



AGENDA SUMMARY REPORT

SUBJECT: Introduce by Title Only an Ordinance Adding Chapter 9, Article 1, to Division 2 of the Ukiah City Code, Entitled "Right to Industry."

DEPARTMENT: Community Development

PREPARED BY: Craig Schlatter, Community Development Director, Jesse Davis, Chief Planning Manager

Jesse Davis, AICP/Chief Planning Manager;

PRESENTER: Craig Schlatter, AICP/Community Development Director

ATTACHMENTS:

1. Ordinance Summary & Mendocino County Right to Industry Ordinance
2. Draft Ordinance
3. Right to Industry Maps - Ukiah

Summary: Council will consider introduction by title only of an ordinance adding Chapter 9, Article 1 ("Right to Industry") to Division 2 of the Ukiah City Code. The ordinance establishes disclosure requirements for properties located on or near manufacturing zoned land and clarifies how lawfully established industrial operations are addressed under the City's nuisance regulations.

Background: In December 2013, Mendocino County adopted Chapter 6.35 of the Mendocino County Code, establishing standards related to public nuisance claims involving certain industrial uses under the title of 'Right to Industry'. The County ordinance applies to parcels located on or within 300 feet of land zoned Limited Industrial (I-1), Industrial/Coastal Industrial (I), General Industrial (I-2), or Pinoleville Industrial (P-1).

In December 2022, the City of Ukiah adopted its 2040 General Plan. The General Plan Land Use Element includes goals, such as LU-5, to encourage and retain employment-generating and industrial uses while ensuring compatibility with surrounding and planned land uses. In recent years, the City has taken steps to support long-standing land uses through disclosure-based policies, including agricultural right-to-farm regulations adopted in 2024 (Ordinance No. 1241). Applying a similar approach to industrial uses implements direction within the City's General Plan while also supporting regional consistency and informing future property owners and residents about existing and future industrial activities.

Discussion: Community Development Department Staff have prepared a draft Right to Industry ordinance modeled on Mendocino County's adopted ordinance (Attachment 1) from 2013 and updated the County's approach to apply the policy to within the City of Ukiah and its associated manufacturing zoning designations. The proposed City of Ukiah Right to Industry Ordinance (Attachment 2) establishes a City policy to support lawfully established manufacturing operations within city limits while requiring disclosure for properties located on or near industrially zoned land. The ordinance is closely modeled on Mendocino County's 2013 Right to Industry ordinance and is intended to promote consistency between City and County land use policies.

The City's ordinance clarifies that industrial operations that were lawfully established, operating in compliance with applicable permits and regulations, and not a nuisance at the time they commenced shall not be deemed a public or private nuisance solely due to impacts on adjacent or nearby land uses after three (3) years of operation. The ordinance does not exempt industrial uses from compliance with state or local health, safety, environmental, or building regulations. Operations that are negligent, improper, or unlawful are not protected.

Nuisance complaints would continue to be addressed through existing City enforcement procedures.

The ordinance establishes disclosure requirements for properties zoned Manufacturing (M) or Airport Industrial Park – Planned Development (Industrial) (AIP-PD:I), as well as properties located within 300 feet of those zoning districts. A map of affected parcels is included as Attachment 3. Similar to County policy, disclosure would be required during real property transactions and prior to approval of discretionary land use entitlements involving residential development. The disclosure is intended to inform purchasers and occupants of potential impacts associated with nearby industrial operations, such as noise, odors, dust, and vibration. The ordinance also allows, but does not require, the installation of informational signage within industrial zoning districts.

The ordinance is procedural in nature and does not authorize new development or physical changes to the environment, only notifications through disclosure and minor signage allowances. Therefore, Staff can determine that it is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). No fiscal impact is associated with introduction of the ordinance.

Staff recommends that the City Council introduce by title only an ordinance adding Chapter 9, Article 1 (“Right to Industry”) to Division 2 of the Ukiah City Code.

Recommended Action: Introduce by title only an ordinance adding Chapter 9, Article 1, to Division 2 of the Ukiah City Code, entitled "Right to Industry."

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

REVENUE: No **GRANT:** No

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: City Manager's Office, City Attorney

STRATEGIC PLAN (SP): **SP 3B** - Analyze and consider opportunities for regional partnerships that support or improve the delivery of municipal services; **SP 4A** - Identify and remove barriers to economic development while leveraging economic opportunities.

CLIMATE INITIATIVES (CI): N/A

GENERAL PLAN ELEMENTS (GP): **GP-A2** - Economic Development Element.

Approved: 
Sage Sangiacomo, City Manager

ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADDING SECTION 6.35 TO CHAPTER 6 OF THE MENDOCINO COUNTY CODE TITLED BUSINESS LICENSES AND REGULATIONS

This ordinance adds Chapter 6.35 to Title 6, "Business Licenses and Regulations," of the Mendocino County Code.

Ordinance Summary, Chapter 6.35

Chapter 6.35 of the Mendocino County would regulate the filing of public nuisance abatement claims for owners of parcels located on or within 300 feet of the boundary of any parcel in Mendocino County zoned as the following: Limited Industrial (I-1); Industrial and also known as "Coastal Industrial" (I); General Industrial (I-2); and Pinoleville Industrial (P-1). The ordinance would only be valid for industrial businesses that have been in operation for 3 or more years, and requires that the business meet three (3) conditions to be covered under this ordinance. First, that its operations be consistent with the industrial operation provisions of the Mendocino County Zoning Code; Second, that it be conducted or maintained for commercial purposes; and Third, that those operations be conducted in a manner consistent with applicable land use and environmental laws and regulations.

The ordinance does not exempt businesses located within the industrial zones of the County from following applicable environmental laws. Furthermore, residents of these adjacent and affected parcels shall be notified through public noticing requirements and in a manner consistent with the outcome of the Board of Supervisor's discussion during the December 10, 2013 Board meeting on how it would like to implement the disclosure noticing requirements of this ordinance. The ordinance does not preempt a parcel owner's right to bring forth a lawsuit to remedy what the parcel owner deems to be a nuisance from a business located on an adjacent, industrially zoned parcel but which is covered by this ordinance. The ordinance negates a public nuisance abatement claim by a parcel owner as long as the three conditions, mentioned in the above paragraph, are met by the business owner at the center of the complaint and said business owner has been in operation for 3 or more years.

CHAPTER 6.35 RIGHT TO INDUSTRY

Sec. 6.35.010 Title.

This Chapter shall be known as and may be referred to in all proceedings as the "Mendocino County Right to Industry Ordinance".

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.020 Purpose.

The purpose of this ordinance is to enhance the prospects of growth and stability for Mendocino County's businesses that are located within the County's established industrial zones: I-1 (Limited Industrial), I-2 (General Industrial), I (Coast Industrial), and P-1 (Pinoleville Industrial). The County recognizes that industrial interests operating within the County may be endangered by residents or other businesses located nearby and who seek to abate what they deem a nuisance arising from operations by said industrial interests.

This ordinance seeks to reduce nuisance complaints by disclosing to existing and potential property owners of land zoned "Industrial Land", or which may be located within three hundred (300) feet of land zoned "Industrial Land", that they are affected by this ordinance. Furthermore, this ordinance seeks to clarify the circumstances in which an industrial operation may ultimately be declared a nuisance and ordered to change operations, after an initial investigation, declaration of a potential violation, and review of the evidence by a County Enforcement Officer or a Hearing Officer.

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.030 Policy.

Pursuant to the Planning Principles of the Mendocino County General Plan, it is the declared policy of this County to encourage sustainable economic growth. This objective directly correlates with the success of Mendocino County's industrial operations located within its industrially zoned districts. Where non-industrial land uses extend into industrial areas or exist side by side, industrial operations may become the subject of nuisance complaints. As a result, industrial operations could be forced to cease or curtail operation, and others could be discouraged from making investments and improvements.

It is the purpose and intent of this ordinance to reduce the loss to the County of its employment base by limiting the circumstances under which industrial operations may be considered a nuisance. This section is not to be construed as in any way modifying or abridging State law as set out in the California Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, Division 7 of the Water Code, or Government Code, relative to nuisances, but rather is only to be utilized in the interpretation and enforcement of the provisions of this code and County regulations.

No existing or future industrial business or any of its appurtenances, consistent with the industrial operation provisions of the Mendocino County Zoning Code, conducted or maintained for commercial purposes, and in a manner consistent with applicable land use and environmental laws and regulations, shall become or be a nuisance, private or public, for adjacent land uses in or about the locality thereof after the same has been in operation for more than three (3) years, when such action was not a nuisance at the time it began; provided that

the provisions of this subsection shall not apply whenever a nuisance results from a negligent or improper operation of any such industrial operation or its appurtenances.

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.040 Definitions.

Unless the context otherwise requires, the following current definitions and provisions of the Title 20 Zoning Ordinance of the Mendocino County Code, or as amended in the future, shall govern the construction of this Ordinance for more effective interpretation and enforcement.

INDUSTRIAL LAND. Shall mean those land areas of the County specifically classified and zoned as Limited Industrial (I-1), Industrial and also known as "Coastal Industrial" (I), General Industrial (I-2), and Pinoleville Industrial (P-1), within which industrial and business activities are to be encouraged and protected. This zoning may include future Mendocino County General Plan and Zoning Code amendments to accommodate new types of industrial zoning, such as Light Industrial.

INDUSTRIAL OPERATION. Shall mean and include those Industrial Use Types described within Division I of the Mendocino County Zoning Code, Chapter 20.028 "Industrial Use Types," Coastal Industrial Use Types described within Division II of the Mendocino County Zoning Code, Chapter 20.328 "Coastal Industrial Use Types", whose definitions shall incorporate any future Mendocino County General Plan and Zoning Code amendments, and which includes the following:

Mendocino County Zoning Code, Chapter 20.028 "Industrial Use Types"

- A. Section 20.028.005 — General Description of Industrial Use Types.
 - a. Industrial use types include on-site production of goods by methods not agricultural or extractive in nature. They also include certain uses accessory to the above, as specified in Chapter 20.164, Accessory Use Regulations.
- B. Section 20.028.010 — Custom Manufacturing.
 - a. "Custom manufacturing" means the on-site production of individually crafted goods using hand tools or mechanical equipment typical of the type or specifications found in a home shop or not creating noise, dust, fumes, visual impacts or electrical or water use in excess of home shop or hobby equipment and may include incidental on-site sales of those goods to retail consumers. Typical uses include ceramic studios, candle-making shops, custom jewelry manufacturing and wood working shops, or light assembly of components manufactured off-premises.
- C. Section 20.028.015 — General Industrial.
 - a. "General industrial" means industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products. Included are aggregate processing plants such as crushing, screening, washing and mixing plants.
- D. Section 20.028.020 — Heavy Industrial.
 - a. "Heavy industrial" means all other industrial plants or other uses involving the compounding of radioactive materials, petroleum refining or manufacturing of explosives.
- E. Section 20.028.025 — Explosive Storage.
 - a. "Explosives storage" means storage of any quantity of explosives as defined by Section 1200 of the California Health and Safety Code. Typical uses include storage in the course of manufacturing, selling or transporting explosives or in the course of blasting operations.

Mendocino County Zoning Code, Chapter 20.328 "Coastal Industrial Use Types"

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- A. Section 20.328.005 - General Description of Industrial Use Types.
On-site production or processing of goods by methods not agricultural or extractive in nature. They also include certain uses accessory to the above, as specified in Chapter 20.456 (Accessory Use Regulations)
 - B. Section 20.328.010 — Coastal-Related Industrial.
 - a. The coastal-related industrial use type includes coastal-related industrial uses, including but not limited to fish waste processing and fish processing of products for other than human consumption.
 - C. Section 20.328.015 — Coastal-Dependent Industrial.
 - a. Coastal-dependent industrial uses require a maintained navigable channel to function, including, for example: public or private docks, water-borne commercial carrier import and export operations, ship/boat building and repair, commercial fishing facilities, including berthing and fish receiving, off-boat sales and fish processing when product is for human consumption (fish waste processing and fish processing of products for other than human consumption are permitted under the coastal-related use type), and aquaculture support facilities. Offshore mining, dredging, mineral or petroleum extraction processes, or the stockpiling or transfer of relative material for, are not included.
 - D. Section 20.328.020 — Custom Manufacturing: Light Industrial.
 - a. Establishments primarily engaged in the on-site production of individually crafted goods using hand tools or mechanical equipment typical of the types or specifications found in a home shop, or using equipment or processes which do not create noise, dust, fumes, visual impacts, or electrical or water use in excess of home shop or hobby equipment, and which may include incidental on-site sales of those goods to retail consumers. Typical uses include ceramic studios, candle-making shops, custom jewelry manufacturing, woodworking shops, printing shops, custom textile manufacturing or light assembly of components manufactured off-premises.
 - E. Section 20.328.025 — General Industrial.
 - a. Industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment, fabrication or recycling of materials and products. Included are white metal and appliance recycling and processing and aggregate processing plants such as crushing, screening, washing and mixing plants.
 - F. Section 20.328.030 — Heavy Industrial.
 - a. All other industrial plants or other uses not included within the General Industrial Use Type involving the compounding of radioactive materials or manufacturing of explosives.

This section is not limited to the afore-mentioned use types, and shall additionally include the permitted uses, uses subject to a minor use permit, and uses subject to a major use permit as described in the I, I-1, I-2 and P-1 Zoning Ordinances within the Title 20 — Zoning Ordinance, Divisions I and II of the Mendocino County Zoning Code.

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.050 Findings.

The Board of Supervisors of Mendocino County finds that it is in the public's interest to preserve and protect industrial land and operations within the County of Mendocino and to specifically protect these lands for exclusive industrial use. The purposes of this Chapter, therefore, are to promote the general health, safety and welfare of

the County, to preserve and protect for exclusive commercial use those lands zoned for industrial use, to support and encourage continued industrial operation in the County, and to disclose to prospective purchasers and residents of property adjacent to or near to industrial operation of the inherent potential ramifications associated with such purchase of residence including, but not limited to, the sounds, odors, dust, and chemicals that may accompany industrial operations.

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.060 Disclosure.

- (A) CONSUMER DISCLOSURE BY SELLER. A person who is acting as an agent for the seller of real property which as long as it is zoned "Industrial Land", or which may be located within three hundred (300) feet of land zoned "Industrial Land", or the seller of real property if he or she is acting without an agent for as long as it is zoned "Industrial Land", or may be located within three hundred (300) feet of land zoned "Industrial Land" shall disclose to the prospective purchaser that:

The property described herein may be zoned as "Industrial Land", or may be located within three hundred (300) feet of such land, and residents of the property may be subject to inconvenience or discomfort arising from use of machinery, and from the pursuit of industrial operations including, but not limited to, assembly, manufacturing, cutting, drilling, machining, metalworking, milling, punching, "tapping", soldering, transportation of materials and goods, and welding. All of these activities, and others not mentioned in the non-exclusive preceding list, may generate light, glare, dust, smoke, noise and odor, all of which may occur twenty-four (24) hours a day, seven (7) days a week. Mendocino County has established zoning for industrial land which sets as a priority the industrial use of the lands included therein, and residents of such property, or within three hundred (300) feet of the border of zoned areas, should be prepared to accept such inconvenience or discomfort as normal and necessary to industrial operation.

- (B) DISCLOSURE IN DOCUMENTS. The disclosure statement set forth in Section 6.35.060(A) shall be included in a document that a purchaser, lessee or transferee signs evidencing the sale, purchase, transfer, or lease of real property zoned "Industrial Land" or may be located within three hundred (300) feet of such land. The disclosure by an agent or seller as specified in Section 6.35.060 may also be delivered to the prospective transferee as part of the Mendocino County Real Estate Disclosure Advisory form as commonly provided by real estate brokers, or by delivery to the prospective transferee of a local option disclosure statement pursuant to Article 1.5, Section 1102.6a of Chapter 2 of Title 4 of Part 4 of Division 2 of the Civil Code of the State of California.

- (C) DISCLOSURE IN DISCRETIONARY ACTIONS. Where a building designed for residential occupancy is to be located on property which, as long as it is zoned "Industrial Land", or on property which may be located within three hundred (300) feet of land zoned "Industrial Land", the owners of the property shall, prior to a discretionary action, be required to sign a statement of acknowledgement on forms approved by Planning and Building Services containing the following statement:

The property described herein may be zoned as "Industrial Land", or may be located within three hundred (300) feet of such land, and residents of the property may be subject to inconvenience or discomfort arising from use of machinery, and from the pursuit of industrial operations including, but not limited to, assembly, manufacturing, cutting, drilling, machining, metalworking, milling, punching, "tapping", soldering, transportation of materials and goods, and welding. All of these activities, and others not mentioned in the non-exclusive preceding list, may generate light, glare, dust, smoke, noise and odor, all of which may occur twenty-four (24) hours a day, seven (7) days a week. Mendocino County has established zoning for industrial land which sets as a priority the industrial use of the lands included therein, and residents of such property, or within three hundred (300) feet of the border of zoned areas, should be prepared to accept such inconvenience or discomfort as normal and necessary to industrial operation.

In lieu of signing the statement required above, the owner may submit evidence that the statement set forth in Section 6.35.060(A) has been made part of a document evidencing the sale, purchase, transfer, or lease of the property on which the building is to be constructed.

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.070 Installation of Signs.

The County may install or permit the installation of signs at the entry or within established industrial areas zoned as "Industrial Land" to notify and explain to purchasers that some of the land in this area is being used for industrial purposes and the operator's interests are protected by law. The prospective purchaser of such land or a residence is advised to check with local County agencies as to any regulation or requirements which may affect industrial property and of inherent potential problems associated with a purchase of such property or a residence in areas zoned as an "Industrial Land" and of the likely effect of such industrial operations.

(Ord. No. 4319, 1-7-2014)

Sec. 6.35.080 Precedence Clause.

It is the finding of the Board of Supervisors that this Ordinance is to take precedence over all ordinances or parts of ordinance or resolutions or parts of resolutions regarding nuisance abatement complaints in conflict herewith and same are hereby repealed to the extent of such conflict and no further.

(Ord. No. 4319, 1-7-2014)

ORDINANCE NO.**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH ADDING A NEW ARTICLE 1, CHAPTER 9 TO DIVISION 2 OF THE UKIAH CITY CODE ENTITLED “RIGHT TO INDUSTRY”**

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

SECTION ONE. FINDINGS

1. It is in the public's interest to preserve and protect industrial land and operations within the City of Ukiah. The City recognizes that industrial businesses located within established industrial/manufacturing zoning districts are essential to the local and regional economy, providing employment opportunities, supporting the tax base, and contributing to the long-term economic stability of the Ukiah Valley.
2. The purposes of this Ordinance is to preserve and protect areas identified as Manufacturing Land for industrial and manufacturing uses, to support and encourage continued industrial operations in the City, and to disclose to prospective purchasers, residents and developers of the potential impacts commonly associated with manufacturing activities, including noise, odors, dust, and similar conditions.
3. The City finds that this Ordinance is consistent with the City of Ukiah General Plan, Land Use Element, Goal 5, which encourages, facilitates, and supports the development of new employment and industrial uses and the retention of existing industry while ensuring compatibility with existing surrounding uses and planned uses.
4. The proposed Ordinance is determined to be exempt from environmental review in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3). Under the general rule in Section 15061(b)(3), the project does not have the potential for causing a significant effect on the environment. As the Ordinance only provides a mechanism for written disclosure of land uses, it can be seen with certainty that there is no possibility that the Ordinance itself will have a significant effect on the environment.

SECTION TWO.

A new Chapter 9, entitled “Industry,” shall be added to Division 2 (Business) of the Ukiah City Code.

SECTION THREE.

A new Article 1, entitled “Right to Industry,” shall be added to Division 2, Chapter 9 of the Ukiah City Code and shall read as follows:

§ 2800 PURPOSE AND INTENT

It is the purpose and intent of the City to reduce the loss of the employment base and to support economic stability by limiting the circumstances under which lawfully established industrial

operations may be considered a nuisance under the City Code. This Article is intended to promote compatibility between manufacturing operations and surrounding land uses and to provide regulatory consistency with Mendocino County policies related to industrial land and uses.

This Article shall not be construed to modify, abridge, or supersede California law governing nuisances, including, but not limited to, the California Civil Code, the California Health and Safety Code, the California Fish and Game Code, the California Food and Agricultural Code, Division 7 of the California Water Code, and the California Government Code. Rather, this Article shall be applied solely in the interpretation and enforcement of the City Code, zoning regulations, and related local enforcement procedures.

No existing or future industrial business, nor any of its appurtenances, that is lawfully established and operated for commercial or industrial purposes in a manner consistent with the City's zoning regulations, approved permits, and applicable land use and environmental laws and regulations, shall be deemed to be or become a public or private nuisance under the City Code due to impacts on adjacent or nearby land uses after such operation has been in operation for a period of more than three (3) years, provided that the operation was not a nuisance at the time it commenced.

The protections afforded by this Article shall not apply in any case where a nuisance condition results from negligent, improper, or unlawful operation of the industrial business or its appurtenances, nor shall this section limit the City's authority to enforce applicable health, safety, environmental, or building regulations.

§ 2801 DEFINITIONS

Unless the context otherwise requires, the following definitions and the provisions of the City's Zoning Code, as set forth in Division 9, Chapter 2 of this Code, and any amendments thereto, shall govern the construction, interpretation, and enforcement of this Article.

A. **MANUFACTURING LAND:** Shall mean those land areas within the City that are specifically classified and zoned for manufacturing or industrial use under the City's Zoning Code, including, but not limited to, the Manufacturing (M) zoning district or the Airport Industrial Park – Industrial (AIP-PD(I)) zoning district, or parcels designated with an Industrial (I) land use designation under the City's General Plan. Manufacturing Land shall also include any successor zoning districts or classifications adopted by the City through future amendments to the General Plan or Zoning Code that are intended to accommodate manufacturing or industrial uses.

B. **MANUFACTURING OPERATION:** Shall mean and include those manufacturing, industrial, and related use types permitted, conditionally permitted, or lawfully existing within the City's Manufacturing (M) or Airport Industrial Park – Industrial (AIP-PD(I)) zoning districts pursuant to the City's Zoning Code.

§ 2802 DISCLOSURE

A. **Consumer Disclosure by Seller:** Any person acting as an agent for the seller of real property that is zoned Manufacturing Land, or that is located within three hundred (300) feet of property zoned Manufacturing Land, and any seller of real property acting without an agent where such

property is zoned Manufacturing Land or is located within three hundred (300) feet of Manufacturing Land, shall disclose to the prospective purchaser the following:

The property described herein may be zoned for manufacturing or industrial use, or may be located within three hundred (300) feet of such land. Residents or occupants of the property may be subject to inconvenience or discomfort arising from the use of machinery and from the conduct of manufacturing and industrial operations, including, but not limited to, assembly, manufacturing, cutting, drilling, machining, metalworking, milling, punching, tapping, soldering, welding, and the transportation of materials and goods. These activities, and others not listed, may generate light, glare, dust, smoke, noise, vibration, and odors, and may occur twenty-four (24) hours per day, seven (7) days per week. The City of Ukiah has established zoning districts that prioritize manufacturing and industrial uses, and occupants of property located within or near such districts should be prepared to accept such conditions as normal and necessary to lawful manufacturing and industrial operations.

B. Disclosure in Documents: The disclosure statement set forth in subsection A of this Section shall be included in a document signed by a purchaser, lessee, or transferee evidencing the sale, purchase, transfer, or lease of real property that is zoned Manufacturing Land or that is located within three hundred (300) feet of Manufacturing Land. Such disclosure may be provided as part of a real estate disclosure advisory form customarily used by real estate brokers, or through delivery of a local option disclosure statement pursuant to Article 1.5 (commencing with Section 1102.6a) of Chapter 2 of Title 4 of Part 4 of Division 2 of the California Civil Code, or through another written disclosure mechanism approved by the City.

C. Disclosure in Discretionary Actions: Where a building designed for residential occupancy is proposed on property that is zoned Manufacturing Land, or on property located within three hundred (300) feet of Manufacturing Land, the property owner shall, prior to approval of any discretionary land use entitlement, sign a statement of acknowledgement on a form approved by the City of Ukiah Community Development Department containing the disclosure statement set forth in subsection A of this Section. In lieu of signing the acknowledgement required by this subsection, the property owner may submit evidence satisfactory to the City that the disclosure statement required by subsection A has been incorporated into a document evidencing the sale, purchase, transfer, or lease of the property on which the residential building is to be constructed.

§ 2803 INSTALLATION OF SIGNS

The City of Ukiah may install, or permit the installation of, signs at the entry to or within areas zoned Manufacturing (M) or Airport Industrial Park – Industrial (AIP-PD(I)) to notify prospective purchasers, tenants, and occupants that property within the area is used for manufacturing or industrial uses.

Such signage may advise prospective purchasers or occupants to consult with the City regarding applicable regulations or requirements affecting manufacturing or industrial uses, and to consider the potential impacts commonly associated with manufacturing and industrial operations when purchasing, leasing, or occupying property within or near such zoning districts.

Installation of signs pursuant to this section shall be discretionary and shall not be construed as a condition of approval for any development, nor as a representation regarding the legality, intensity, or duration of any specific manufacturing or industrial operation.

§ 2804 PRECEDENCE

It is the intent of the City Council that this Article shall take precedence over any provision of the City Code, ordinance, or resolution relating to nuisance abatement or enforcement that conflicts with the provisions of this Article, but only to the extent of such conflict. All other provisions of the City Code shall remain in full force and effect.

SECTION FOUR.

1. **Publication:** Within fifteen (15) days after its adoption, this Ordinance shall be published once in a newspaper of general circulation in the City of Ukiah. In lieu of publishing the full text of the Ordinance, the City may publish a summary of the Ordinance once 5 days prior to its adoption and again within fifteen (15) days after its adoption.
2. **Effective Date:** The ordinance shall become effective thirty (30) days after its adoption.
3. **Severability:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Ukiah hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Introduced by title only on _____, 2026, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Adopted on _____, 2026, by the following roll call vote:

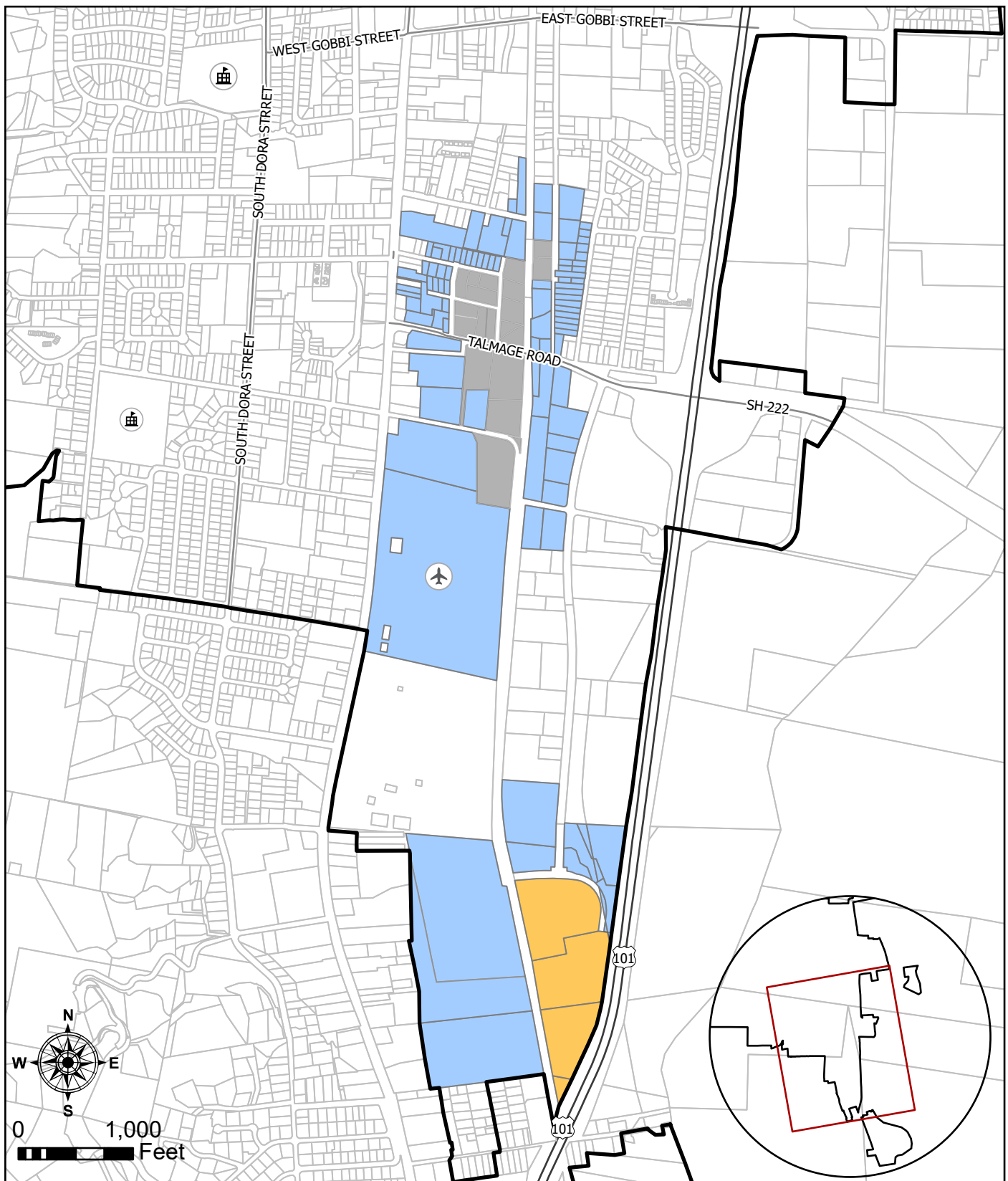
AYES:
NOES:
ABSENT:
ABSTAIN:

Susan Sher, Mayor

ATTEST:

Kristine Lawler, CMC/City Clerk

DRAFT



RIGHT TO INDUSTRY PARCEL MAP - SOUTH & CENTRAL UKIAH

**Right to Industry
Parcels**

300-foot Buffer

Zone Designation

Manufacturing (M)

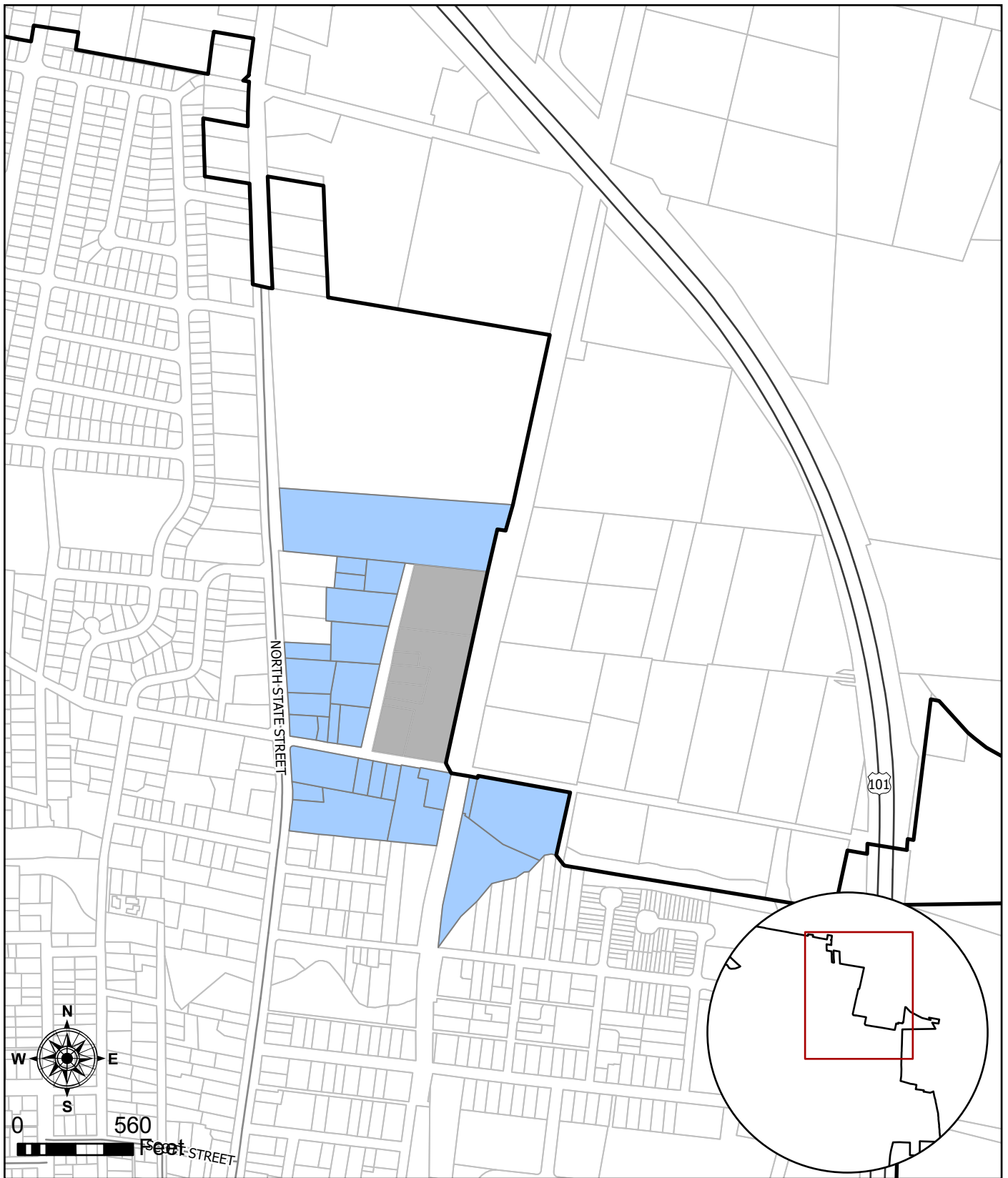
PDI - Planned
Development
Industrial

Mendocino County
Assessor Parcels

City of Ukiah City
Limits


THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE TO DETERMINE LEGAL PROPERTY BOUNDARIES.






RIGHT TO INDUSTRY PARCEL MAP - NORTH UKIAH

**Right to Industry
Parcels**

 300-foot Buffer

Zone Designation

 Manufacturing (M)

 Mendocino County
Assessor Parcels

 City of Ukiah City
Limits

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