paths/routes, street trees, and other features to promote walking, bicycling, and the use of other alternative modes of transportation.

    c. It allows for the mixing of land uses to promote walking, bicycling, and the use of other alternative modes of transportation.

    d. It requires the preservation and enhancement of Gibson Creek and its riparian corridor.

    e. It requires the preservation of landmark trees and includes standards to preserve and enhance the historic downtown.

    f. It requires all newly proposed development to be consistent with the requirements of the Airport Master Plan and Mendocino County Airports Land Use Plan.

    g. No mineral resources or agricultural lands are located within or in close proximity to the project area.

    h. There are adequate public services to serve future development in the project area.

    i. It promotes and encourages a sustainable community through the reuse and improvement of existing buildings, infill development, green building and smart growth practices, and resource conservation (such as the enhancement of the Gibson Creek corridor, tree planting, and tree preservation).

    j. Any future development would be subject to the requirements of the California Environmental Quality Act, and an Initial Environmental Study would be required to determine if future development would expose people to hazardous substances. At this time, it is premature and would be speculative and unreasonable to assume what size, scale, and intensity of development would possible be proposed in the future.

    k. Reasonable and feasible mitigation measures have been identified that would eliminate or reduce significant impacts to levels of insignificance.

STATEMENT OF DECLARATION: After appraisal of the possible impacts of this project, the City of Ukiah has determined that the project, as mitigated, will not have a significant effect on the environment, and further, that this Mitigated Negative Declaration constitutes compliance with the requirements for environmental review and analysis required by the California Environmental Quality Act.

The Initial Environmental Study and all resources information used to perform the initial environmental analysis may be reviewed at the City of Ukiah Department of Planning and Community Development, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

Charley Stump, Director
Planning and Community Development
City of Ukiah

Date