



Planning Commission

Regular Meeting **AGENDA**

(to be held both at the physical and virtual locations below)

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

To participate virtually, go to the following link: <https://us06web.zoom.us/j/91264543193>

To view the meeting (without participating), go to: <http://www.cityofukiah.com/meetings/>

Or you can call in using your telephone only:

- Toll-free 1-669-444-9171
- Enter the Access Code: 912 6454 3193
- Raise hand: After being recognized, Enter *9
- To Speak after being recognized: enter *6 to unmute yourself

November 8, 2023 - 6:00 PM

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **APPROVAL OF MINUTES**

4.a. Approval of the Minutes of October 11, 2023, a Regular Meeting

Recommended Action: Approve the Minutes of October 11, 2023, a Regular Meeting.

Attachments:

1. October 11, 2023, Planning Commission Minutes

5. **APPEAL PROCESS**

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by November 20, 2023.

6. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

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

7. **SITE VISIT VERIFICATION**

8. **VERIFICATION OF NOTICE**

9. **PLANNING COMMISSIONERS REPORT**

10. **DIRECTOR'S REPORT**

10.a. Receive Community Development Director's Report

Recommended Action: Receive Community Development Director's Report.

Attachments:

1. Planning Division Projects Report - 11-1-23

11. **CONSENT CALENDAR**

12. **UNFINISHED BUSINESS**

13. **NEW BUSINESS**

13.a. Recommendation to the City Council for Approval of an Amendment of the Western Hills Annexation Area, Rezoning, and Adoption of an Addendum to the Ukiah Western Hills Open Land Acquisition & Limited Development Project Initial Study/Mitigated Negative Declaration
Recommended Action: Staff recommends the Planning Commission: 1) Conduct a public hearing; 2) Make a recommendation to the City Council to adopt the Addendum to the 2021 Western Hills Project Initial Study and Mitigated Negative Declaration (SCH No. 2021040428); and 3) Make a recommendation to City Council to approve the amendment to the Western Hills Annexation Area and proposed rezoning.

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Project Maps and Figures
4. Draft Addendum to the '2021 Western Hills Project' ISMND

14. **ADJOURNMENT**

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

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

Dated: 11/1/2023

Stephanie Abba, Planning Commission Secretary

**CITY OF UKIAH
PLANNING COMMISSION MINUTES
REGULAR MEETING**
Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482
Virtual Meeting Link: <https://zoom.us/j/91264543193>

**October 11, 2023
6:00 p.m.**

1. CALL TO ORDER

The City of Ukiah Planning Commission held a Regular Meeting on October 11, 2023. The meeting was legally noticed on October 05, 2023. The meeting was held in person and at the following virtual link: <https://zoom.us/j/91264543193>. Chair Mark Hilliker called the meeting to order at 6:02 p.m.

CHAIR M. HILLIKER PRESIDING.

2. ROLL CALL

Roll was taken with the following **Commissioners Present:** Thao Phi, Alex deGrassi, Rick Johnson, and Chair Mark Hilliker. **Commissioners Absent:** None. **Staff Present:** Craig Schlatter, Community Development Director; Jesse Davis, Chief Planning Manager; and Stephanie Abba, Planning Commission Secretary.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. APPROVAL OF MINUTES

a. Approval of the Minutes of September 27, 2023, a Regular Meeting.

Motion/Second: A. deGrassi/T. Phi to approve the Minutes of September 27, 2023, a Regular Meeting as submitted. Motion **carried** by the following Roll Call votes: **AYES:** T. Phi, A. deGrassi, and Chair M. Hilliker. **NOES:** None. **ABSENT:** None. **ABSTAIN:** R. Johnson.

5. APPEAL PROCESS

Chair Hilliker stated that the appeals deadline date is October 23, 2023. No appeals were received.

6. COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

No Comments from Audience

7. SITE VISIT VERIFICATION

Verified by Commissioners

8. VERIFICATION OF NOTICE

Verified by Staff

9. PLANNING COMMISSIONERS REPORTS

Report Received – M. Hilliker

10. **DIRECTOR'S REPORT**

Presenter: Craig Schlatter, Community Development Director

Report received regarding Jesse Davis leaving the City of Ukiah.

11. **CONSENT CALENDAR**

No items on the Consent Calendar

12. **UNFINISHED BUSINESS**

No Unfinished Business Agendized.

13. **NEW BUSINESS**

a. Consideration of an offer of public artwork in Todd Grove Park that would formalize existing mural components on a public structure and approve a proposal for the remaining portion consistent with the City's Public Art Policy.

Presenter: Jesse Davis, Chief Planning Manager

PUBLIC COMMENT: Vanessa Curl; Catrina Karpov-Kinrade; Stacey Sheldon

Motion/Second: T. Phi/A. deGrassi to approve the public artwork, as presented based on the Findings in Attachment 1 and the Conditions of Approval in Attachment 2.

Motion **carried** by the following Roll Call votes: **AYES:** T. Phi, A. deGrassi, and Chair M. Hilliker. **NOES:** R. Johnson **ABSENT:** None. **ABSTAIN:** None.

RECESS: 6:54 p.m.

RECONVENED: 7:03 p.m.

b. Receive Planning Commissioners Training from the City attorney's Office and Discuss and/or Ask Questions as Necessary.

Chair Hilliker leaves the meeting at 8:06 p.m.

City Attorney, David Rapport, asks the Commissioners if they would like to take a Recess. It is the consensus of the Planning Commissioners to take a Recess.

RECESS: 8:07 p.m.

RECONVENED: 8:17

Training Received.

14. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:01 p.m.

Stephanie Abba, Planning Commission Secretary



AGENDA SUMMARY REPORT

SUBJECT: Receive Community Development Director's Report

DEPARTMENT: Community
Development

PREPARED BY: Craig Schlatter, Community Development Director

PRESENTER: Craig Schlatter, Community Development
Director

ATTACHMENTS:

1. Planning Division Projects Report - 11-1-23

Summary: Planning Commission will receive the Community Development Director's report.

Background: Director's Reports are bi-monthly oral reports given by the Community Development Director on the status of projects of the Planning Division of the Community Development Department. Updates may include, but are not limited to, application status of major and minor discretionary permits, the implementation status of advanced planning and related 2040 General Plan programs and projects, and updates related to the activities of other divisions of the Department.

Discussion: This report is expected to provide updates in the following areas:

- November 2023 Planning Division Projects Report (Attachment 1).
 - This is a monthly report produced on the first of each month. The November 2023 report and previous monthly reports are located on the Planning Division Services webpage, under "Current Planning Reports": <https://cityofukiah.com/communitydevelopment/planning-services/>

Recommended Action: Receive Community Development Director's Report.



**City of Ukiah
Submitted Planning Applications**

As of 11/1/2023

Permit #	Site Address	Date of Submittal/ Resubmittal	Summary of Project	Status
n/a	Western Hills-Ukiah	n/a	Western Hills Annexation Area Amendment to include an additional 40-ac parcel (APN 003-190-11), rezoning and approval of an Addendum to the previously approved Initial Study/Mitigated Negative Declaration	Planning Commission hearing for recommendation to City Council: 11/8/23
23-8950	414 E. Perkins St.	10/12/23	Site Development Permit for remodel of existing building for operation of Redwood Credit Union bank facility within the Urban Center (UC) zoning district of the Downtown Zoning Code	Incomplete 10/25/23
23-8972	441 N State St.	10/19/23	Major Use Permit for addition of outdoor cannabis consumption lounge at existing Vibe dispensary within the Community Commercial (C1) zoning district	Project referred to departments and agencies 11/1/23
23-8991	108 N. School St.	10/26/23	Major Use Permit for operation of a second hand vintage clothing store within the Urban Center (UC) zoning district of the Downtown Zoning Code	Project referred to departments and agencies 11/1/23
22-7956	162 Talmage Rd.	6/28/23 10/10/23	Major Site Development Permit for the Splash Express Car Wash (formerly dBA LUV Car Wash) facility. Includes demolition of the existing structures and redevelopment of a new car wash facility, located within the Heavy Commercial (C2) zoning district.	LUV Car wash approved by Planning Commission on 6/28/23; Project modified and resubmitted by applicant for 10/18/23 City Council appeal hearing; Council determined that resubmitted project requires Planning Commission review. Planning Commission hearing 12/13/23 (tentative), pending incomplete items
17-3069	1294 N. State St.	9/13/17; 9/14/21; 9/28/22; 5/12/23; 7/11/23	Resubmitted Major Use Permit and Site Development Permit to allow for construction of two retail suites (including one drive-through), located in the C-1 (Community Commercial) zoning district.	Incomplete 6/2/22; 9/29/22; 5/27/23; Design Review Board Meeting: TBD; Awaiting response from Applicant.

**City of Ukiah
Recently (Within Previous 90 Days) Approved Projects**

As of 11/1/2023

Permit #	Site Address	Approval Date	Summary of Project	Comments
23-8753	104 Echo Way	10/19/23	104 Echo Way Minor Subdivision Modification	Approved by City Engineer on 10/19/23
23-8774	1104 S. State St.	10/11/23	Green Advt 101/Cookies Renewal of existing cannabis Major Use Permit within the Heavy Commercial (C2) zoning district	Approved by Zoning Administrator on 10/11/23
N/A	600 Live Oak Ave.	10/11/23	Todd Grove Public Art Mural Permit within the Public Facilities (PF) zoning district	Approved by Planning Commission on 10/11/23
23-8481	1076 Cunningham Rd.	9/27/23	Major Use Permit to include outdoor consumption lounge at the existing Heritage Mendocino cannabis dispensary within the Industrial (I) zoning district	Approved by Planning Commission on 9/27/23
23-8069	218 Mason St.	9/13/23	Minor Use Permit for conversion of use from commercial to mixed-use within the Community Commercial (C1) zoning district.	Approved by the Zoning Administrator on 9/13/23
22-7977	101 S. Main St.	9/29/23	Major Site Development Permit for construction of a new Redwood Credit Union bank facility, located within the Urban Center (UC) zoning district.	Planning Commission denied the Project on 6/14/23; Appeal from applicant approved by City Council on 9/29/23
A_2021-01	Citywide	9/11/2023	Annexation of City-Owned Parcels.	Application approved by LAFCo on 09/11/23.

**City of Ukiah
Advanced Planning Projects**

As of 11/1/2023

Permit #	Site Address	Approved Date	Summary of Project	Comments
N/A	Citywide	N/A	Ordinance Amendment for modifications to Objective Design and Development Standards for New Residential Construction (UCC 9055)	First Reading by City Council on 10/4/23; Second Reading and Adoption by City Council on 10/18/23. Ordinance effective 11/17/23.
N/A	Citywide	N/A	Ordinance Amendment for modifications to UCC 3016 for Demolition Permit procedures	Working with Rincon Consultants, Inc. to update/streamline Demolition Permit procedures. Funded by Local Early Action Planning (LEAP) Grant. Anticipate brining proposed amendments forward Fall/Winter 2023.
N/A	Citywide	N/A	2040 General Plan Implementation Programs	Climate Action Plan, Right-to-Farm Ordinance, Update to Demo Permit Procedures in-process
A_2022-02	Unincorporated Western Hills	N/A	Amendment of the Western Hills Annexation Area - Annexation Application.	Annexation application submitted to LAFCo: 6/8/22. Incomplete letter from LAFCo received 6/29/22. Planning Commission hearing for recommendation to City Council: 11/8/23
N/A	Citywide	N/A	Ordinance Amendment for modifications to Lot Line Adjustment Requirements.	Proposed amendments planned Winter 2023.



DATE: October 31, 2023
TO: Planning Commission
FROM: Michelle Irace, Planning Manager
SUBJECT: Recommendation to the City Council for Approval of an Amendment of the Western Hills Annexation Area, Rezoning, and Adoption of an Addendum to the Ukiah Western Hills Open Land Acquisition & Limited Development Project Initial Study/Mitigated Negative Declaration

SUMMARY

OWNER: City of Ukiah; various private property owners

APPLICANT: City of Ukiah

LOCATION: Several parcels located within unincorporated Mendocino County within the Ukiah Western Hills. See Table 1 below.

TOTAL ACREAGE: The Western Hills Annexation Area, as amended, comprises ±792 acres

GENERAL PLAN: Existing Mendocino County General Plan: Remote Residential, 40 Acre Minimum ("RMR40")

Proposed City of Ukiah General Plan: Hillside Residential ("HR") and Public ("P")

ZONING: Existing Mendocino County Zoning: Upland Residential, 40-acre minimum (UR:40)

Proposed City of Ukiah Zoning: Single-Family Residential-Hillside Overlay District (R1-H) and Public Facilities (PF)

AIRPORT COMPATIBILITY ZONE: Other Airport Environs ("OAE") area of the Ukiah Municipal Airport Land Use Compatibility Plan

ENVIRONMENTAL DETERMINATION: Addendum to Initial Study and Mitigated Negative Declaration No. 2021040428 (approved by City Council on September 15, 2021)

RECOMMENDATION: Make a recommendation to the City Council to approve the amendment to the Western Hills Annexation Area, rezoning, and Addendum. Findings are included in Attachment 1 and Conditions of Approval are included in Attachment 2.

BACKGROUND

Over the last several years, the City has been acquiring lands immediately adjacent to the western City limits, known as the “Western Hills” with the purpose of annexing such lands into the City limits for open space preservation, public purposes, wildfire protection, and limited orderly development potential. Specifically, the City is proposing to annex ±792 acres known as the “Western Hills Annexation Area”, as amended, which comprises both City-owned and privately-owned property (See Project Description Section below for more information). Below includes a summary of actions associated with the Western Hills Annexation Area to date.

- At the August 25, 2021, regular meeting, the Planning Commission considered approval of the Western Hills Open Land Acquisition and Limited Development Agreement Project (2021 Western Hills Project), associated rezoning and Initial Study and Mitigated Negative Declaration (ISMND; State Clearinghouse No. 2021040428), and recommended approval for these actions to the City Council. The 2021 Western Hills Project included acquisition and annexation of ±707 acres for open space, public purposes, and the potential for limited residential development.
- On September 15, 2021, the City Council introduced Ordinance No. 1217, approving the 2021 Western Hills Project, associated rezoning and ISMND via Ordinance No. 1217. The ISMND (referred to the “2021 MND” in this Staff Report) can be found online at: <https://cityofukiah.com/ceqa-review/>.
- On June 8, 2022, the City of Ukiah submitted an application for annexation to the Mendocino County Local Agency Formation Commission (LAFCo) for annexation of the 2021 Western Hills Project parcels, in accordance with the terms identified in the Development Agreement. In addition to the parcels identified as a part of the Western Hills Annexation Area, the application for annexation (LAFCo No. A-2022-02) included several privately-owned parcels (±44 acres total) located in between the 2021 Western Hills Project parcels and the County’s jurisdictional boundary, to inform the deliberate and appropriate boundaries and growth for the City of Ukiah. Some of these parcels also span both City and County jurisdiction and the City proposes to annex them to rectify this jurisdictional issue.
- On December 7, 2022, the City Council adopted Resolution No. 2022-78 and Resolution No. 79, adopting the City’s 2040 General Plan and certifying the associated Environmental Impact Report (EIR; SCH No. 2022050556). The 2040 General Plan and EIR identify the Western Hills Annexation Area as one of the three areas the City intends to pursue for annexation (see EIR Section 2.2.7). The 44 acres of privately owned parcels intended to rectify jurisdictional issues (“clean up parcels”) were included in the Western Hills Annexation Area within the General Plan and EIR. The General Plan and EIR can be found online at <https://ukiah2040.com/>.
- On December 19, 2022, LAFCo approved the City’s Ukiah Municipal Service Review (MSR) and Sphere of Influence (SOI) Update. The updated SOI includes the entire Western Hills Annexation Area identified within the General Plan (original 707 acres, in addition to the 44 acres of “clean up parcels”).
- An additional 40-acre parcel (APN 003-190-11) directly adjacent (south) to the Western Hills Project and City’s western City limit became available for purchase in 2023, and on May 3, 2023, the City Council approved the City seeking acquisition of the parcel for open space and access opportunities in connection with the Western Hills open space parcels. This parcel is proposed for inclusion in the Western Hills Annexation Area, as described below.

At this time, the Planning Commission is being asked to consider making a recommendation to the City Council to: 1) adopt the Addendum to the 2021 Western Hills Project Initial Study and Mitigated Negative Declaration (SCH No. 2021040428); and 2) to approve the amendment to the Western Hills Annexation Area, and proposed rezoning, as described below. If approved by Council, the City will amend its application of annexation to LAFCo for consideration.

PROJECT DESCRIPTION

Since approval of the 2021 Western Hills Project, 84 acres have been added to the Western Hills Annexation Area, as described below. The additional acreage, in combination with the other components summarized below, constitute the "Revised Project". Project Figures and Maps, including a location map and rezoning map are included in Attachment 3.

- Amending the Western Hills Annexation Area to include one 40-acre parcel, resulting in a total acreage of 792 acres (see Table 1 below for a list of parcels). 25 acres of the property would be owned by the City and maintained for open space and municipal purposes.
- 15 acres would be transferred to the private property owner (Hull) via a Purchase Agreement between the City and Hull would allow Hull to retain one +/- 15-acre parcel (via a Lot Line Adjustment) after annexation.
 - o Hull would be able to retain the right to create and develop three parcels with one single family home and one accessory dwelling unit (six total possible units), in accordance with Single-Family Residential-Hillside Overlay (R1-H) zoning regulations. The parcels would be created within the eastern portion of the existing 40-acre parcel, but the location of the potential residential units is not known at this time, as it does not include specific development designs or proposals, nor does it grant any entitlements for development.
 - o The Purchase Agreement will also specify the property owner's water rights, as well as utility and access easements. While the easement will allow for future trail opportunities, no such uses are proposed at this time.
- Rezoning the 15 acres associated with the Purchase Agreement as Single-Family Residential-Hillside Overlay (R1-H), and the remaining 25 acres (that would remain owned by the City) as Public Facilities (PF).
- Rezoning the 44-acres ("clean up parcels") to R1-H. The parcels were included in the General Plan and associated EIR, but have not been formally rezoned via City Council Resolution, as required by LAFCo. These parcels are proposed for R1-H rezoning for consistency with existing and adjacent development but would remain under private ownership and are not included in the Development Agreement (2021) or Purchase Agreement (2023).
- Amending the City's annexation application (LAFCo No. A-2022-02) to include the 40-acre parcel and other items noted as incomplete for submittal to LAFCo.

Please refer to the comprehensive Project Description in the Addendum to the approved 2021 MND prepared for the Revised Project, in accordance with the California Environmental Quality Act, for more information (Addendum is included in Attachment 4 and discussed more in the Environmental Documentation Section below).

Table 1, Western Hills Annexation Area Parcels (as revised)

Assessor Parcel No.	Property Owner	Situs Address	Size (acres)
2021 Western Hills Project Parcels (707 acres total)			
157-030-02	City of Ukiah	None assigned	20.00
157-030-03	City of Ukiah	None assigned	60.00
157-050-14	City of Ukiah	None assigned	20.17
157-050-15	City of Ukiah	None assigned	40.43
157-050-16	Dave Hull; D & J Investments, LLC.	None assigned	40.25
157-050-18	City of Ukiah	None assigned	60.00
157-070-05	City of Ukiah	None assigned	76.20
003-190-17	Dave Hull; D & J Investments, LLC.	None assigned	18.30
003-190-16	Dave Hull; D & J Investments, LLC.	None assigned	0.29
003-190-15	Dave Hull; D & J Investments, LLC.	None assigned	5.00
003-190-13	Dave Hull; D & J Investments, LLC.	None assigned	9.08
003-110-90	Adonis & Sarah Noguera	620 Redwood Ave.	4.14
003-190-09	Adonis & Sarah Noguera	620 Redwood Ave.	10.20
100-040-83	Dave Hull; D & J Investments, LLC.	None assigned	77.60
157-050-03	City of Ukiah	None assigned	60.05
157-050-13	City of Ukiah	None assigned	59.71
157-060-02	City of Ukiah	None assigned	18.66
157-060-03	City of Ukiah	None assigned	128.52
Privately-Owned Parcels (44 acres) Added to the Western Hills Annexation Area in the 2040 General Plan			
001-420-40	Robert R Beltrami	145 Mendocino Pl.	1.49
001-041-02	Grayden Huff	500 Lookout Dr.	1.33
001-041-03	Amanda Reiman	4 Lookout Dr.	0.66
001-041-04	Amanda Reiman	3 Lookout Dr.	0.48
001-041-05	Robert Werra	2 Lookout Dr.	1.13
001-041-06	Robert Werra	415 Hillview Ave.	0.74
001-041-07	Robert Werra	415 Hillview Ave.	0.38
001-040-81	William Edwards	335 Janix Dr.	2.40
001-041-01	Robert Werra	None assigned	35.50
Additional Parcel (40 acres) Proposed for Inclusion			
003-190-11	Dave Hull (25 acres to be owned by City)	None assigned	40
		TOTAL ACREAGE	792.71

SURROUNDING LAND USE & ZONING

The parcels are currently located outside of the City of Ukiah limits, within unincorporated Mendocino County, currently carry a Remote Residential, 40 Acre Minimum (“RMR40”) land use designation within the Ukiah Valley Area Plan (UVAP; 2011) and the existing zoning is Upland Residential, 40-acre minimum (“UR:40”). Lands to the north (with the exception of the northeastern-most boundary), west and south are largely undeveloped but contain some rural residential development within unincorporated Mendocino County. To the east, the Project is bounded by lands within the City of Ukiah developed with single family housing and zoned Single-Family Residential-Hillside Overlay District (R1-H). A summary of surrounding land uses and zoning designations is provided below in Table 2. Existing General Plan and Zoning Maps may be accessed online at: <https://cityofukiah.com/community-development/policies-documents-maps/>.

Table 2, Surrounding Zoning and Land Uses

	ZONING:	USE:
NORTH	County: Upland Residential, 40-acre minimum (UR:40) City: Single-Family Residential-Hillside Overlay District (R1-H)	Undeveloped/ Rural Residential Undeveloped
EAST	City: Single-Family Residential-Hillside Overlay District (R1-H)	Single-Family Residential
SOUTH	County: Upland Residential, 40-acre minimum (UR:40)	Undeveloped/ Rural Residential
WEST	County: Upland Residential, 40-acre minimum (UR:40)	Undeveloped/ Rural Residential

STAFF ANALYSIS

General Plan Consistency. Since approval of the original 2021 Western Hills Project and MND, the City adopted its 2040 General Plan (December, 2022). As a part of the General Plan, the Western Hills Annexation Area (including the 707 acres within the original project and MND, as well as the additional 44 acres of “clean up” parcels), the City’s Sphere of Influence (SOI) and Planning Area were also updated and analyzed. The updated (now existing) boundaries of the SOI include the 707 acres included in the original project, and Western Hills Annexation Area. The 40 acres proposed as a part of the Revised Project were not included in the amended SOI, nor the Western Hills Annexation Area identified in the General Plan and associated EIR. However, the 40 acres would be owned by the City at the time of annexation and is within the City’s updated Planning Area, consistent with the intent of Government Code Section 56742. Additionally,

The 2021 Western Hills Project was determined to be consistent with the City’s General plan (1995) and planned growth anticipated within it. Further, as noted above, annexation of this area was built into the City’s new (2040) General Plan. The proposed 40-acre parcel being included in the Western Hills Annexation Area would result in a more orderly, contiguous and less peninsular annexation area than the current configuration, which is supported by LAFCo policies.

The Revised Project is also consistent with General Plan Goals ENV-1, ENV-4, LU-6, LU-7, LU-8 and LU-9 (and Policies ENV 1.2, LU 6.1, 6.2, 6.3, 7.1, 7.2 and 8.1) which support annexation and orderly development of lands contiguous to the City limits, as well as open space

preservation, protection of hillsides and development of all housing types. See Findings in Attachment 1 for further detail.

Prezoning. Government Code Section 65859 allows the City to adopt a zoning district for land outside of the city limits in anticipation of annexation and development (i.e., prezone). Under the provisions of the Government Code, the zoning district adopted by the City does not become effective unless and until the land is annexed into the City. UCC §9267, *Prezoning*, states that the City may prezone unincorporated territory adjoining the City for the purpose of determining the zoning which will apply to such property in the event of subsequent annexation to the City. This section of the UCC states that the Planning Commission shall formulate a recommendation to the City Council, and the Council shall conduct a public hearing to consider the prezoning proposal, and shall render a decision accordingly.

The current County land use designation is Remote Residential, 40 Acre Minimum (“RMR-40”) and the existing County zoning designation is Upland Residential, 40-acre minimum (“UR-40”). These designations are intended to be applied to lands having constraints for commercial agriculture, timber production or grazing, and are well suited for small scale farming and low density agricultural and residential uses. Both the existing RMR-40 land use designation and UR-40 zoning designation allow for one dwelling unit (and one ADU) per 40 acres.

The 25 acres (of the 40-acre parcel) that would remain under City ownership for open space and municipal purposes would be prezoned as Public Facilities (PF), with a corresponding Public (P) General Plan land use designation. The P General Plan land use designation and PF zoning encompass lands within the City that are owned by the City and/or contain open space and parks, as well as other public facilities or municipal services. Because the portion that would ultimately owned by the City and intended for municipal purposes, the PF prezoning (and P General Plan land use designation) is appropriate.

The remaining 15 acres that would be transferred to the private property owner and could allow for limited residential development under a Purchase Agreement is proposed for Single-Family Residential-Hillside Overlay (R1-H) prezoning with a corresponding Hillside Residential (HR) General Plan (2040) land use designation. The Hillside Residential (HR) land use designation replaces previous (1995 General Plan) Rural Residential designation in areas in the hillsides west of Highland Avenue and Park Boulevard, with a maximum allowable density of one dwelling unit per gross acre. The intent of this designation is to allow for single-family residential at a lower density to align with the goal of reducing development in designated High Fire Hazard Areas. The Hillside Overlay District (-H or R1-H) is intended to encourage planning, design, and development while preserving natural physical features and minimizing potential safety, water runoff and soil erosion concerns associated with the natural terrain.

The Purchase Agreement associated with the Revised Project would allow creation of three development parcels (in accordance with R1-H standards and the Subdivision Map Act) within the 15 easternmost acres of the 40-acre parcel and would further restrict development to one single family dwelling per parcel and one ADU (except for in cases where the slope exceeds 50 percent, per the City’s Hillside Overlay Ordinance). All development within the R1-H district requires discretionary review (Planning Commission approval) and would be subject to all R1-H development regulations (including slope, density, setbacks, height, fire safety and water requirements, access requirements, etc.) contained within the Hillside Overlay District. Development within the Hillside Overlay District also includes submittal of the following: soil and geological reports, subsurface investigations, grading plans, vegetation reports, grading plans, hydrology reports, and structure elevations. Each home would require approval of a Use Permit

and/or Site Development Permit by the Planning Commission as well as a Building Permit, which includes additional review and approval by County and City departments.

The privately-owned ±44 acres (“clean up parcels”) that are included in the Western Hills Annexation Area are proposed for R1-H zoning. The existing zoning is Upland Residential, 40-acre minimum (“UR:40”). However, all of the parcels are currently existing nonconforming to the 40-acre requirement, as the median size of these parcels is 0.94 acres due to them being unincorporated remnants of lots already developed within the City along Lookout Drive. Because the parcels are developed with single-family residences (or associated with developed residences) within the Western Hills area and surrounded by other R1-H properties, the proposed Hillside Residential land use designation and R1-H zoning designations are appropriate for these parcels.

Conclusion. For the reasons discussed above, the Project would be consistent with the City's General Plan, Zoning Code, the County's UVAP, as well as the Government Code and LAFCo policies related to annexation and rezoning. The Ukiah City Code does not identify specific findings required for annexation or rezoning, but Draft Findings supporting Staff's recommendation are included in Attachment 1. Draft Conditions of Approval can be found in Attachment 2.

ENVIRONMENTAL REVIEW

Pursuant to Section 15164 of the CEQA Guidelines, an Addendum to an adopted MND may be prepared by a lead agency or a responsible agency if minor changes or additions are necessary and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or subsequent MND have occurred.

In this instance, an Addendum to the 2021 Western Hills Project ISMND (SCH No: 2021040428) has been prepared. The 2021 MND analyzed the acquisition, annexation, rezoning and development potential (up to 14 residential units) associated with the 2021 Western Hills Project. The 2021 MND was approved by City Council on September 15, 2021 and can be accessed online at: <https://cityofukiah.com/ukiah-western-hills-open-land-acquisition-limited-development-agreement-project/>.

The Western Hills Annexation Area was identified as “Annexation Area C” within the City's 2040 General Plan and associated EIR, and included the original 707 acres associated with the 2021 Western Hills Project, as well as the 44 acres of “clean up” parcels added after approval of the 2021 Western Hills Project. The EIR analyzed annexation of this area, as well as the associated rezoning, and adoption of the new Sphere of Influence and Planning Area. Because the addition of the 44 acres was analyzed within the EIR and no change to those parcels are proposed as a part of the Revised Project, further analysis of these parcels is not required, and not included within the Addendum. However, the EIR is referenced in certain sections of the Addendum, as appropriate. The EIR can be accessed online at: <https://ukiah2040.com/documents.html>.

The Addendum (Draft) is included in Attachment 4 and includes a discussion of impacts identified in the 2021 MND, as well as a discussion of impacts associated with the Revised Project. A summary of the analysis and findings contained within the Addendum is included below.

Summary of Impacts Disclosed in 2021 MND. Project components including the acquisition, annexation, and rezoning of parcels, in addition to the Lot Line Adjustments, would not directly result in physical impacts to the physical environment. However, infrastructure improvements and the potential construction of up to seven single-family homes and seven associated ADUs, for a total of 14 units within the easternmost 54 acres of the Project area, could occur under the

Development Agreement. Hull Properties is choosing to require the single-family homes to be constructed to R1-H standards by including them in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for Development Parcels 1-3. In addition, although not required, the mitigation measures contained within the ISMND for residential development will also be included in the CC&Rs. Development Parcels 1-3 will still be included in the application for annexation and rezoned to R1-H. Although residential development is not proposed at this time and the 2021 Western Hills Project would not grant any entitlements, this analysis assumes that the development will occur on all Development Parcels, both under the County and City's jurisdiction. As described throughout the Initial Study, construction and ground disturbing activities associated with these components could result in direct significant impacts to Air Quality, Biological Resources, Cultural /Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Utilities and Service Systems, and Wildfire. However, mitigation measures identified within the aforementioned sections would reduce impacts to less than significant with mitigation incorporated.

Cumulative impacts are generally considered in analyses of Air Quality, Biological Resources, Cultural Resources, Noise, and Traffic. As discussed throughout the Initial Study, the 2021 Western Hills Project would have less than significant impacts on these resources with implementation of mitigation measures described therein. As discussed in Section 14, Population and Housing, as well as Section 11, Land Use and Planning, the potential development of up to 14 units would not induce substantial unplanned population growth in an area, either directly or indirectly. Individual impacts from the 2021 Western Hills Project would not significantly contribute to cumulative impacts in the area as there are no known past projects nor current projects within the vicinity of the site. However, all future housing development would be analyzed on a project level basis for direct, indirect, and cumulative impacts, as necessary.

Summary of Impacts from Revised Project. Impacts associated with the Revised Project would be consistent, if not less than, those disclosed within the 2021 MND and within the 2040 General Plan EIR related to the Western Hills Annexation Area. Specifically, the 40-acres proposed for inclusion in the Western Hills Annexation Area contains similar terrain, vegetation and scenic quality as the parcels previously analyzed. While the Revised Project does not include road and/or utility improvements, which would result in less impacts described within the 2021 MND associated with groundwork, grading, and vegetation removal associated with those components, the Purchase Agreement would allow for potential development of up to six additional units within a 15-acre area, in accordance with the R1H zoning regulations. Similar to the analysis contained within the 2021 MND, the exact location of the potential development parcels and residential units is unknown at this time. However, all future development would be subject to discretionary and environmental review and be required to comply with City regulations for height, setbacks, and other development standards established to protect natural features and scenic resources within the Western Hills. The Revised Project would incorporate mitigation measures from the 2021 MND to reduce impacts to Air Quality, Biological Resources, Cultural/Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Wildfire. Consistent with the 2021 MND, all impacts, including cumulative impacts, associated with the Revised Project would be less than significant with mitigation incorporated.

CEQA Conclusion. Consistent with CEQA Guidelines 15164, the following discussion demonstrates that none of the conditions described in Section 15162 have occurred and that only minor changes are necessary in order to deem the certified MND adequate to describe the impacts of the project. Specifically, there are no substantial changes proposed that require major revisions of the 2021 MND due to the involvement of new significant environmental effects or a

substantial increase in the severity of previously identified significant effects. CEQA Guidelines Section 15164 also states that an Addendum need not be circulated for public review but can be included in or attached to the certified MND for consideration by the hearing body.

The following addresses each of the criteria contained in Section 15162 of the CEQA Guidelines in regard to the project.

- a) *No Substantial Project Changes.* The revisions to the analysis from the Revised Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects evaluated in the 2021 MND. The Revised Project is proposing to include additional properties immediately adjacent to the original project within the Western Hills Annexation Area, resulting in the potential for six additional residential units, compared to the 14 potential units analyzed within the Western Hills 2021 MND. As discussed throughout the Addendum, impacts from the Revised Project are equal to, or less than, those described for the original project. The Revised Project will incorporate mitigation identified in the 2021 MND to reduce all impacts to a less than significant level. No new impacts that were not previously discussed in the 2021 MND have been identified.
- b) *No Substantial Change in Circumstances.* No changes have occurred as a result of the Revised Project which require major revisions of the 2021 MND. The Revised Project would not result in any new significant environmental impacts or substantial increase in the severity of previously identified significant impacts (refer to the Environmental Analysis section for details regarding the impacts associated with the Revised Project).
- c) *No New Information of Substantial Importance.* Although some circumstances surrounding the Revised Project have changed from those described in the 2021 MND, the analysis for the Revised Project demonstrates that the changes are not substantially different from those described in the 2021 MND. Additionally, there is no information available that indicates that the Revised Project would result in a substantial increase in the severity of previously identified impacts.

NOTICE

Public notice was provided in the following manner, consistent with Ukiah City Code (UCC) §9267 and California Environmental Quality Act (CEQA) Guidelines Section 15164:

- Provided to property owners within 300 feet of the project parcels on October 26, 2023;
- Published in the Ukiah Daily Journal on October 28, 2023;
- Posted on the Project site on October 26, 2023; and
- Posted at the Civic Center (glass case) 72 hours prior to the public hearing.

RECOMMENDATION

The Ukiah City Code places the authority for adoption of the Addendum, and approval of the Revised Project (acquisition, annexation and rezoning) with the City Council. The Planning Commission has the authority to consider the aforementioned and make recommendations to the City Council. The City Council will also consider Adoption of a Resolution of Application to LAFCo, as formal annexation of the parcels for inclusion in the City limits requires approval by LAFCo.

As such, Staff recommends Planning Commission:

1. Conduct a public hearing;
2. Make a recommendation to the City Council to adopt the Addendum to the 2021 Western Hills Project Initial Study and Mitigated Negative Declaration (SCH No. 2021040428);

3. Make a recommendation to City Council to approve the amendment to the Western Hills Annexation Area and proposed rezoning.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Project Figures and Maps
4. Draft Addendum to 2021 Western Hills Project Initial Study and Mitigation Negative Declaration (SCH No. 2021040428)

**DRAFT FINDINGS TO APPROVE THE WESTERN HILLS ANNEXATION AREA
AMENDMENT, PREZONING, AND TO ADOPT AN ADDENDUM TO THE INITIAL
STUDY/MITIGATED NEGATIVE DECLARATION APPROVED FOR THE UKIAH WESTERN
HILLS OPEN LAND ACQUISITION & LIMITED DEVELOPMENT AGREEMENT PROJECT**

The Community Development Department's recommendation for approval of an amendment to the Western Hills Annexation Area (now totaling +/-792 acres), prezoning, and adoption of an Addendum to the previously approved Initial Study/Mitigated Negative Declaration (SCH No. 2021040428), is based in part on the following findings, in accordance with UCC §9267, as well as Section 65895 of the Government Code, and CEQA Guidelines Sections 15162-15164.

1. On September 15, 2021, the City Council introduced Ordinance No. 1217, approving the 2021 Western Hills Project, which included acquisition and annexation of 707 acres and a Development Agreement for limited residential opportunities on 54 of the 707 acres, associated prezoning, and an ISMND via Ordinance No. 1217. The ISMND (referred to the "2021 MND" in this Staff Report) can be found online at: <https://cityofukiah.com/ceqa-review/>.
2. On December 7, 2022, the City Council adopted Resolution No. 2022-78 and Resolution No. 79, adopting the City's 2040 General Plan and certifying the associated Environmental Impact Report (EIR; SCH No. 2022050556). The 2040 General Plan and EIR identify the Western Hills Annexation Area as one of the three areas the City intends to pursue for annexation (see EIR Section 2.2.7). The 44 acres of privately owned parcels intended to rectify jurisdictional issues ("clean up parcels") were included in the Western Hills Annexation Area within the General Plan and EIR. The General Plan and EIR can be found online at <https://ukiah2040.com/>.
3. On June 8, 2022, the City of Ukiah submitted an application for annexation to the Mendocino County Local Agency Formation Commission (LAFCo) for annexation of the 2021 Western Hills Project parcels (707 acres), in accordance with the terms identified in the Development Agreement. In addition to the parcels identified as a part of the Western Hills Annexation Area, the application for annexation (LAFCo No. A-2022-02) included several privately-owned parcels (±44 acres total) located in between the 2021 Western Hills Project parcels and the County's jurisdictional boundary, to inform the deliberate and appropriate boundaries and growth for the City of Ukiah. Some of these parcels also span both City and County jurisdiction and the City proposes to annex them to rectify this jurisdictional issue.
4. An additional 40-acre parcel (APN 003-190-11) directly adjacent (south) to the Western Hills Project and City's western City limit became available for purchase in 2023, and on May 3, 2023, the City Council approved the City seeking acquisition of the parcel for open space and access opportunities in connection with the Western Hills open space parcels. The additional acreage, in combination with the other components summarized below, constitute the "Revised Project". The 40 acres were not included in the amended SOI nor the Western Hills Annexation Area identified in the General Plan and associated EIR. However, the 40 acres would be owned by the City at the time of annexation and is within the City's updated Planning Area, consistent with the intent of Government Code Section 56742. The proposed parcels for annexation would also be contiguous to existing City of Ukiah city limits and the existing Western Hills Annexation Area, and result in a more orderly, contiguous and less peninsular

Findings
Western Hills Annexation Area Amendment

annexation area than the current configuration, in accordance with LAFCo policies and the Government Code Section 65895.

5. In accordance with LAFCo-adopted procedures, and as required under the Development Agreement (2021) and Purchase Agreement (2023) associated with the Western Hills Project (as revised), the City will amend its annexation application (LAFCo No. A-2022-02) that was submitted on June 8, 2022.
6. The Revised Project (2023) includes: Amending the Western Hills Annexation Area to include one 40-acre parcel (APN 003-190-11), resulting in a total acreage of 792 acres; 25 acres of the property would be owned by the City and maintained for open space and municipal purposes and 15 acres would be transferred to the private property owner (Hull) via a Purchase Agreement between the City and Hull for limited residential development potential.
7. As further described in the Staff Report and Draft Addendum, the Revised Project would be consistent with the City's General Plan, Zoning Code, the County's Ukiah Valley Area Plan, as well as the Government Code and LAFCo policies related to annexation and rezoning. The 2021 Western Hills Project was determined to be consistent with the General Plan (1995) and zoning code at the time of approval. Further, as described in the Staff Report, annexation of this area was built into the City's new (2040) General Plan. The proposed 40-acre parcel being included in the Western Hills Annexation Area would result in a more orderly, contiguous and less peninsular annexation area than the current configuration, which is supported by LAFCo policies.
8. The Revised Project is also consistent with General Plan (2040) Goals ENV-1, ENV-4, LU-6, LU-7, LU-8 and LU-9 (and Policies ENV 1.2, LU 6.1, 6.2, 6.3, 7.1, 7.2 and 8.1) which support annexation and orderly development of lands contiguous to the City limits, as well as open space preservation, protection of hillsides and development of all housing types.
9. In accordance with UCC Section §9267, Rezoning, the City may rezone unincorporated territory adjoining the City for the purpose of determining the zoning which will apply to such property in the event of subsequent annexation to the City. Rezoning does not become effective until after successful approval of the annexation application by LAFCo.
10. The agreements (2021 Development Agreement and 2023 Purchase Agreement) would allow low density residential development on approximately 69 acres of the 792 acres included in the Western Hills Annexation Area. However, the agreements would restrict development to one single family dwelling per parcel and one ADU (except for in cases where the slope exceeds 50 percent, per the City's Hillside Overlay Ordinance). No development is proposed at this time and this approval does not grant any entitlements. All development would occur in accordance with R1-H zoning, which requires discretionary review (Planning Commission approval) and would be subject to all development regulations (including slope, density, setbacks, height, fire safety and water requirements, access requirements, etc.) contained within the Hillside (-H) Overlay District.
11. Pursuant to Section 15164 of the CEQA Guidelines, an Addendum to the 2021 Western Hills Project ISMND (SCH No: 2021040428) has been prepared by the City of Ukiah Planning Division. Consistent with CEQA Guidelines 15164, none of the conditions described in Section 15162 have occurred and only minor changes are necessary in order to deem the certified MND adequate to describe the impacts of the project. Specifically, the revisions to the analysis from the Revised Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects evaluated in the 2021 MND. The Revised Project is proposing to include additional properties immediately

adjacent to the original project within the Western Hills Annexation Area, resulting in the potential for six additional residential units, compared to the 14 potential units analyzed within the Western Hills 2021 MND. As discussed throughout the Addendum, impacts from the Revised Project are equal to, or less than, those described for the original project. The Revised Project would incorporate mitigation measures from the 2021 MND to reduce impacts to Air Quality, Biological Resources, Cultural/Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Wildfire. Consistent with the 2021 MND, all impacts, including cumulative impacts, associated with the Revised Project would be less than significant with mitigation incorporated. No new impacts that were not previously discussed in the 2021 MND have been identified. There are no substantial changes proposed that require major revisions of the 2021 MND due to the involvement of new substantial information, identified significant environmental effects, or a substantial increase in the severity of previously identified significant effects. As such, preparation of an Addendum is appropriate.

12. CEQA Guidelines Section 15164 states that an Addendum need not be circulated for public review but can be included in or attached to the certified MND for consideration by the hearing body.
13. Public notice was provided in the following manner, consistent with Ukiah City Code (UCC) §9267 and California Environmental Quality Act (CEQA) Guidelines Section 15164:
 - Provided to property owners within 300 feet of the project parcels on October 26, 2023;
 - Published in the Ukiah Daily Journal on October 28, 2023;
 - Posted on the Project site on October 26, 2023; and
 - Posted at the Civic Center (glass case) 72 hours prior to the public hearing.

**DRAFT CONDITIONS OF APPROVAL FOR THE WESTERN HILLS ANNEXATION AREA
AMENDMENT, PREZONING, AND TO ADOPT AN ADDENDUM TO THE INITIAL
STUDY/MITIGATED NEGATIVE DECLARATION APPROVED FOR THE UKIAH WESTERN
HILLS OPEN LAND ACQUISITION & LIMITED DEVELOPMENT AGREEMENT PROJECT**

The following Conditions of Approval shall be made a permanent part of the approvals associated with the Western Hills Annexation Area (now totaling 792 acres), associated with the Ukiah Western Hills Open Land Acquisition & Limited development Project. All original Conditions of Approval remain in effect, as applicable.

City of Ukiah Special Conditions

1. In accordance with LAFCo-adopted procedures, and as required under the Development Agreement, the City will submit a revised annexation application to the Mendocino County Local Agency Formation (LAFCo), after it acquires title to the Annexation Parcels, and upon City Council approval of the project.
2. An application for annexation and rezoning shall be approved by the Mendocino County Local Agency Formation Commission (LAFCo) prior to the rezoning becoming effective. Rezoning will also require a General Plan Map Amendment and Zoning Map Amendment, upon approval of the annexation application.
3. Upon approval of the annexation application, a copy of the final Lot Line Adjustment shall be provided to the City Engineer for final review before recordation. The final map shall conform to the Subdivision Map Act and Division 9, Chapter 1 of the Ukiah Municipal Code, as applicable. A copy of the recorded Lot Line Adjustment shall be submitted to the Community Development Department prior to submittal of a Use Permit for single family housing within the Development Parcels located within the City's jurisdiction.
4. In accordance with the terms described in the Development Agreement, Hull shall have the option to withdraw the Hull Development Parcels from the City's annexation application, if LAFCo has failed to approve the annexation within one (1) year from the date the Executive Officer of LAFCo accepts the application as complete.
5. All mitigation measures within the 2021 Initial Study and Mitigated Negative Declaration prepared for the Project and the 2023 Addendum (SCH No. 2021040428) shall be applied to all future development described therein. The Mitigation Monitoring and Reporting Program is included in Attachment A.
6. This approval does not grant any entitlements. Future residential development of the Development Parcels shall be in accordance with the Hillside Overlay Zoning District regulations contained within UCC Sections 9135-9139. All future development shall require discretionary review and may require additional environmental review. Additional project-specific Conditions of Approval and CEQA analysis may be required upon review by City departments and applicable agencies.
7. Future development of the City-owned parcels shall comply with PF zoning regulations and may require additional dictionary review and analysis under CEQA.
8. All future development shall be in accordance with the terms described within the Purchase Agreement between the City and the private property owner (Hull; D & J Investments), and all easements shall be maintained.

City of Ukiah Standard Conditions

9. City Council approval is not effective until the 10-day appeal period applicable to the project has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
10. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.
11. Any construction shall comply with the "Standard Specifications" for such type of construction now existing or which may hereafter be promulgated by the Engineering Department of the City of Ukiah; except where higher standards are imposed by law, rule, or regulation or by action of the Planning Commission such standards shall be met.
12. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.

Department of Public Works

13. Future residential development and site improvements shall be reviewed by the Department of Public Works to identify site-specific requirements.
14. Construction projects that would disturb more than one acre of land, would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs to be implemented to reduce the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff.
15. Applicable City water and sewer connection fees shall be paid at the time of building permit issuance.
16. All work within the public right-of-way shall be performed by a licensed and properly insured contractor. The contractor shall obtain an encroachment permit for work within this area or otherwise affecting this area. Encroachment permit fee shall be \$45 plus 3% of estimated construction costs.

Electric Utility Department

17. Utility easements shall be maintained and any modifications shall be submitted to the COUEUD for approval.
18. Upon individual parcel development, additional easements may be required to provide electric service.
19. Future site improvements shall be submitted to the Electric Utility Department for review and comment. Construction requirements and associated developer costs will be determined to provide electric service.
20. Developer shall incur all costs of project, to include labor, materials, and equipment.

Building Division

21. All development is required to submit plans and building permit application. Please submit four complete plan sets, two wet stamped and signed. All Conditions of Approval shall be printed on the first page of the Building Plans.
22. The design and construction of all site alterations shall comply with the current California Building Code, Plumbing Code, Electrical Code, California Mechanical Code, California Fire Code, California Energy Code, Title 24 California Energy Efficiency Standards, California Green Building Standards Code and City of Ukiah Ordinances and Amendments.

Ukiah Valley Fire Authority

23. All access improvements, roadways and residential development shall be reviewed by the Fire Marshall and adhere to all current local, state and federal fire regulations relating to access and safety, including but not limited to: California Building Code, Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure, including Wildland Urban Interface regulations); California Residential Code, Section R337 (Materials and Construction Methods for Exterior Wildlife Exposure); California Referenced Standards Code, Chapter 12-7A (Fire Resistive Standards); California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3 (Fire Hazard Reduction Around Buildings and Structures); and California Government Code, Section 51182 (Very High Fire Hazard Severity Zones).

In addition, Public Resources Code Sections 4290 and 4291 contain additional requirements for lands within Very High Fire Severity Zones. These include the following in order to provide defensible space and fire protection for new construction and ensure adequate emergency access: increased property line setbacks for all applicable construction; on-site water storage for fire protection, driveway/roadway types and specifications based on designated usage; all weather driveway/roadway surfaces being engineered for 75,000lb vehicles; maximum slope of 16%; turnout requirements; gate requirements and setbacks, parking standards, fuels reduction regulations, etc.

**UKIAH WESTERN HILLS OPEN LAND & LIMITED DEVELOPMENT AGREEMENT PROJECT
MITIGATION MONITORING REPORTING PROGRAM**

Potential Impact	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
Construction and ground disturbing activities could result in short-term impacts to air quality.	AQ-1: Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles: - Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District. - Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District. - Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate. - Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.	Developer	Developer	During construction and ground disturbing activities	
	AQ-2: Grading Projects- During Construction- All grading activities must comply with the following fugitive dust mitigation measures in accordance with District Regulation 1, Rule 1-430: All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.	Developer	Developer	During construction and ground disturbing activities	

	2. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 mph. 3. Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed. 4. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise airborne dusts. 5. All earthmoving activities shall cease when sustained winds exceed 15 mph. 6. The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours. 7. The operator shall keep a daily log of activities to control fugitive dust. 8. For projects greater than one acre or one mile of road not located within a Naturally Occurring Asbestos Area, prior to starting any construction the applicant is required to: 1. Submit a Large Area Grading permit application to the District. 2. Obtain a final determination from the Air Quality Management District as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to Naturally Occurring Asbestos. 3. Obtain written verification from the District stating that the project is in compliance with State and Local regulations relating to Naturally Occurring Asbestos. 4. If the project is located within a Naturally Occurring Asbestos Area, additional mitigations shall be required.				
	AQ-3: Property Development-Prior to starting any construction, the applicant is required to: a. Obtain a Property Development Permit from the District for any open outdoor burning.	Developer	Developer	Prior to construction	

	b. Obtain a Grading Permit, if applicable. c. Confirm whether the project is in a Naturally Occurring Asbestos Area, and follow additional MCAQMD recommendations, if applicable. d. Consider alternate means of disposal other than open burning, such as cutting the majority of the larger material up as firewood, and chipping smaller material, if feasible to mitigate impacts from open outdoor burning. e. Obtain written verification from the MCAQMD stating that the project is in compliance with State and Local regulations.				
Biological Resources					
Construction and ground disturbing activities could result in impacts to sensitive plant species and sensitive woodland tree habitat	BIO-1: Sensitive Trees. If trees are proposed for removal, preconstruction surveys shall be conducted by a qualified biologist to identify Oregon white oak forest and woodland, as well as California bay forest and woodland habitat; removal of sensitive habitat shall be conducted in accordance with California Department of Fish and Wildlife (CDFW) regulations.	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction and ground disturbing activities could impact Red-belly newt, and other special status amphibians and their habitat	BIO-2: Sensitive Amphibian Species. A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of Red-belly newt, or other sensitive amphibian species, and identify additional avoidance measures, if needed. A qualified biologist shall be on-site for any dewatering event to address the potential for the presence of sensitive amphibian species such as foothill yellow-legged frog (<i>Rana boylei</i>).	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction, vegetation removal, and	BIO-3: Nesting Birds. Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities occurring between March	Qualified Biologist	Developer	Prior to vegetation removal or	

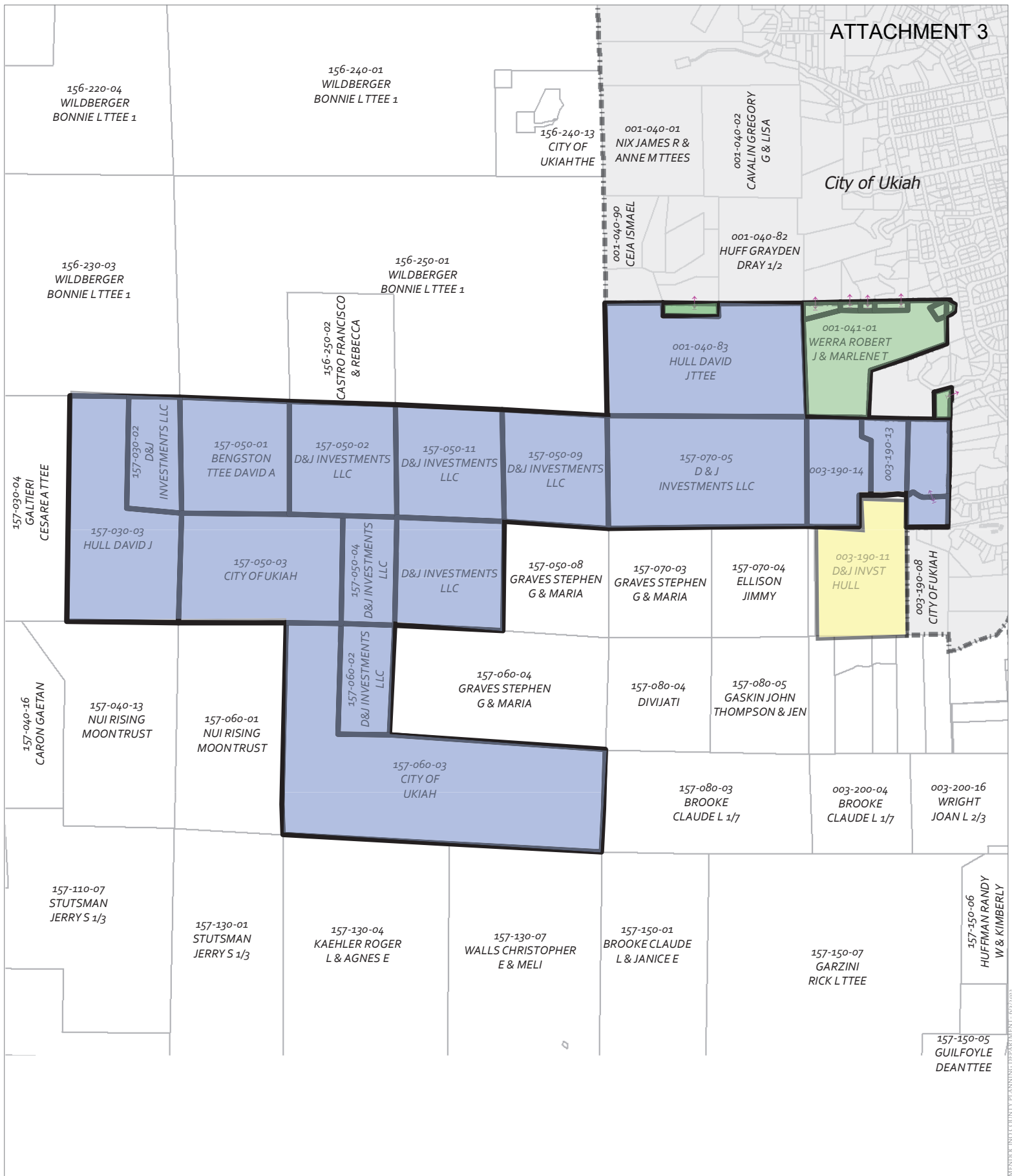
ground disturbing activities could impact nesting birds and their habitat	1 and August 31 of any year. All active bird nests shall not be removed, relocated, or otherwise disturbed for any purpose until all fledglings have left the nest.			ground disturbing activities between March 1 and August 31	
Construction and ground disturbing activities could impact special-status insects and their habitat	BIO-4: Special-Status Insects. A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of special-status insect species and identify additional avoidance measures if needed. If a special-status insect nests are observed, active nests shall not be removed, relocated, or otherwise disturbed until the nest becomes inactive.	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction and ground disturbing activities could impact special-status mammals and their habitat	BIO-5: Special-Status Mammals. Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities. If evidence of bat roosts is observed (i.e. bat guano, ammonia odor, grease stained cavities) around trees or structures, pre-construction bat surveys shall be conducted by a qualified biologist for activities that may affect bat roosting habitat and den sites.	Qualified Biologist	Developer	Prior to ground disturbing activities	
Cultural Resources and Tribal Cultural Resources					
Ground disturbing activities have the potential for accidental discovery of unknown, undiscovered cultural resources and tribal cultural resources	CUL-1: Unanticipated Discovery. If previously unidentified cultural, historic, paleontologic or archeologic resources are encountered during project implementation, altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. A qualified professional archaeologist shall be contacted to evaluate the resource and methods necessary to protect it. Project personnel shall not collect, move, or disturb cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points,	Qualified archaeologist	Developer	During ground disturbing activities	

	mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.				
Ground disturbing activities have the potential for accidental discovery of unknown Native American remains	CUL-2: Encountering Native American Remains. If human remains are encountered during ground disturbing activities, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains will be provided.	Qualified archaeologist	Developer	During ground disturbing activities	
Geology and Soils					
Ground disturbing activities could result in impacts associated with erosion, the loss of topsoil and landslides if not properly designed	Incorporation of Mitigation Measure CUL-1	Qualified archaeologist	Developer	During ground disturbing activities	
	GEO-1: The Project shall comply with the erosion and design standards outlined in Chapter 7 of the Ukiah City Code. Prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval. Said plans shall protect against soil erosion and runoff through the implementation of appropriate Best Management Practices (BMPs). Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt	Developer	Developer	Prior to any ground disturbance and throughout construction activities; ongoing as needed to	

	fencing, etc. No silt, sediment or other materials shall be allowed to flow from the project area.			control erosion	
Hazards and Hazardous Materials					
Project construction could result in a hazard to the public or the environment if the incidental use of petroleum hydrocarbons (fuel, oil) in tools used during construction were to lead to accidental leaks or spills in or around the work area	HAZ-1: The developer shall establish and implement construction site management practices that will prevent toxic materials and other debris from entering the City's storm drainage and waterway systems, including: a) There shall be no storage of hazardous materials at the Project Site; b) The developer shall provide adequate materials management, including covering, securing, and segregating potentially toxic materials (grease, oils, fuel, solvents, etc.); and c) The developer shall maintain supplies on-hand to contain spills of oil and any other hazardous materials used on-site.	Developer	Developer	During construction	
Construction of the Project may involve the use of gasoline-powered tools and equipment potentially introducing new temporary sources of ignition that could increase fire risk.	HAZ-2: Should portable gasoline-powered equipment be used on site, the following firesafe precautions shall be taken: a) Spark arresters are required on all portable gasoline-powered equipment. b) Equipment shall be maintained in good working condition, with exhaust systems and spark arresters in proper working order and free of carbon buildup. c) Fuel the equipment in a safe place where spills can be contained and a fire extinguisher is nearby. Use the recommended gas/oil mixture and do not top off. Use a funnel or spout for pouring. Wipe off any spills. d) Do not refuel running or hot equipment. Dispense fuel at least 10 feet from sources of ignition.	Developer	Developer	During construction	

	e) Do not use equipment in areas of dry vegetation. Keep leaves and dry materials away from a hot muffler. f) No smoking or open flame allowed near gasoline-powered equipment.				
Hydrology and Water Quality					
Ground disturbing activities and construction of the project would result in impervious surfaces that could impact water quality	Implementation of Mitigation Measures GEO-1 and HAZ-1	Developer	Developer	Prior to and during construction; ongoing as needed to control erosion	
Noise					
Ground disturbing activities and construction of the project would result in temporary noise impacts	NOI-1: Prior to building permit or grading permit issuance, the developer shall comply with the following: a. Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices. b. Construction haul routes shall be designed to avoid or lessen impacts to noise-sensitive uses (e.g., residences, schools, convalescent homes), to the extent feasible. c. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. d. Per the City's Noise Ordinance, construction shall not take place outside of the hours of 7:00 a.m. to 7:00 p.m.	Developer	Developer	Prior to issuance of building or grading permits, and during construction	

Utilities and Service Systems					
City sewer, water and electric utilities would be extended to the area which could result in physical impacts to the environment	Implementation of BIO-1 through BIO-5 , and GEO-1 .	See BIO-1 through BIO-5 and GEO-1	See BIO-1 through BIO-5 and GEO-1	See BIO-1 through BIO-5 and GEO-1	
Wildfire					
Construction of the Project may involve the use of gasoline-powered equipment and machinery, potentially introducing new sources of ignition that could increase fire risk	Implementation of Mitigation Measure HAZ-2	Developer	Developer	During construction	



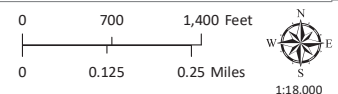
Ukiah Western Hills Annexation Area Map

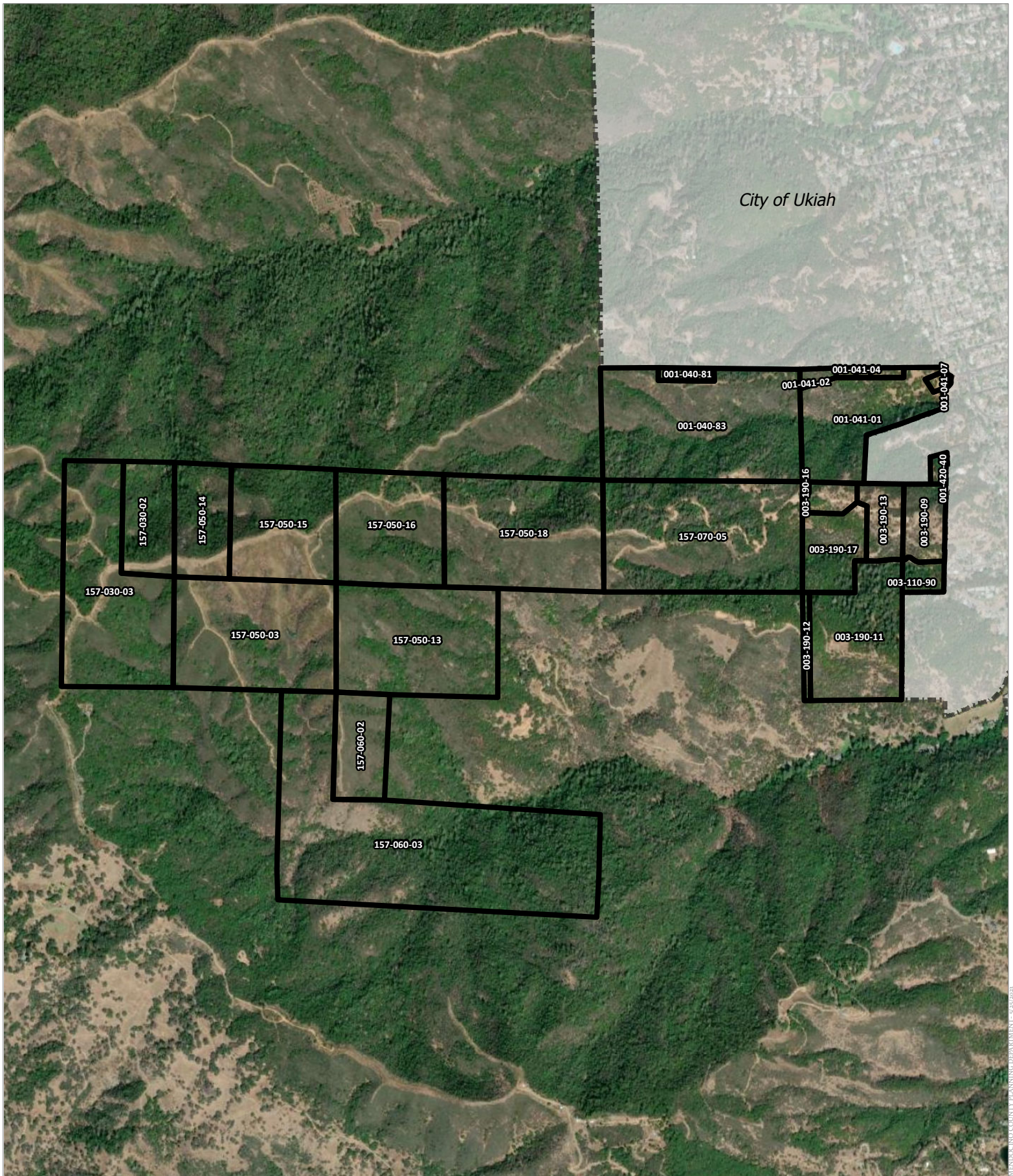
City Limits

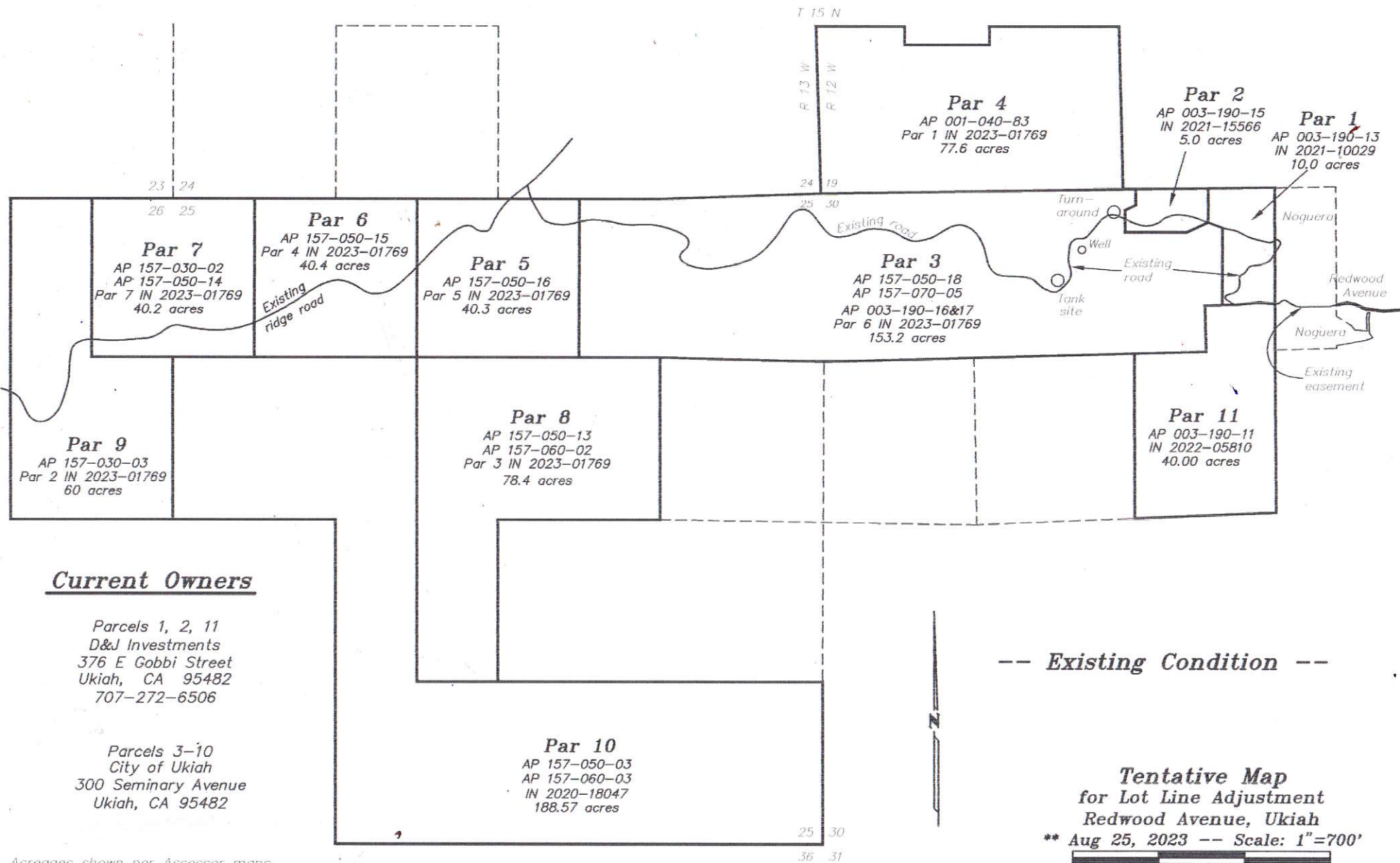
2021 Western Hills Annexation parcels

"Clean up parcels" added during City's General Plan Update

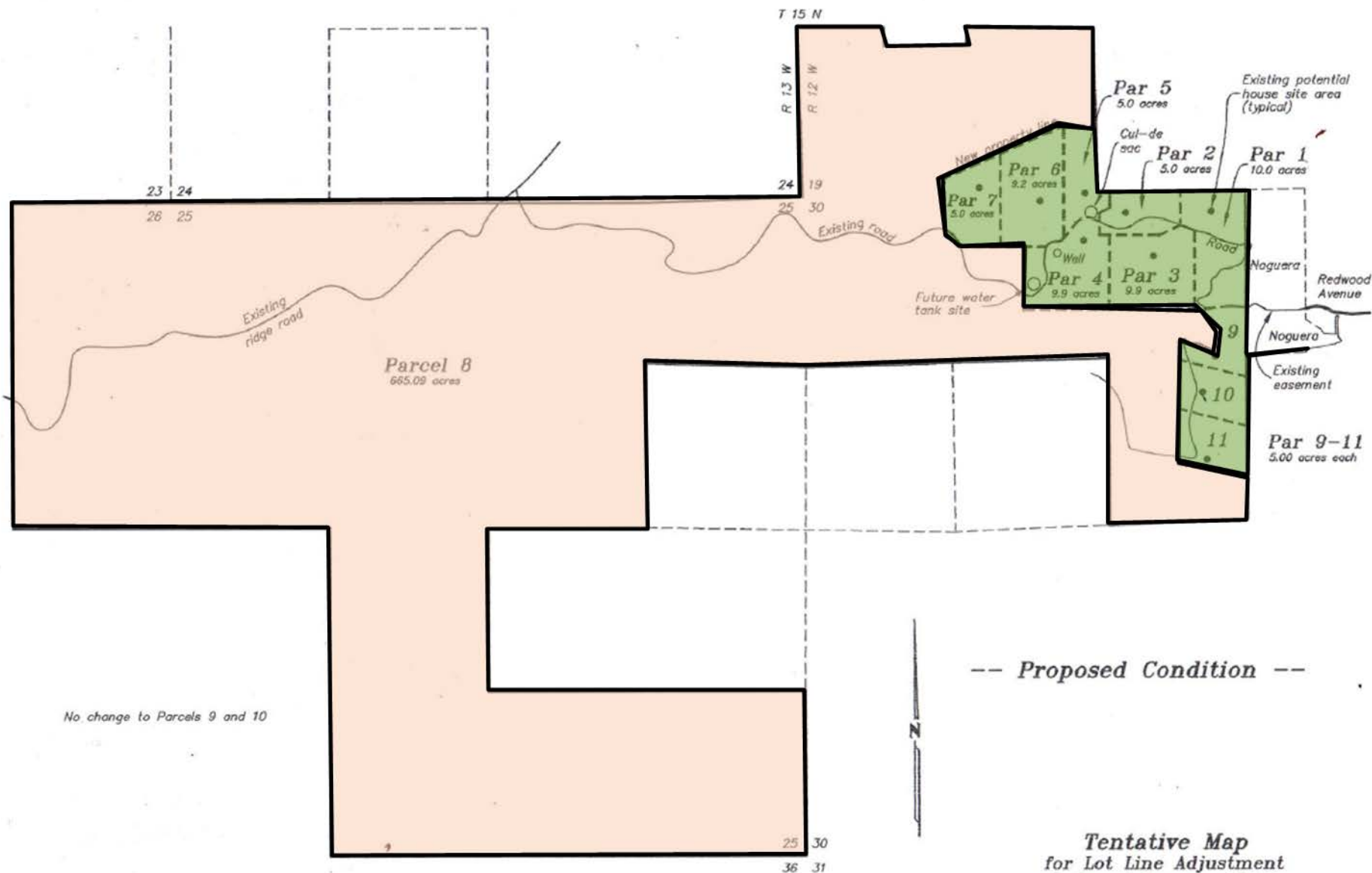
Additional parcel proposed for inclusion (Revised Project, 2023)







Acreages shown per Assessor maps



Proposed Prezoning Upon Successful Annexation

- Single-Family Residential-Hillside Overlay (R1-H)
- Public Facilities (PF)

Tentative Map
for Lot Line Adjustment
Redwood Avenue, Ukiah
**** Aug 25, 2023 -- Scale: 1"=700'**

**** updated AP numbers**
Added Parcel 11

CALIFORNIA ENVIRONMENTAL QUALITY ACT

**DRAFT ADDENDUM TO
INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION FOR
UKIAH WESTERN HILLS OPEN LAND ACQUISITION AND
LIMITED DEVELOPMENT AGREEMENT PROJECT**



Draft Prepared on October 31, 2023
Adopted by the Ukiah City Council on XXX
SCH No: 2021040428

Prepared by:

**City of Ukiah
Community Development Department
Planning Division
300 Seminary Avenue, Ukiah, CA 95482**

Table of Contents

I. INTRODUCTION	3
1. <i>Purpose of this Document</i>	3
2. <i>CEQA Requirements</i>	3
II. BACKGROUND	4
1. <i>Location</i>	4
2. <i>Background and Previous Approvals</i>	4
III. PROJECT DESCRIPTION	6
1. <i>Western Hills Project Description (2021)</i>	6
2. <i>Revised Project Description (2023)</i>	6
IV. EVALUATION OF ENVIRONMENTAL IMPACTS	9
1. <i>Environmental Setting</i>	9
2. <i>Previously Disclosed Impacts</i>	9
3. <i>Summary of Impacts</i>	10
A. <i>Aesthetics</i>	10
B. <i>Agriculture and Forestry Resources</i>	11
C. <i>Air Quality</i>	12
D. <i>Biological Resources</i>	13
E. <i>Cultural Resources</i>	15
F. <i>Energy</i>	16
G. <i>Geology and Soils</i>	17
H. <i>Greenhouse Gas Emissions</i>	18
I. <i>Hazards and Hazardous Materials</i>	19
J. <i>Hydrology and Water Quality</i>	21
K. <i>Land Use and Planning</i>	22
L. <i>Mineral Resources</i>	24
M. <i>Noise</i>	24
N. <i>Population and Housing</i>	25
O. <i>Public Services</i>	26
P. <i>Recreation</i>	26
Q. <i>Transportation</i>	27
R. <i>Tribal Cultural Resources</i>	28
S. <i>Utilities and Service Systems</i>	29
T. <i>Wildfire</i>	30
4. <i>Mandatory Findings of Significance</i>	31

ATTACHMENTS

- A. Western Hills Annexation Area Map and General Plan (2040) Land Use Map
- B. Existing Configuration of Parcels
- C. Proposed Configuration of Parcels and Rezoning Map
- D. Mitigation Monitoring Reporting Program
- E. 2021 MND Approval Documents and CEQA Notice of Determination

I. INTRODUCTION

1. Purpose of this Document

The purpose of this document is to formalize and analyze proposed changes to the previously approved (2021) Western Hills Annexation Area associated with the Ukiah Western Hills Open Land Acquisition and Limited Development Agreement Project (“2021 Western Hills Project”) and the Initial Study and Mitigated Negative Declaration (2021 MND), in compliance with the California Environmental Quality Act (CEQA).

2. CEQA Requirements

Pursuant to Section 15164 of the CEQA Guidelines, an Addendum to an adopted MND may be prepared by a lead agency or a responsible agency if minor changes or additions are necessary and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or subsequent MND have occurred. Consistent with CEQA Guidelines 15164, the following discussion demonstrates that none of the conditions described in Section 15162 have occurred and that only minor technical changes are necessary in order to deem the certified MND adequate to describe the impacts of the project. CEQA Guidelines Section 15164 also states that an Addendum need not be circulated for public review but can be included in or attached to the certified MND for consideration by the hearing body.

The following addresses each of the criteria contained in Section 15162 of the CEQA Guidelines in regard to the project.

- a) **No Substantial Project Changes.** There are no substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- b) **No Substantial Change in Circumstances.** No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- c) **No New Information of Substantial Importance.** There is no new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, which shows any of the following: the project will have one or more significant effects not discussed in the previous MND; significant effects previously examined will be substantially more severe than shown in the previous MND; mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or mitigation measures or alternatives which are considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

None of the conditions identified in CEQA Guidelines Section 15162(a) would occur with implementation of the Revised Project because:

- a) The revisions to the Revised Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects evaluated in the 2021 MND. The Revised Project is proposing to include additional properties immediately adjacent to the original project within the Western Hills Annexation Area, resulting in the potential for six additional residential units, compared to the 14 potential units analyzed within the Western Hills 2021 MND. As discussed throughout this Initial Study, impacts from the Revised Project are equal to, or less than, those described for the original project. The Revised Project will incorporate mitigation identified in the 2021 MND to reduce all impacts to a less than significant level. No new impacts that were not previously discussed in the 2021 MND have been identified.
- b) No changes have occurred as a result of the Revised Project which require major revisions of the 2021 MND. The Revised Project would not result in any new significant environmental impacts or substantial increase in the severity of previously identified significant impacts (refer to the Environmental Analysis section for details regarding the impacts associated with the Revised Project).
- c) Although some circumstances surrounding the Revised Project have changed from those described in the 2021 MND, the analysis for the Revised Project demonstrates that the changes are not substantially different from those described in the 2021 MND. Additionally, there is no information available that indicates that the Revised Project would result in a substantial increase in the severity of previously identified impacts.

II. BACKGROUND

1. Location

The Western Hills Annexation Area parcels (now totaling ±792 acres), are located within unincorporated Mendocino County within the Ukiah Western Hills, just west of the Ukiah city limits. A Figure of the Annexation Area is included in Attachment A.

2. Background and Previous Approvals

The City has a vision, and is working towards a goal, of promoting the protection of Ukiah's western urban interface to restore and conserve forest and stream ecosystems, provide large-scale wildfire mitigation and to protect the Upper Russian River Watershed to benefit fish, wildlife, scenic resources, and the greater Ukiah community.

Over the last several years, the City has been acquiring lands immediately adjacent to the western City limits, known as the "Western Hills" with the purpose of annexing such lands into the City limits for preservation and public purposes. Specifically, the City is proposing to annex ±792 acres known as the "Western Hills Annexation Area", as amended, which comprises both City-owned and privately-owned property (See Project Description Section below for more information).

Below includes a summary of actions associated with the Western Hills Annexation Area to date.

- At the August 25, 2021, regular meeting, the Planning Commission considered approval of the Western Hills Open Land Acquisition and Limited Development Agreement Project (2021 Western Hills Project), associated rezoning and Initial Study and Mitigated Negative Declaration (ISMND; State Clearinghouse No. 2021040428), and recommended approval for these actions to the City Council. The Western Hills Project included

acquisition and annexation of ±707 acres for open space, public purposes, and the potential for limited residential development.

- On September 15, 2021, the City Council introduced Ordinance No. 1217, approving the Western Hills Project, associated rezoning and ISMND. Ordinance No. 1217 is included in **Attachment E** and the ISMND can be found online at: <https://cityofukiah.com/ceqa-review/>.
- On June 8, 2022, the City of Ukiah submitted an application for annexation to the Mendocino County Local Agency Formation Commission (LAFCo) for annexation of the Western Hills Project parcels, in accordance with the terms identified in the Development Agreement. In addition to the parcels identified as a part of the Western Hills Annexation Area, the application for annexation included several privately-owned parcels (±44 acres total) located in between the 2021 Western Hills Project parcels and the County's jurisdictional boundary, to inform the deliberate and appropriate boundaries and growth for the City of Ukiah. Some of these parcels also span both City and County jurisdiction and the City proposes to annex them to rectify this jurisdictional issue.
- On June 29, 2022, the City received correspondence from LAFCo determining that the application (LAFCo No. A-2022-02) had been reviewed and deemed incomplete based on several items, such as a Tax Share Agreement, Residential Entitlement matrix form, Property Owner letters of approval, a Statement of Fair Share Housing Needs and Timely Availability of Water, along with a few other ministerial items, the City noted as to be pending and forthcoming in the June 8, 2022 application for annexation.
- On December 7, 2022, the City Council adopted Resolution No. 2022-78 and Resolution No. 79, adopting the City's 2040 General Plan and certifying the associated Environmental Impact Report (EIR; SCH No. 2022050556). The 2040 General Plan and EIR identify the Western Hills Annexation Area as one of the three areas the City intends to pursue for annexation (see EIR Section 2.2.7). The 44 acres of privately owned parcels intended to rectify jurisdictional issues were included in the Western Hills Annexation Area within the General Plan and EIR. The General Plan and EIR can be found online at <https://ukiah2040.com/>.
- On December 19, 2022, LAFCo approved the City's Ukiah Municipal Service Review (MSR) and Sphere of Influence (SOI) Update. The updated SOI includes the entire Western Hills Annexation Area (2021) identified within the General Plan.
- An additional 40-acre parcel (APN 003-190-11) directly adjacent (south) to the Western Hills Project and City's western City limit became available for purchase in 2023, and on May 3, 2023, the City Council approved the City seeking acquisition of the parcel for open space and access opportunities in connection with the Western Hills open space parcels. This parcel is proposed for inclusion in the Western Hills Annexation Area, as described below.

III. PROJECT DESCRIPTION

1. Western Hills Project Description (2021)

The original (2021) Western Hills Project included the following.

- Acquisition, annexation and rezoning of ±707 acres, including:
 - ±640 acres preserved for open space conservation and public uses. These parcels were rezoned Public Facilities (“PF”).
 - ±54 acres included in a Limited Development Agreement between the City and the private property owner (Hull; D&J Investments, LLC.) to allow for residential development (14 units total) through the creation of seven “Development Parcels” (via a series of sequential Lot Line Adjustments) beginning at the terminus of Redwood Avenue. These parcels are rezoned Single-Family Residential-Hillside Overlay (R1-H).
 - ±14 acres of privately owned property included in the Limited Development Agreement for access to the open space parcels. These parcels were rezoned R1-H.
- Road improvements to Redwood Avenue, as well as water/sewer utility extensions within Redwood Avenue, and construction of a water tank.

2. Revised Project Description (2023)

Since approval of the 2021 Western Hills Project, 84 acres have been added to the Western Hills Annexation Area, as described below. The additional acreage, in combination with the other components outlined below, constitute the “Revised Project”.

- ±44 acres of privately-owned property (comprising 9 legal parcels) were added to the Western Hills Annexation Area to address existing LAFCo policies and known mapping errors, and to avoid the formation of an unincorporated island. These parcels were not included in the original 2021 Western Hills Project but were included in the preliminary application submitted to LAFCo. Additionally, they were identified as a part of the Western Hills Annexation Area in the 2040 General Plan and included in the Environmental Impact Report analysis (see Environmental Review Section below for more information). These parcels are proposed for R1-H rezoning for consistency with existing and adjacent development but would remain under private ownership and are not included in the Development Agreement (2021) or Purchase Agreement (2023).
- ±40 acres of privately-owned property being pursued for acquisition by the City for open space and access opportunities. The parcel is proposed for inclusion in the Western Hills Annexation Area. A Purchase Agreement for the 40 acres would allow the private property owner (Hull) to retain the right to keep 15 acres for development of three (3) parcels, as further described below. The aforementioned 15 acres is proposed for R1-H rezoning, and the remaining 25 acres (that would be owned by the City) would be rezoned PF for open space. The 40-acre parcel is currently not located within the City’s SOI but is within the Planning Area identified in the General Plan. The parcel would be owned by the City at the time of annexation. The 15 acres would be transferred to Hull after annexation is complete.
- The Purchase Agreement to include APN 003-190-11. The Purchase Agreement would allow Hull to retain one +/- 15-acre parcel (via a Lot Line Adjustment) after annexation. Hull would be able to retain the right to create and develop three parcels with one single family home and one accessory dwelling unit (six total possible units), in accordance with R1-H zoning regulations. Similar to the Western Hills Project (2021), the Revised Project, including the new

6

Purchase Agreement, allows for limited development, but does not include specific development designs or proposals, nor does it grant any entitlements for development. The parcels would be created within the eastern portion of the existing 40-acre parcel, but the location of the potential residential units is not known at this time. The Purchase Agreement will also specify the following:

- City will release public access on private drive from Redwood Ave (current DA says the City maintains access until alternate access established).
- Hull retains water rights from Ellison well with access and utility easement for use in enhancing fire protection activities on the three development parcels and potentially for potable water to the development sites.
- Hull grants City additional trail easements to San Jacinta (south side) as the City originally retained the right to only one trail easement and would like to retain the option for additional trail location depending on future design work.
- Project does not include road or utility improvements, access to the parcels is established off of a private drive at the end of Redwood Avenue. There is no associated water, sewer or electric utility component to this project. After the three development parcels are established any utility infrastructure work would be evaluated in concert with the appropriate site development permits and serving entities.

Figures of the Western Hills Annexation Area is included in Attachment A, a figure showing the existing and proposed conditions for the 15 acres associated with the Purchase Agreement is included in Attachment B, and a Rezoning Figure is included in Attachment C.

Table 1, Western Hills Annexation Area Parcels (as revised)

Assessor Parcel Number	Property Owner	Situs Address	Size (acres)
2021 Western Hills Project Parcels			
157-030-02	City of Ukiah	None assigned	20.00
157-030-03	City of Ukiah	None assigned	60.00
157-050-14	City of Ukiah	None assigned	20.17
157-050-15	City of Ukiah	None assigned	40.43
157-050-16	Dave Hull; D & J Investments, LLC.	None assigned	40.25
157-050-18	City of Ukiah	None assigned	60.00
157-070-05	City of Ukiah	None assigned	76.20
003-190-17	Dave Hull; D & J Investments, LLC.	None assigned	18.30
003-190-16	Dave Hull; D & J Investments, LLC.	None assigned	0.29
003-190-15	Dave Hull; D & J Investments, LLC.	None assigned	5.00
003-190-13	Dave Hull; D & J Investments, LLC.	None assigned	9.08
003-110-90	Adonis & Sarah Noguera	620 Redwood Ave.	4.14
003-190-09	Adonis & Sarah Noguera	620 Redwood Ave.	10.20
100-040-83	Dave Hull; D & J Investments, LLC.	None assigned	77.60
157-050-03	City of Ukiah	None assigned	60.05
157-050-13	City of Ukiah	None assigned	59.71
157-060-02	City of Ukiah	None assigned	18.66
157-060-03	City of Ukiah	None assigned	128.52
Privately-Owned Parcels Added to the Western Hills Annexation Area in the 2040 General Plan			
001-420-40	Robert R Beltrami	145 Mendocino Place	1.49
001-041-02	Grayden Huff	500 Lookout Dr.	1.33
001-041-03	Amanda Reiman	4 Lookout Dr.	0.66
001-041-04	Amanda Reiman	3 Lookout Dr.	0.48
001-041-05	Robert Werra	2 Lookout Dr.	1.13
001-041-06	Robert Werra	415 Hillview Ave.	0.74
001-041-07	Robert Werra	415 Hillview Ave.	0.38
001-040-81	William Edwards	335 Janix Dr.	2.40
001-041-01	Robert Werra	None assigned	35.50
Additional Parcels Proposed for Inclusion			
003-190-11	Dave Hull (25 acres to be acquired by City)	None assigned	40
		TOTAL ACREAGE	792.71

IV. EVALUATION OF ENVIRONMENTAL IMPACTS

1. Environmental Setting

The Western Hills Annexation Area is located within the Ukiah Valley, west of the City of Ukiah, in central Mendocino County, with elevations varying from approximately 600-feet above mean sea level up to approximately 3,000 feet in the hills surrounding the city, including the Western Hills. The Ukiah valley is located approximately 30 miles east and inland from the Pacific Ocean. It runs north-south for approximately nine miles, with a maximum width of three miles. The Russian River enters the valley at the north end and runs south along the valley floor. Ukiah is located along the Highway 101 corridor and near the east/west intersection of Highway 20, two hours north of the Golden Gate Bridge.

The majority of the area is undeveloped with access roads and fire breaks. However, the 44 acres of private property north of the original 2021 Western Hills Project are developed with single-family homes and/or undeveloped. The additional 40 acres proposed for inclusion in the Western Hills Annexation Area (Revised Project) is largely undeveloped and is bisected by a 1,000-foot unpaved road accessed from Redwood Avenue. The access road width ranges from 16-to-20-feet wide and has been improved with gravel and compaction. The road climbs to a levelled one-acre abandoned cannabis cultivation site before continuing uphill and off the project site. Remnants of the cultivation site include old fencing with concrete footings, PVC irrigation pipes, pots, tubs, planting containers, a water tank, and pallets.

Soils in the area are characterized as both Hopland, which consists of very deep, well drained soils formed in colluvium and residuum weathered from sandstone or shale on steep hills and slopes, and Maymen soils that are shallow, somewhat excessively drained soils that formed in residuum weathered from shale, schist, greenstone, sandstone and conglomerate. These soils have a shallow depth to bedrock. Class II and Class III watercourses exist along the steeper portions of the area.

Vegetation in the Western Hills Annexation Area includes native and nonnative annual and perennial grasses, with dense chaparral and mixed hardwood forest throughout. Native trees in the area primarily consist of California bay laurel (*Umbellularia californica*) and California black oak (*Quercus kelloggii*). Undergrowth consists largely of poison oak (*Toxicodendron diversilobum*) and Western bracken fern (*Pteridium aquilinum*). The terrain is very rugged and steep (greater than 50% slope in many areas). Intrusions of non-native, invasive French Broom and other species are also present throughout the area.

2. Previously Disclosed Impacts

2021 MND: The analysis within the Mitigated Negative Declaration previously approved for the Western Hills Project (referred to herein as the “2021 Western Hills Project” and “2021 MND”) included the following: 1) Acquisition and annexation of the parcels; 2) Rezoning the parcels to PF and R1-H (and associated Zoning Map and General Plan Map Amendments upon approval of the annexation application); 3) Sequential Lot Line Adjustments to reconfigure the existing parcels into seven lots (“Development Parcels”) for future potential development; 4) Development

Agreement between Hull Properties and the City allowing up to one single-family home and one accessory dwelling unit on each Development Parcel (14 units total); and 5) site improvements including extension of utilities, road improvements, and construction of the water tanks.

As described throughout the Initial Study, construction and ground disturbing activities associated with these components could result in direct significant impacts to Air Quality, Biological Resources, Cultural/Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Utilities and Service Systems, and Wildfire. However, mitigation measures identified within the aforementioned sections would reduce impacts to less than significant. Mitigation measures identified within the Initial Study and Mitigated Negative Declaration related to ground disturbing activities and construction for road and utility improvements, as well as residential development, will be included in the Development Agreement and Conditions of Approval to ensure that they are implemented accordingly. A Mitigation Monitoring and Reporting Program is provided in Section VII of the Initial Study.

All future residential development would be analyzed on a project level basis for consistency with land use policies; and would be subject to discretionary and environmental review of their individual and cumulative environmental impacts, as applicable (with the exception of by-right development).

Based upon the analysis contained within the 2021 MND, all potential impacts resulting from the 2021 Western Hills Project would be less than significant with incorporation of mitigation.

2040 General Plan EIR: The City's 2040 General Plan and Environmental Impact Report (EIR) were adopted by City Council in December, 2022, and analyzed the type and amount of development that can occur throughout the City through the planning horizon year of 2040 (over approximately 18 years). As part of the 2040 General Plan, the City identified three potential separate annexation areas currently located in the County of Mendocino's jurisdictional boundaries, totaling approximately 1,617 acres. The Western Hills Annexation Area was identified as "Annexation Area C" and included the original 707 acres associated with the 2021 Western Hills Project, as well as the 44 acres of "clean up" parcels added after approval of the 2021 Western Hills Project. The EIR analyzed annexation of this area, as well as the associated rezoning, and adoption of the new Sphere of Influence and Planning Area. Because the addition of the 44 acres was analyzed within the EIR and no change to those parcels are proposed as a part of the Revised Project, further analysis of these parcels is not required, and not included within this Addendum. However, the EIR is referenced in certain sections of the below analysis, as appropriate.

3. Summary of Impacts

A. Aesthetics

Summary of Aesthetics Impacts from the Western Hills Project 2021 MND

According to the California Department of Transportation's (Caltrans) State Scenic Highway System Map, there are no designated state scenic highways within the vicinity of the project. However, the Western Hills, including the Project site are considered a local scenic vista. Approximately 640 acres would remain open space, while 54 acres would be potentially developed with up to 14 units (one single-family dwelling and one ADU per lot). Although the Project does not include specific development proposals for construction of the homes, the Development Agreement allows the potential for the homes to be built at some point in the future. However, all future development would be subject to discretionary and environmental review and be required to comply with City regulations for height, setbacks, and other development standards established to protect natural features and scenic resources within the Western Hills.

Sewer and electric utilities would be extended from Redwood Avenue to the house sites but would be located underground within the existing roadway to avoid visual impacts. The two proposed water tanks (34 ft x 34 ft, 10.5 ft high) would be colored a shade of green to blend in with the landscape. The water tank site has already been cleared of vegetation and is surrounded by trees, making it less visible to the public. Due to the location and topography of the site, and distance from public views, such as those in adjacent residential areas or views from the valley floor, the proposed water tank would not significantly impact scenic resources on the site or in the area.

For the aforementioned reasons, the Project would not result in a significant impact to scenic vistas, nor the visual character of the site or area. Impacts would be less than significant.

2021 MND Mitigation Measures: None.

Summary of Aesthetics Impacts from the Revised Project

Impacts to Aesthetics associated with the revised Project would be consistent, if not less than, those disclosed within the 2021 MND. Specifically, the 40-acres proposed for inclusion in the Western Hills Annexation Area contains similar terrain, vegetation and scenic quality as the parcels previously analyzed. While the Revised Project does not include road and/or utility improvements, which would result in less impacts described within the 2021 MND associated with groundwork, grading, and vegetation removal associated with those components, the Purchase Agreement would allow for potential development of up to six additional units within a 15-acre area, in accordance with the R1H zoning regulations. Similar to the analysis contained within the 2021 MND, the exact location of the potential development parcels and residential units is unknown at this time. However, all future development would be subject to discretionary and environmental review and be required to comply with City regulations for height, setbacks, and other development standards established to protect natural features and scenic resources within the Western Hills. For the aforementioned reasons, consistent with the 2021 MND, the Revised Project would not result in a significant impact to scenic vistas, nor the visual character of the site or area. Impacts would be less than significant.

B. Agriculture and Forestry Resources

Summary of Agriculture and Forestry Impacts from the Western Hills Project 2021 MND

According to the California Department of Conservation Farmland Mapping & Monitoring Program, California Important Farmland Finder, the Project area does not contain Unique Farmland, or Farmland of Statewide Importance. However, the site is designated as Grazing Land, which is defined as land on which the existing vegetation is suited to the grazing of livestock but has not been used for grazing. There are no agricultural uses or Williamson Act contracts on-site or in the immediate vicinity. The Project would not convert Farmland, conflict with existing zoning for agriculture or forest land, and would not involve changes to the environment that would result in the conversion of agricultural resources to non-agriculture uses. Therefore, impacts to agricultural resources would be less than significant.

2021 MND Mitigation Measures: None.

Summary of Agriculture and Forestry Impacts from the Revised Project

Consistent with the analysis contained within the 2021 MND, the 40-acre parcel proposed for inclusion in the Western Hills Annexation Area is designated as Grazing Land by the California Department of Conservation Farmland Mapping & Monitoring Program, and there are no agricultural uses or Williamson Act contracts on-site or in the immediate vicinity. Consistent with the analysis in the 2021 MND, Revised Project would not convert Farmland, conflict with existing

zoning for agriculture or forest land, and would not involve changes to the environment that would result in the conversion of agricultural resources to non-agriculture uses. Therefore, impacts to agricultural resources would be less than significant.

C. Air Quality

Summary of Air Quality Impacts from the Western Hills Project 2021 MND

Improvement of roadways, installation of utilities, and construction of the water tanks, as well as future potential construction of single-family homes could result in impacts to air quality. Short-term construction related impacts (emissions and dust) would result from grading, vegetation removal, trenching, paving, operation of construction equipment, and vehicle trips associated with construction workers. However, with incorporation of Mendocino County Air Quality Management District (MCAQMD) Best Management Practices identified in Mitigation Measures AQ-1 through AQ-3, impacts would be less than significant.

Long-term air quality impacts associated with single-family residential development is typically minimal and generally associated with vehicle trips, wood burning stoves, landscape and maintenance activities, etc. However, existing building codes requiring energy efficient and low emitting equipment and features for new residential development (see Section 6, Energy, Section 8, Greenhouse Gas Emission, and Section 17, Transportation of the Initial Study for more information). With adherence to the aforementioned regulations, and others intended to reduce emissions and impacts to air quality, impacts from operation of the Project would be less than significant.

2021 MND Mitigation Measures:

AQ-1: Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles:

- a. Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District.*
- b. Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District.*
- c. Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate.*
- d. Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.*

AQ-2: Grading Projects- During Construction-All grading activities must comply with the following fugitive dust mitigation measures in accordance with District Regulation 1, Rule 1-430:

- a. All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.*
- b. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 mph.*
- c. Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.*
- d. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise airborne dusts.*
- e. All earthmoving activities shall cease when sustained winds exceed 15 mph.*

12

- f. *The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.*
- g. *The operator shall keep a daily log of activities to control fugitive dust.*
- h. *For projects greater than one acre or one mile of road not located within a Naturally Occurring Asbestos Area, prior to starting any construction the applicant is required to:*
 - 1. *Submit a Large Area Grading permit application to the District.*
 - 2. *Obtain a final determination from the Air Quality Management District as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to Naturally Occurring Asbestos.*
 - 3. *Obtain written verification from the District stating that the project is in compliance with State and Local regulations relating to Naturally Occurring Asbestos.*
 - 4. *If the project is located within a Naturally Occurring Asbestos Area, additional mitigations shall be required.*

AQ-3: Property Development-Prior to starting any construction, the applicant is required to:

- a. *Obtain a Property Development Permit from the District for any open outdoor burning.*
- b. *Obtain a Grading Permit, if applicable.*
- c. *Confirm whether the project is in a Naturally Occurring Asbestos Area, and follow additional MCAQMD recommendations, if applicable.*
- d. *Consider alternate means of disposal other than open burning, such as cutting the majority of the larger material up as firewood, and chipping smaller material, if feasible to mitigate impacts from open outdoor burning.*
- e. *Obtain written verification from the MCAQMD stating that the project is in compliance with State and Local regulations.*

Summary of Air Quality Impacts from the Revised Project

Impacts associated with the Revised Project, and specifically potential future residential development of six units, would be the same as described within the 2021 MND and future development would adhere to Mendocino County Air Quality Management District (MCAQMD) Best Management Practices identified in Mitigation Measures AQ-1 through AQ-3, and relevant energy efficiency building codes, impacts would be less than significant.

D. Biological Resources

Summary of Biological Resources Impacts from the Western Hills Project 2021 MND

According to the Biological Assessment Report (BRA) was prepared for the Project by Jacobszoon & Associates, Inc. (2021, updated 2022) for the Project, based on existing vegetation and known habitat range, seventeen (17) special-status plant species and thirteen (13) special-status wildlife species have a moderate or high potential to occur within the study area (identified as 55 acres for potential development, and 100 ft radius around the access road and fire breaks). However, during the field survey, none were observed on-site. Because no special status plant species were observed during the field survey, the Project is not anticipated to result in significant impacts to them. However, this does not preclude the possibility of wildlife species being present at the time of construction or being impacted from vegetation removal, grading, and other ground disturbing activities for utility extension, road improvements, water tank construction, and future residential development. In addition, two sensitive woodland tree habitats were identified in the Project Area. As such, construction, vegetation removal, and ground disturbing activities could

13

result in impacts to nesting birds, special status insects, woodland habitat, and mammals. However, Mitigation Measures BIO-1 through BIO-5 would reduce impacts to less than significant.

There are no established native resident or migratory wildlife corridors, or native wildlife nursery sites within the Project area, and no adopted Habitat Conservation Plans for the City of Ukiah, nor the larger Ukiah Valley that apply to the site.

The Study Area contains two (2) Class II watercourses and four (4) Class III watercourses that were observed and mapped on-site (in the northernmost parcels). However, this area would be avoided, and no development is proposed within proximity of the watercourses. No wetlands were observed within or immediately adjacent to the study area. The study area also does not contain any special-status fish species or fish bearing watercourses or waterbodies. If future work in or adjacent to any of the other watercourses are proposed, the Developer is required to obtain necessary regulatory permits from the California Department of Fish and Wildlife and the Regional Water Quality Control Board, as necessary. Impacts to sensitive aquatic resources would be less than significant.

2021 MND Mitigation Measures:

BIO-1: Sensitive Trees. If trees are proposed for removal, preconstruction surveys shall be conducted by a qualified biologist to identify Oregon white oak forest and woodland, as well as California bay forest and woodland habitat; removal of sensitive habitat shall be conducted in accordance with California Department of Fish and Wildlife (CDFW) regulations.

BIO-2: Sensitive Amphibian Species. A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of Red-belly newt, or other sensitive amphibian species, and identify additional avoidance measures, if needed. A qualified biologist shall be on-site for any dewatering event to address the potential for the presence of sensitive amphibian species such as foothill yellow-legged frog (Rana boylei).

BIO-3: Nesting Birds. Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities occurring between March 1 and August 31 of any year. All active bird nests shall not be removed, relocated, or otherwise disturbed for any purpose until all fledglings have left the nest.

BIO-4: Special-Status Insects. A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of special-status insect species and identify additional avoidance measures if needed. If a special-status insect nests are observed, active nests shall not be removed, relocated, or otherwise disturbed until the nest becomes inactive.

BIO-5: Special-Status Mammals. Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities. If evidence of bat roosts is observed (i.e. bat guano, ammonia odor, grease stained cavities) around trees or structures, pre-construction bat surveys shall be conducted by a qualified biologist for activities that may affect bat roosting habitat and den sites.

Summary of Biological Resources Impacts from the Revised Project

The additional 40 acres proposed for inclusion in the Western Hills Annexation Area (Revised Project) is largely undeveloped and is bisected by a 1,000-foot unpaved road accessed from Redwood Avenue. The access road width ranges from 16-to-20-feet wide and has been improved with gravel and compaction. The road climbs to a levelled one-acre abandoned cannabis cultivation site before continuing uphill and off the project site. Remnants of the cultivation site

include old fencing with concrete footings, PVC irrigation pipes, pots, tubs, planting containers, a water tank, and pallets.

Vegetation on the Project site is varied across east, south, and north facing slopes. South facing slopes include native and nonnative annual and perennial grasses, brush (chamise) and Oak woodland. East facing slopes include mixed hardwood forest and Black Oak Woodland. Undergrowth is consistent with a Black Oak Alliance including Toyon (*Heteromeles arbutifolia*), ceanothus (*Ceanothus* spp.), and Manzanita (*Manzanita* spp.). North facing slopes are dominated by Doug Fir (*Pseudotsuga menziesii*). The northern boundary of the property includes a Class III waterway and associated riparian vegetation. Intrusions of non-native, invasive French Broom are found along approximately 100 yards of the road as it climbs away from the drainage. The terrain on the southern side of the property is steep (greater than 50% slope in some areas) while the northern portion of the property has slopes generally in the 10-30% range. There are no soils unusual to the region.

The Revised Project includes preservation of an additional 25 acres of open space, which would have no impact on biological resources. However, the 15 acres that would be included in the Purchase Agreement and allow for up to six residential units, would have similar impacts to those described in the 2021 MND. The parcels would be created within the eastern portion of the existing 40-acre parcel, but the location of the potential residential units is not known at this time. All development requires discretionary review per the R1-H zoning district regulations. R1-H regulations also requires submittal of the following: soil and geological reports, subsurface investigations, grading plans, vegetation reports, and hydrology reports. Additionally, depending on the location and vegetation contained within the development area, a Biological Assessment may also be required. Future development would also adhere to Mitigation Measures BIO-1 through BIO-5. A Class III watercourse is located in the northern portion of the site. However, no development would occur in this area and watercourses would be avoided. As such, impacts to biological resources as a result of the Revised Project would be similar to those described in the 2021 MND, and would be less than significant with mitigation.

E. Cultural Resources

Summary of Cultural Resources Impacts from the Western Hills Project 2021 MND

An Archeological Survey Report was prepared by Alta Archeological Consulting (Alta) in March 2021, to identify any archaeological, historical, or cultural resources located within the 55 acres included in the Development Agreement to be developed with single family homes at some point in the future. Alta also conducted a field survey of the area and requested an archaeological and historical records search (File No. 20-1364) from the Northwest Information Center (NWIC) located on the campus of Sonoma State University. The records search included a review of all study reports on file within a one-half mile radius of the Project area. No cultural resources were identified within the Project area (or within one-half mile) as a result of the records search, literature review, or archaeological field survey. In addition, given the steep terrain, the potential for substantial prehistoric or historic settlement is considered low. Therefore, the Project activities are not anticipated to cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.

As a part of the Project, the City also followed tribal consultation notification procedures, in accordance with Assembly Bill 52 (AB 52). On January 28, 2021, a request for formal consultation by the Pinoleville Pomo Nation was received, and AB 52 consultation was concluded with the tribe on May 3, 2021. No specific resources were identified within the Project area as a result of the consultation process, but Mitigation Measures CUL-1 and CUL-2 were included in the Project

15

to mitigate for the potential of unanticipated discoveries during ground disturbing activities. These mitigation measures apply to all future development. As such, impacts to cultural, archeological and historical resources would be less than significant with mitigation incorporated.

2021 MND Mitigation Measures:

CUL-1: Unanticipated Discovery. If previously unidentified cultural, historic, palaeontologic or archeologic resources are encountered during project implementation, altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. A qualified professional archaeologist shall be contacted to evaluate the resource and methods necessary to protect it. Project personnel shall not collect, move, or disturb cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

CUL-2: Encountering Native American Remains. If human remains are encountered during ground disturbing activities, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated and further recommendations regarding treatment of the remains will be provided.

Summary of Cultural Resources Impacts from the Revised Project

Impacts from the Revised Project, and specifically the potential development of six single family homes within the additional 15 acres, would be consistent with those described in the 2021 MND, as the soils, terrain and development type would be similar. With implementation of Mitigation Measures CUL-1 and CUL-2, impacts would be less than significant with mitigation incorporated.

F. Energy

Summary of Energy Impacts from the Western Hills Project 2021 MND

The Western Hills Project, including the Development Agreement, does not include specific development designs or proposals, nor does it grant any entitlements for development. Future housing projects will be analyzed on a project level basis subject to the County’s and City’s building and safety codes, as well as Title 24 regulations (and others) to promote energy efficiency. Specifically, each residence would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting.

Project construction equipment would also be required to comply with the latest California Air Resources Board (CARB) and Environmental Protection Agency (EPA) engine emissions standards which require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption.

With adherence to the aforementioned regulations, and others intended to reduce energy consumption, impacts from the Project related to energy consumption would be less than significant.

2021 MND Mitigation Measures: None.

Summary of Energy Impacts from the Revised Project

Impacts from the Revised Project would be consistent with those described in the 2021 MND, as all future potential construction would be subject to the aforementioned regulations intended to reduce energy consumption. Impacts to energy as a result of the Revised Project would be less than significant.

G. Geology and Soils

Summary of Geology and Soils Impacts from the Western Hills Project 2021 MND

The Western Hills Project site(s) is not in a California Earthquake Fault Zone and is not susceptible to liquefaction or strong seismic ground shaking. However, future potential construction of single-family homes and utility improvements could require vegetation removal and grading, which could result in impacts associated with erosion, the loss of topsoil and landslides if not properly designed.

All of the aforementioned activities must be completed in accordance with applicable safety codes and the below standard mitigation measure requires sediment and erosion plans identifying BMPs to reduce soil erosion and water runoff to reduce or avoid impacts to geology and soils to be submitted prior to any ground disturbance, in accordance with Ukiah City Code (“UCC”) Division 9, Chapter 7, Erosion and Sediment Control. In addition, R1-H development standards (which will be applied to all Development Parcels) require submittal of Geotechnical Reports, Grading Plans, Hydrology Reports, etc. to ensure development is being properly designed, and will include a set of site/project specific recommended Best Management Practices and adherence to Mitigation Measure GEO-1 for future development projects to avoid impacts to geology and soils. Impacts related to soil erosion and geologic hazards would be less than significant with mitigation.

An onsite community sewer system (holding tank) with a sewer line, rather than a leach field, will be constructed for discharging wastewater (effluent only) to a sewer main at the end of Redwood Avenue. The soils at the Project site are not identified as being expansive and could adequately support the sewer system. In addition, building code, Mendocino County of Environmental Health, and Public Works’ requirements will ensure that the sewer system is adequately installed in accordance with all standards related to safety. Impacts would be less than significant.

Lastly, as described in Section 5, Cultural Resources, of the 2021 MND, although not anticipated, the potential exists for unique paleontological resources or site or unique geological features to be encountered within the Project area during ground-disturbing construction activities. However, in the event that resources are discovered during construction, Mitigation Measure CUL-1 requires the protection of the resources. Impacts would be less than significant with mitigation incorporated.

2021 MND Mitigation Measures: Implementation of CUL-1.

GEO-1: The Project shall comply with the erosion and design standards outlined in Chapter 7 of the Ukiah City Code. Prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval. Said plans shall protect against soil erosion and runoff through the implementation of appropriate Best Management Practices (BMPs). Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, etc. No silt, sediment or other materials shall be allowed to flow from the project area.

Summary of Geology and Soils Impacts from the Revised Project

The terrain on the southern side of the property is steep (greater than 50% slope in some areas) while the northern portion of the property has slopes generally in the 10-30% range. There are no soils unusual to the region. Impacts from the Revised Project would be consistent with those described in the 2021 MND, as the soils, terrain and development type would be similar, and all future potential construction would be subject to the aforementioned regulations intended to reduce soil erosion and hazards related to geologic features. Development on the 15 acres under the Revised Project would differ in that there would not likely be the affluent line and all sewer/septic would stay on site. Impacts to soils related to septic systems would be evaluated with any site development permit application. Specifically, potential development under the Revised Project would adhere to R1-H regulations, which require submittal of Geotechnical Reports, Grading Plans, Hydrology Reports, etc. to ensure development is being properly designed, and will include a set of site/project specific recommended Best Management Practices and adherence to Mitigation Measure GEO-1 and CUL-1 for future development projects to avoid impacts to geology and soils. Impacts to geology and soils as a result of the Revised Project would be less than significant with mitigation.

H. Greenhouse Gas Emissions

Summary of Greenhouse Gas Emissions Impacts from the Western Hills Project 2021 MND

As discussed in Section 3, Air Quality, of the 2021 MND, the Western Hills Project (both construction and operation) would not result in a significant negative impact to air quality. Similarly, as discussed in Section 17, Transportation, the Western Hills Project would not produce significant amounts of traffic or vehicle miles traveled that would in turn result in a significant increase in GHG emissions. Individual residential development projects constructed under the Development Agreement will be reviewed on a project by project basis to analyze GHG emissions and will be required to follow all building codes and policies including those intended to reduce emissions. Specifically, future residential uses constructed on all Development Parcels would be required to adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 standards. Compliance with Title 24 Building Energy Efficiency Standards would provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage, as well as GHG emissions.

Lastly, the Project includes annexation and conservation of approximately 640 acres, which will have no impact (or a beneficial impact) on GHG, given that the Project is located within a non-attainment area, the rural nature of the site, and small development footprint, the Project, including infrastructure improvements and other temporary construction activities, is not expected to significantly increase GHG in the area. With implementation of the aforementioned regulations, impacts to GHG emissions would be less than significant.

2021 MND Mitigation Measures: None.

Summary of Greenhouse Gas Emissions Impacts from the Revised Project

Impacts associated with greenhouse gas emissions would be consistent with those described in the 2021 MND, as the potential development type and intensity is similar (but slightly less) than that described for the Western Hills Project. Compliance with Title 24 Building Energy Efficiency Standards would provide minimum efficiency standards related to various building features,

including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage, as well as GHG emissions. Additionally, as a part of the 2040 General Plan, the City adopted thresholds for analyzing projects under Vehicle Miles Traveled, which is directly tied to greenhouse gas emissions. The General Plan EIR identified that the following projects are expected to result in less than significant impacts: small projects that meet existing categorical CEQA exemptions, employment uses in areas with a diverse mix of land uses, local serving retail, projects in proximity to a major transit stop, transportation projects, and all residential projects/uses (such as those proposed as a component of the Revised Project). For more information, please refer to Section 4.11, Transportation, and Appendix D of the City's General Plan Environmental Impact Report, which may be accessed online at: [https://ukiah2040.com/images/docs/Ukiah 2040 Compiled Appendices.pdf](https://ukiah2040.com/images/docs/Ukiah_2040_Compiled_Appendices.pdf).

Based on the aforementioned, impacts related to greenhouse gas emissions from the Revised Project would be less than significant.

I. Hazards and Hazardous Materials

Summary of Hazards and Hazardous Materials Impacts from the Western Hills Project 2021 MND

Hazardous Materials. Construction activities and future residential uses associated with the Project would require the routine transport, use, storage, and disposal of small quantities of hazardous materials common for equipment and property maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, lubricants, cleaning solvents and supplies, pesticides, fertilizers, paint, etc. However, the types and quantities of materials to be used are not expected to pose a significant risk to the public and/or environment and would be managed in accordance with federal, state, and local regulations. In addition, Mitigation Measure HAZ-1 would ensure that materials would be transported and stored in a manner to reduce potential impacts, including those to schools within one-mile, to less than significant. Impacts would be less than significant with mitigation incorporated.

According to the GeoTracker and EnviroStor databases the Project site(s) do not contain any listed hazardous sites; no impact would occur.

Airport. Under the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP), the Project is located within the Other Airport Environs (OAE) Compatibility Zone. Within this airport influenced area, no limits are prescribed with regard to intensity of use, density of dwelling units, nor are there any open land requirements specific to airport safety considerations. According to Table 3A of the UKIALUCP, the proposed Project would not engender airport safety concerns under the UKIALUCP, and a review of associated residential uses are indicated as 'Normally Compatible.' As such, impacts to people residing or working near the airport would be less than significant.

Emergency Response. There are no components of the Project that would impair or interfere with emergency response or evacuation. Since the Project, specifically access improvements and residential development, would be required to be designed in accordance with state and local standards, including safety and emergency access requirements, there are no components of the Project that would impair implementation of, or physically interfere with, the adopted Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) or other emergency response plan or evacuation plan. Impacts would be less than significant.

Wildfire. As previously noted, none of the lands within the City of Ukiah are located within a California Department of Forestry (Cal Fire) State Responsibility Area (SRA). However, County lands immediately west of the City (including the majority of the Project site(s)) are located within the SRA and are classified as having a “Very High” fire hazard severity. The Project site is developed with Cal Fire fuel breaks and has been subject to vegetation management practices in order to reduce fire risk in the Western Hills. Additionally, the Project includes installation of an approximately 130,000-gallon water tank to add new water storage and fire protection facilities in the Western Hills. The access road and future residential development are required to adhere to all fire safety standards. Regardless of the aforementioned, construction activities involving the use of gasoline-powered tools and equipment could introduce new temporary sources of ignition that could increase fire risk. However, with implementation of Mitigation Measure HAZ-2, impacts would be reduced to less than significant. For the reasons stated, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. See Section 20, Wildfire of the 2021 MND, for more information. Impacts would be less than significant with mitigation incorporated.

2021 MND Mitigation Measures:

HAZ-1: The developer shall establish and implement construction site management practices that will prevent toxic materials and other debris from entering the City’s storm drainage and waterway systems, including:

- a. There shall be no storage of hazardous materials at the Project Site;*
- b. The developer shall provide adequate materials management, including covering, securing, and segregating potentially toxic materials (grease, oils, fuel, solvents, etc.); and*
- c. The developer shall maintain supplies on-hand to contain spills of oil and any other hazardous materials used on-site.*

HAZ-2: Should portable gasoline-powered equipment be used on site, the following firesafe precautions shall be taken:

- a. Spark arresters are required on all portable gasoline-powered equipment.*
- b. Equipment shall be maintained in good working condition, with exhaust systems and spark arresters in proper working order and free of carbon buildup.*
- c. Fuel the equipment in a safe place where spills can be contained and a fire extinguisher is nearby. Use the recommended gas/oil mixture and do not top off. Use a funnel or spout for pouring. Wipe off any spills.*
- d. Do not refuel running or hot equipment. Dispense fuel at least 10 feet from sources of ignition.*
- e. Do not use equipment in areas of dry vegetation. Keep leaves and dry materials away from a hot muffler.*
- f. No smoking or open flame allowed near gasoline-powered equipment.*

Summary of Hazards and Hazardous Materials Impacts from the Revised Project

Impacts related to hazards and hazardous materials would be consistent with those described in the 2021 MND, as the 40-acre parcel is located within the OAE zone of the UKIALUCP; within a Very High Fire Zone of the State Responsibility Area (not located within the UVFA district); and is not located on an identified hazardous site. Potential residential development associated with the Purchase Agreement would be of similar scale and intensity as that described in the 2021 MND. The Revised Project would implement mitigation measures HAZ-1 and HAZ-2 to reduce impacts related to hazards and hazardous materials. Contrary to the improvements included in the 2021 MND, there are no road or utility improvements currently proposed for the Revised Project. All

future improvements (road, electric, water, sewer) would be analyzed and provided by the property owner/developer, and residential development is required to comply with the R1-H development standards, as well as all applicable fire and building codes. As such, impacts from the Revised Project would be less than significant with mitigation.

J. Hydrology and Water Quality

Summary of Hydrology and Water Quality Impacts from the Western Hills Project 2021 MND

Future development would adhere to all applicable waste discharge requirements. Therefore, the Project would not violate any water quality standards. Water utilities will be developed by the property owner on-site to support the Development Parcels; approximately 130,000-gallons of storage will be provided by two 65,000 gallon tanks (34ft in diameter and 10.5ft high) that will be placed within the existing water tank pad site. According to the water tank planning study memorandum, prepared by GHD (December 10, 2020), the existing wells produce approximately 50,000 gallons per day and are located adjacent to the proposed tank. As a result, the developer proposes to supply the tanks with water from the wells rather than constructing new booster pump stations to pump water up to the tanks from the City's existing wells. Therefore, the Project would not substantially deplete groundwater resources and impacts would be less than significant.

The Project area contains two (2) Class II watercourses and four (4) Class III watercourses. However, The Project does not propose any modifications to existing culverts or watercourses. As noted in Mitigation Measures GEO-1 and HAZ-1, prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval and shall include BMPs to address soil erosion and stormwater runoff associated with road and utility improvements. Additionally, construction projects that would disturb more than one acre of land, would be subject to the requirements of General Construction Activity Stormwater Permit which requires a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs related to stormwater pollution. The proposed Development Agreement does not include specific development designs or proposals, nor does it grant any entitlements for development. Future housing projects will be subject to County and City's development standards, building and safety codes, including review of stormwater management practices, where applicable. If future work in or adjacent to any of the other watercourses or culverts are proposed, the Developer is required to obtain necessary regulatory permits from the California Department of Fish and Wildlife and the Regional Water Quality Control Board, as necessary. Impacts associated with erosion and stormwater runoff would be less than significant with mitigation incorporated.

2021 MND Mitigation Measures: Implementation of GEO-1 and HAZ-1.

Summary of Hydrology and Water Quality Impacts from the Revised Project

Impacts from the Revised Project would be consistent with those described in the 2021 MND. However, no water tank or utility extensions are proposed with the Revised Project. Water and utilities would be analyzed and developed by the future property owner/developer for development of residential units.

A Class III watercourse is located in the northern portion of the site. While the Revised Project does not propose any modifications to existing culverts or watercourses, future development associated with residential construction and access/infrastructure could result in impervious

surfaces and erosion that could result in an impact to water quality. However, implementation of GEO-1 and HAZ-1 would reduce impacts to Less than Significant with mitigation.

K. Land Use and Planning

Summary of Land Use and Planning Impacts from the Western Hills Project 2021 MND

The Project area is undeveloped with the exception of an existing access road, firebreaks and previous land improvements for potential future housing development. While the Project would improve the existing access road and allow for potential future low-density residential development, it does not propose new linear features that would result in the division of an established community. Impacts would be less than significant.

The Project includes acquisition, annexation and rezoning of approximately 707 acres into the City's jurisdiction. The 54 acres associated with the Development Agreement and private access parcels would be rezoned to Single-Family Residential-Hillside Overlay District (R1-H) with a General Plan Designation of Low Density Residential (LDR), while the remaining 640 acres utilized for open space and municipal purposes would be rezoned Public Facilities (PF) with a Public (P) General Plan designation. Under Government Code Section 56742, city-owned parcels are not required to be located within the City's SOI. Parcels can be located anywhere in the County, as long as they are less than 300 acres, owned by the City, and used for municipal purposes at the time of the annexation application. Because the portion of the open space parcels proposed for annexation totals approximately 296 acres, and will be under city ownership for open space, this portion of the Project is consistent with the Government Code.

Under the provisions of the Government Code, the zoning district adopted by the City does not become effective unless and until the land is annexed into the City. The Development Agreement allows for a total of seven single-family homes and seven Accessory Dwelling Units (ADUs). However, once the parcels are annexed into the City, the site(s) would not be developed until an applicant submits a development on the Development Parcels (4-7) and obtains Planning Commission approval of a Use Permit to construct their home. All development would be constructed to R1-H standards, either through the City's discretionary process (Development Parcels 4-7), or within the County's jurisdiction (Development Parcels 1-3) by including R1-H standards in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs). In addition, although not required, the mitigation measures contained within the 2021 MND for residential development will also be included in the CC&Rs.

2021 MND Mitigation Measures: None.

Summary of Land Use and Planning Impacts from the Revised Project

The Revised Project includes acquisition, annexation, and rezoning of an additional 40 acres; 25 acres would be for open space and municipal purposes, and 15 acres would be available for development of three single-family homes and three ADUs (six units total). Impacts associated with the Revised Project would be consistent with those described in the 2021 MND, as the use, intensity and type of development that could be facilitated would be consistent with the original project.

Since approval of the original project and 2021 MND, the City adopted its 2040 General Plan. As a part of the General Plan, the Western Hills Annexation Area (including the 707 acres within the original project and MND, as well as the additional 44 acres of "clean up" parcels), the City's Sphere of Influence (SOI) and Planning Area were also updated and analyzed. The updated (now existing) boundaries of the SOI include the 707 acres included in the original project, and Western Hills Annexation Area. The 40 acres proposed as a part of the Revised Project were not included

22

in the amended SOI nor the Western Hills Annexation Area identified in the General Plan and associated EIR. However, the 40 acres would be owned by the City at the time of annexation and is within the City's updated Planning Area, consistent with the intent of Government Code Section 56742. Additionally, the proposed 40-acre parcel being included in the Western Hills Annexation Area would result in a more orderly, contiguous and less peninsular annexation area than the current configuration, which is supported by LAFCo policies.

Consistent with the impacts discussed within the 2021 MND, the 25 acres proposed for open space and municipal purposes is consistent with the intent of the PF zoning and P land use designation. While the City notes the desire to obtain potential trail opportunities in the future, no such uses are proposed at this time. Acquisition of property for open space opportunities is supported by the General Plan.

The 15 acres proposed for limited single family residential development that could be facilitated by the Revised Project is consistent with the rural, low density, single family residential development and intensities currently existing within western Ukiah and prescribed within the Ukiah Valley Area Plan and County zoning. Specifically, the current land use designation is Remote Residential, 40 Acre Minimum ("RMR-40") and the existing County zoning designation is Upland Residential, 40-acre minimum ("UR-40") are intended to be applied to lands having constraints for commercial agriculture, timber production or grazing, and are well suited for small scale farming and low density agricultural and residential uses. Both the existing RMR-40 land use designation and UR-40 zoning designation allow for one dwelling unit (and one ADU) per 40 acres.

As described within the Land Use Element of the City's 2040 General Plan, the Hillside Residential (HR) land use designation replaces previous (1995 General Plan) Rural Residential designation in areas in the hillsides west of Highland Avenue and Park Boulevard, with a maximum allowable density of one dwelling unit per gross acre. The intent of this designation is to allow for single-family residential at a lower density to align with the goal of reducing development in designated High Fire Hazard Areas. Similarly, the Hillside Overlay District (-H or R1-H) is intended to encourage planning, design, and development while preserving natural physical features and minimizing potential safety, water runoff and soil erosion concerns associated with the natural terrain.

The Purchase Agreement associated with the Revised Project would allow creation of three development parcels (in accordance with R1-H standards and the Subdivision Map Act) within the 15 easternmost acres of the 40-acre parcel and would further restrict development to one single family dwelling per parcel and one ADU (except for in cases where the slope exceeds 50 percent, per the City's Hillside Overlay Ordinance). All development within the R1-H district requires discretionary review (Planning Commission approval) and would be subject to all R1H development regulations (including slope, density, setbacks, height, fire safety and water requirements, access requirements, etc.) contained within the Hillside Overlay District. Development within the Hillside Overlay District also includes submittal of the following: soil and geological reports, subsurface investigations, grading plans, vegetation reports, grading plans, hydrology reports, and structure elevations. Each home would require approval of a Use Permit and/or Site Development Permit by the Planning Commission, as well as approval of a Building Permit, which includes additional review and approval by County and City departments.

Lastly, the Revised Project is consistent with General Plan Goals ENV-1, ENV-4, LU-6, LU-7, LU-8 and LU-9 (and Policies ENV 1.2, LU 6.1, 6.2, 6.3, 7.1, 7.2 and 8.1) which support annexation and orderly development of lands contiguous to the City limits, as well as open space preservation, protection of hillsides and development of all housing types.

L. Mineral Resources

Summary of Mineral Resources Impacts from the Western Hills Project 2021 MND

There are no identified mineral resources within the Western Hills Project area. No impact would occur.

2021 MND Mitigation Measures: None.

Summary of Mineral Resources Impacts from the Revised Project

Consistent with the analysis within the 2021 MND, there are no mineral resources within the Revised Project parcel and no impact would occur.

M. Noise

Summary of Noise Impacts from the Western Hills Project 2021 MND

Certain land uses are particularly sensitive to noise, including schools, hospitals, rest homes, long-term medical and mental care facilities, and parks and recreation areas. Residential areas are also considered noise sensitive, especially during the nighttime hours. The nearest existing sensitive receptors are residential uses adjoining the Project site to the east and south along Redwood Avenue; the closest residence being more than 700 ft away from the potential house site on proposed Parcel 1. However, construction related noise would be considered temporary. In addition, to reduce potential noise impacts to nearby sensitive receptors, Mitigation Measure NOI-1 would require compliance with the City's allowed hours of construction (7:00 a.m. to 7:00 p.m.), include Best Management Practices (BMPs) for reducing construction noise, and require construction equipment to be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices. Noise impacts associated with construction of the Western Hills Project would be less than significant with mitigation incorporated.

Operation of the Western Hills Project would result in stationary noise sources associated with typical residential land uses (e.g., mechanical equipment, dogs/pets, landscaping activities, cars parking, etc.). These noise sources are typically intermittent and short in duration and would be comparable to existing sources of noise experienced at surrounding residential uses. The Project is also anticipated to use typical construction equipment for temporary periods of time that would not be considered excessive. As such, impacts from operation of the Western Hills Project would be less than significant.

The nearest airport is the Ukiah Municipal Airport, located approximately 0.79-mile east of the Western Hills Project site. The Project is located within the Other Airport Environs (OAE) Compatibility Zone of the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP). Within this airport influenced area, no limits are prescribed with regard to intensity of use, density of dwelling units, nor are there any open land requirements specific to airport safety considerations. Noise and overflight factors are considered minimal, but there may be occasional overflights which may be intrusive to some outdoor activities. In general, the risk level for this zone is low, and no specific safety or airspace protection factors are identified.

For the reasons discussed above, impacts related to noise as a result of the Western Hills Project would be less than significant with mitigation.

2021 MND Mitigation Measures:

NOI-1: Prior to building permit or grading permit issuance, the developer shall comply with the following:

- a. *Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.*
- b. *Construction haul routes shall be designed to avoid or lessen impacts to noise-sensitive uses (e.g., residences, schools, convalescent homes), to the extent feasible.*
- c. *During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.*
- d. *Per the City's Noise Ordinance, construction shall not take place outside of the hours of 7:00 a.m. to 7:00 p.m.*

Summary of Noise Impacts from the Revised Project

Impacts related to noise as a result of the Revised Project would be consistent with those described in the 2021 MND, as it is also located within the OAE zone of the UKIALUCP, and future potential construction would adhere to the City's noise regulations and Mitigation Measure NOI-1. Impacts related to noise as a result of the Revised Project would be less than significant with mitigation.

N. Population and Housing

Summary of Population and Housing Impacts from the Western Hills Project 2021 MND

The current Ukiah Valley Area Plan land use designation of the Western Hills Project parcels is Remote Residential, 40 Acre Minimum ("RMR40") and the existing zoning is Upland Residential, 40-acre minimum ("UR:40"). Under the County's General Plan and Zoning Ordinance, the entirety of the 707 acres has the potential to be developed with up to one dwelling per 40 acres, for a total of 17 primary dwellings. In addition, an ADU may be constructed as of right on each parcel, resulting in the potential for up to 34 total units to be developed.

Once annexed, 54 acres could be developed with up to 14 residential units (seven single family homes and one associated ADU per lot) through the proposed Development Agreement. Although no development is proposed at this time, for this analysis it is assumed that future development of all Development Parcels would result in construction and development of residential uses on the site. As a part of the Project, utilities would be extended to the area. However, because the extension of utilities would be limited to the seven Development Parcels that are currently zoned for rural residential development, the Project, including development of up to 14 units, would not directly induce substantial unplanned development and population growth in the area. The remaining 640 acres that would be preserved as open space would not be developed with residential uses that could result in an increase in population. For the aforementioned reasons, the Western Hills Project would not induce substantial unplanned population growth in an area, either directly or indirectly. Impacts would be less than significant.

2021 MND Mitigation Measures: None.

Summary of Population and Housing Impacts from the Revised Project

Once annexed, under the City's jurisdiction and the Purchase Agreement associated with the Revised Project, 15 acres of the 40-acres could be split into three (3), five-acre parcels and developed with three single family homes and three ADUs, in accordance with R1-H zoning and development regulations. The remaining 25 acres would be rezoned PF, and no residential development would occur within this area. As analyzed within the 2040 General Plan EIR (Land Use Section), the maximum buildout potential assumed within the General Plan would result in an additional 2,350 housing units and an additional 4,514,820 non-residential square footage (City

of Ukiah 2022). This buildout is projected to occur specifically within the existing City limits and Annexation Areas. However, the six additional units would be included in the existing Planning Area and the amended Western Hills Annexation Area. Although the Revised Project would allow for the potential of six additional units than the original Western Hills Project, and four additional units when compared to the existing County zoning regulations, this change in potential units (and population) would not be considered substantial. Impacts would be less than significant.

O. Public Services

Summary of Public Services Impacts from the Western Hills Project 2021 MND

Police protection services for the entire City limits is provided by the Ukiah Police Department, while the Mendocino County Sheriff's Department provides police services for areas outside of the City limits. Fire protection services in the Ukiah Valley are provided by the Ukiah Valley Fire Authority and California Department of Forestry and Fire Protection (Cal Fire). Educational facilities in the Ukiah Valley area are provided by the Ukiah Unified School District (UUSD), County Office of Education, and the Mendocino-Lake Community College District. There are also several private and charter schools serving residents within the City of Ukiah, as well as the unincorporated portions of Mendocino County.

Although no development is proposed at this time, it is assumed that future development would result in construction and development of residential uses (up to 14 units) on the site. New homes in the City's jurisdiction would be served by the City's Police Department and the Ukiah Valley Fire authority. This minimal increase in service area would not be considered significant, as fire and police impact fees are collected for new construction to offset the financial burden that new development can potentially create for the fire department. Similarly, it is not anticipated that the additional residential units, currently already being served by existing school districts, would result in a significant impact to school services. Lastly, as discussed in Section 16, Recreation of the 2021 MND, the increase in residential units would not be considered significant and future development would be required to pay park impact fees, which are used to assist in the development and maintenance of parks and recreation facilities.

Lastly, future residential development would be assessed, and impact fees for all aforementioned public services would be collected during the Building Permit process. As such, the Project would have a less than significant impact on public services.

2021 MND Mitigation Measures: None.

Summary of Public Services Impacts from the Revised Project

Impacts associated with the Revised Project would be consistent with those identified in the 2021 MND, as new homes in the City's jurisdiction (once annexed) would be served by the City's Police Department and the Ukiah Valley Fire authority. Future residential development would be assessed, and impact fees for all aforementioned public services would be collected during the Building Permit process. As such, the Project would have a less than significant impact on public services.

P. Recreation

Summary of Recreation Impacts from the Western Hills Project 2021 MND

The Western Hills Project does not propose any recreational facilities at this time. However, the City does have aspirations to develop trails and recreational open space areas at some point in

the future. Potential development of up to 14 new residential units would increase population, and in turn, increase the use of existing recreation facilities. However, the increase in population would not be considered significant and future development would be required to pay all park impact fees, which are used to assist in the development and maintenance of parks and recreation facilities. As such, impacts would be less than significant on park facilities.

2021 MND Mitigation Measures: None

Summary of Recreation Impacts from the Revised Project

Consistent with the analysis within the 2021 MND, the Revised Project does not propose any recreational facilities at this time. However, the City does have aspirations to develop trails and recreational open space areas at some point in the future, and acquisition of the Revised Project parcel provides potential access opportunities to the remaining Western Hills open space parcels. If, and when the City wishes to pursue development of such recreational opportunities, it would be analyzed under CEQA on a project-level basis at that time. As such, impacts to recreation as a result of the Revised Project would be less than significant.

Q. Transportation

Summary of Transportation Impacts from the Western Hills Project 2021 MND

Based on information and analyses contained within the Office of planning and Research (OPR) Technical Advisory on *Evaluating Transportation Impacts Under CEQA* and the Fehr & Peers Baseline Study, the construction of up to 22 units in Mendocino County would be considered a 'small project' and screened out of further analysis for vehicle miles traveled (VMT). Because the Project would ultimately allow a max buildout of seven single family residential units and the possibility of associated ADUs, the Project may be screened out of further VMT analysis. Nonetheless, since the Project site is currently undeveloped, any development with related vehicle use would increase VMT. In this case, there would be an increase in traffic to and from the site during both construction and operation of the Project. It is expected that construction of the Project would result in a temporary increase in traffic to and from the site, as construction workers arrive and leave each workday. In addition, minor increases to traffic on adjacent streets (specifically Redwood Avenue and Helen Avenue) could occur when heavy equipment required for construction is traveling to and from the site. However, once construction is complete, workers would no longer be traveling to the site, and the source of VMT would result from permanent residents. VMT generated from the Project would be similar to that of existing low-density residential development and would be considered less than significant.

Additionally, the Western Hills Project would not conflict with identified Major Improvements, Goals, Policies or Objectives identified in the 2017 RTP. Additionally, the Ukiah Valley Area Plan (2011) identifies future conceptual roadway improvements for the plan area. The 2021 Western Hills Project does not conflict with the UVAP's recommendations and conceptual road improvements, because these recommendations address gaps in the street system expand capacity where future congestion levels are anticipated, and development of parallel north/south facilities.

2021 MND Mitigation Measures: None

Summary of Transportation Impacts from the Revised Project

Impacts to transportation related to the Revised Project would be similar, if not less than those described in the 2021 MND, as the Revised Project does not propose road or utility improvements.

However, the Revised Project would allow for the development of three single family homes and three ADUs. Development of potential homes may require road and utility improvements to facilitate development. However, such improvements are not proposed at this time.

Since the 2021 MND was approved, the City adopted the 2040 General Plan. As a part of the General Plan Environmental Impact Report (EIR), the City identified that the following projects are expected to result in less than significant impacts: small projects that meet existing categorical CEQA exemptions, all, employment uses in areas with a diverse mix of land uses, local serving retail, projects in proximity to a major transit stop, transportation projects, and all residential projects. For more information, please refer to Section 4.11, Transportation, and Appendix D of the City's General Plan Environmental Impact Report, which may be accessed online at: https://ukiah2040.com/images/docs/Ukiah_2040_Compiled_Appendices.pdf

Because the Revised Project would include open space and limited residential development, it meets the City's adopted VMT thresholds. As such, the Revised Project would have a less than significant impact on transportation.

R. Tribal Cultural Resources

Summary of Tribal Cultural Resources Impacts from the Western Hills Project 2021 MND

As described in Section 5, Cultural Resources of the 2021 MND, no cultural resources were identified within the Project area as a result of the records search, literature review, or archaeological field survey. In addition, due to its topography, the site is considered to have a "low potential" for cultural, archeological, and historic resources.

Although no tribes have contacted the City of Ukiah to request notification under AB 52, tribal notifications offering the opportunity to request formal consultation were sent to local tribes on December 15, 2020. In addition, a request seeking a list of tribes that should be contacted was sent to the NAHC. Notices were sent to the additional tribes identified by the NAHC on January 14, 2021. On January 28, 2021, a request for formal consultation by the Pinoleville Pomo Nation was received; AB52 consultation was concluded with the tribe on May 3, 2021. Correspondence with Pinoleville Pomo Nation has been omitted for confidentiality.

Despite the negative findings and the low potential for resources to occur on-site, there is potential for resources to be inadvertently discovered during ground disturbing activities. Therefore, Mitigation Measures CUL-1 and CUL-2 would be implemented. Impacts to would be less than significant with mitigation.

2021 MND Mitigation Measures: Implementation of CUL-1 and CUL-2.

Summary of Tribal Cultural Resources Impacts from the Revised Project

Impacts to tribal cultural resources from the Revised Project would be consistent, if not less than, those described in the 2021 MND because the Revised Project does not propose ground disturbing activities at this time. Regardless, there is potential for future activities to result in the inadvertent discovered of resources. However, Mitigation Measures CUL-1 and CUL-2, which are effectively are required by the Public Resources Code for all development, would be implemented. Impacts to would be less than significant with mitigation.

S. Utilities and Service Systems

Summary of Utilities and Service Systems Impacts from the Western Hills Project 2021 MND

Sewer and water will be developed by the property owner, while electric infrastructure will be developed by the property owner and/or the City. All utilities would be owned and maintained by the HOA, with the exception of electric, which will be ultimately maintained by the City. Development of utilities could result in physical impacts to the environment. However, all utilities will be undergrounded and located within or adjacent to existing access roads, on private parcels and previously disturbed areas. In addition to serving the proposed residential developments, two water tanks will be installed to add new water storage and fire protection facilities in the Western Hills. No other development is proposed at this time. With incorporation of mitigation measures described in Biological Resources, Geology and Soils, and Hydrology and Water Quality, impacts related to expansion of utilities would not result in a significant impact to the environment. Impacts would be less than significant with mitigation measures incorporated.

The project is anticipated to use 14 equivalent sanitary sewer units (ESSUs). The City's Wastewater Treatment Plant (WWTP) currently has available, between the City of Ukiah and the Ukiah Valley Sanitation District (UVSD), 1,571 ESSUs. The WWTP has capacity to serve this development and impacts would be less than significant.

Based on information provided on CalRecycle's website, the Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day and a remaining capacity of 13.872 million cubic yards, and is estimated to remain in operation until February 2048. As such, the proposed would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. A less than significant impact would occur.

Mitigation Measures: Implementation of BIO-1 through BIO-5, and GEO-1.

Summary of Utilities and Service Systems Impacts from the Revised Project

The 40-acre parcel proposed for inclusion under the Revised Project is located within the UVSD's service boundary, but is not located within an established water district, nor within the UVFA boundary.

As a part of the Purchase Agreement, the developer is retaining exclusive right to the on-site well on the neighboring property to provide water and on-site storage for fire mitigation requirements. If the developer wants to pursue utility services, the parcel is within the UVSD boundaries. It is not currently within a water district but is contiguous with City of Ukiah Water services.

Contrary to the original Western Hills Project, the Revised Project does not propose any connections to City utilities or infrastructure at this time. The City is retaining rights to easements for underground utilities (water and/or electric within the roadway) but has no plans now to utilize these easements. Sewer, water and electric utilities would be analyzed and provided to the future development by the property owner/developer. All development would be required to comply with all regulations pertaining to wastewater, solid waste, and other service systems.

While the impacts to utilities and services systems within the 2021 MND were determined to be less than significant with mitigation (related to trenching and ground disturbing activities), the impacts resulting from the Revised Project would be less than significant (without mitigation), as no utility extensions with associated ground disturbing activities are proposed.

T. Wildfire

Summary of Wildfire Impacts from the Western Hills Project 2021 MND

The Project area is developed with fuel breaks and has been subject to vegetation management practices in order to reduce fuel load within the Western Hills. The Project site is developed with an existing access road that varies from 18 ft to 35 ft, wide with the majority of it being a minimum of 20 ft wide. The sections that are 18 ft wide are short in length (approximately 100 ft long) and have wide turnouts immediately before or after them. Both the California Department of Forestry and Fire Protection (Cal Fire) and the Ukiah Valley Fire Authority (UVFA) have reviewed the Project and conducted a site visit. The existing gravel access road will be improved with asphalt and a cul-de-sac, in accordance with all current fire and safety codes applicable to the Project. The proposed improvements would increase the level of fire protection to the Project area. The Project also includes installation of water tanks and fire hydrants to add new water storage and fire protection facilities in the Western Hills. Per the California Fire Code, a portion of the water (varies based on size and number of homes) will be required to be allotted for fire protection services and cannot be used for residential use; this will be accomplished by a float switch that will be installed in the tanks. In addition, Public Resources Code Sections 4290 and 4291 contain additional requirements for lands within Very High Fire Severity Zones that would apply to the Project. These include, but are not limited to, the following which are designed to provide defensible space and fire protection for new construction and ensure adequate emergency access: increased property line setbacks for all applicable construction; on-site water storage for fire protection, driveway/roadway types and specifications based on designated usage; all weather driveway/roadway surfaces being engineered for 75,000lb vehicles; maximum slope of 16%; turnout requirements; gate requirements and setbacks, parking standards, fuels reduction regulations, etc. All future residential development would be reviewed by the fire department and be required to adhere to all fire safety standards, including those etc.

There are no components of the Project that would conflict with, or impair the adopted MJHMP, EOP, or other adopted emergency response plan or emergency evaluation plan. For the reasons stated, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, and would not impair emergency access. Impacts would be less than significant.

As described in Section 9, Hazards and Hazardous Materials, of the 2021 MND, installation of infrastructure and construction of the Project may involve the use of gasoline-powered tools and equipment potentially introducing new temporary sources of ignition that could increase fire risk. However, implementation of Mitigation Measure HAZ-2 will reduce impacts to less than significant. Less than significant with mitigation incorporated.

Mitigation Measures: Implementation of HAZ-2

Summary of Wildfire Impacts from the Revised Project

Once under the City's jurisdiction, the 25 acres would be maintained for fire protection. The properties will undergo an initial evaluation with an environmental survey and habitat assessment components, to determine the best treatment approach for fire mitigation efforts. The City plans to develop a Forest Management Plan in coordination with the Mendocino County Fire Safe Council for City-owned properties within the Western Hills.

As a part of the Purchase Agreement, the developer is retaining exclusive right to the on-site well on the neighboring property to provide water and on-site storage for fire mitigation requirements.

The Project site is developed with an existing access road that varies from 16 ft to 20 ft, wide that will be required to be improved to current fire and building codes at the time of development. Additionally, the Revised Project will comply with all applicable goals and policies contained within the City's Safety Element related to wildfire and development, such as adherence to Public Resources Code Sections 4290 and 4291 that contain additional requirements for lands within Very High Fire Severity Zones.

There are no components of the Project that would conflict with, or impair the adopted MJHMP, EOP, or other adopted emergency response plan or emergency evaluation plan. For the reasons stated, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, and would not impair emergency access. Impacts would be less than significant.

4. Mandatory Findings of Significance

Summary of Impacts Disclosed in 2021 MND

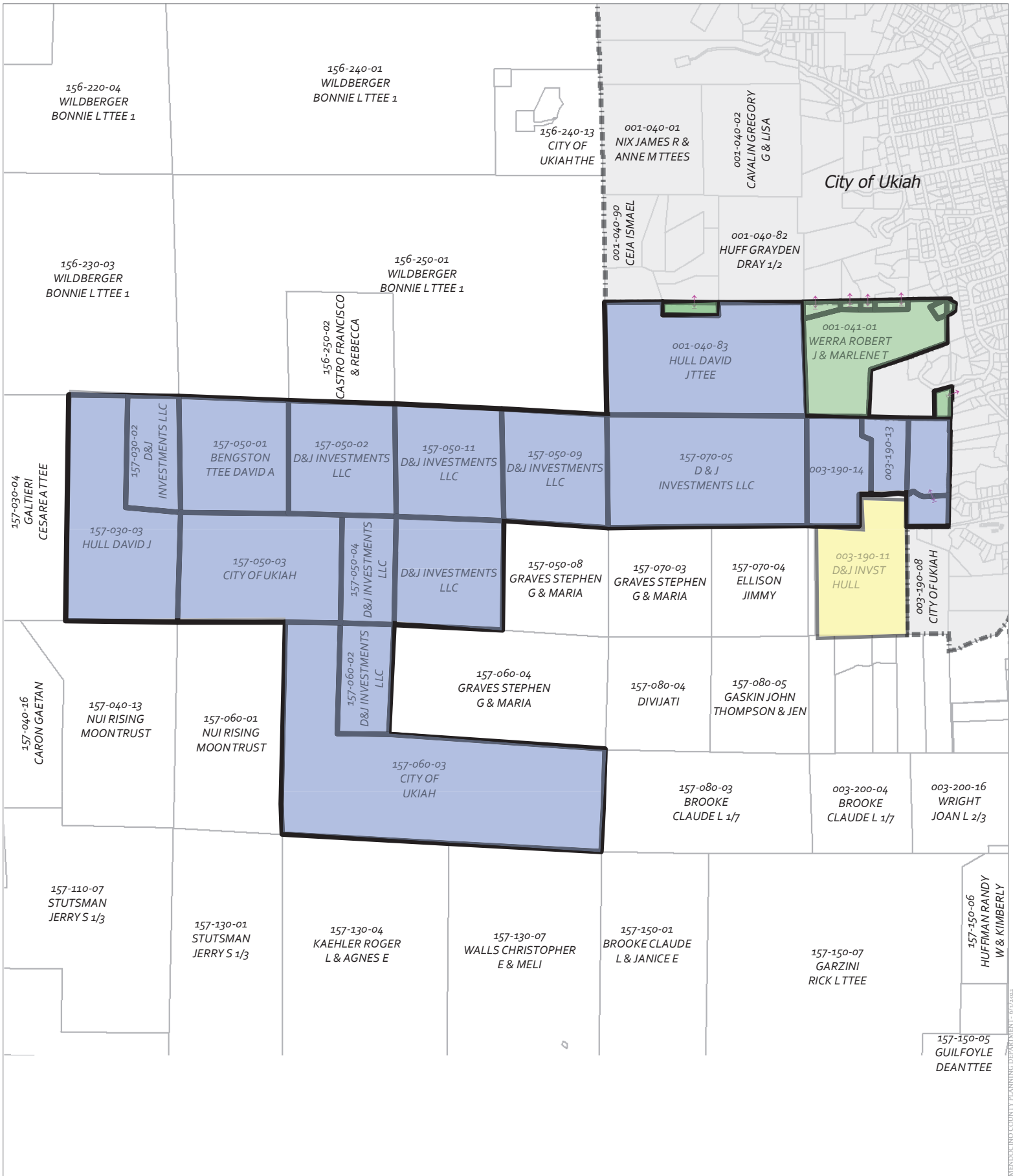
Project components including the acquisition, annexation, and rezoning of parcels, in addition to the Lot Line Adjustments, would not directly result in physical impacts to the physical environment. However, infrastructure improvements and the potential construction of up to seven single-family homes and seven associated ADUs, for a total of 14 units within the easternmost 54 acres of the Project area, could occur under the Development Agreement. Hull Properties is choosing to require the single-family homes to be constructed to R1-H standards by including them in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for Development Parcels 1-3. In addition, although not required, the mitigation measures contained within the ISMND for residential development will also be included in the CC&Rs. Development Parcels 1-3 will still be included in the application for annexation and rezoned to R1-H. Although residential development is not proposed at this time and the 2021 Western Hills Project would not grant any entitlements, this analysis assumes that the development will occur on all Development Parcels, both under the County and City's jurisdiction. As described throughout the Initial Study, construction and ground disturbing activities associated with these components could result in direct significant impacts to Air Quality, Biological Resources, Cultural /Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Utilities and Service Systems, and Wildfire. However, mitigation measures identified within the aforementioned sections would reduce impacts to less than significant with mitigation incorporated.

Cumulative impacts are generally considered in analyses of Air Quality, Biological Resources, Cultural Resources, Noise, and Traffic. As discussed throughout the Initial Study, the 2021 Western Hills Project would have less than significant impacts on these resources with implementation of mitigation measures described herein. As discussed in Section 14, Population and Housing, as well as Section 11, Land Use and Planning, the potential development of up to 14 units would not induce substantial unplanned population growth in an area, either directly or indirectly. Individual impacts from the 2021 Western Hills Project would not significantly contribute to cumulative impacts in the area as there are no known past projects nor current projects within the vicinity of the site. However, all future housing development would be analyzed on a project level basis for direct, indirect, and cumulative impacts, as necessary.

Summary of Impacts from Revised Project

Impacts associated with the Revised Project would be consistent, if not less than, those disclosed within the 2021 MND and within the 2040 General Plan EIR related to the Western Hills Annexation Area. Specifically, the 40-acres proposed for inclusion in the Western Hills Annexation

Area contains similar terrain, vegetation and scenic quality as the parcels previously analyzed. While the Revised Project does not include road and/or utility improvements, which would result in less impacts described within the 2021 MND associated with groundwork, grading, and vegetation removal associated with those components, the Purchase Agreement would allow for potential development of up to six additional units within a 15-acre area, in accordance with the R1H zoning regulations. Similar to the analysis contained within the 2021 MND, the exact location of the potential development parcels and residential units is unknown at this time. However, all future development would be subject to discretionary and environmental review and be required to comply with City regulations for height, setbacks, and other development standards established to protect natural features and scenic resources within the Western Hills. The Revised Project would incorporate mitigation measures from the 2021 MND to reduce impacts to Air Quality, Biological Resources, Cultural/Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Wildfire. Consistent with the 2021 MND, all impacts, including cumulative impacts, associated with the Revised Project would be less than significant with mitigation incorporated. See Mitigation, Monitoring and Reporting Program in Attachment D.



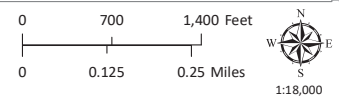
Ukiah Western Hills Annexation Area Map

City Limits

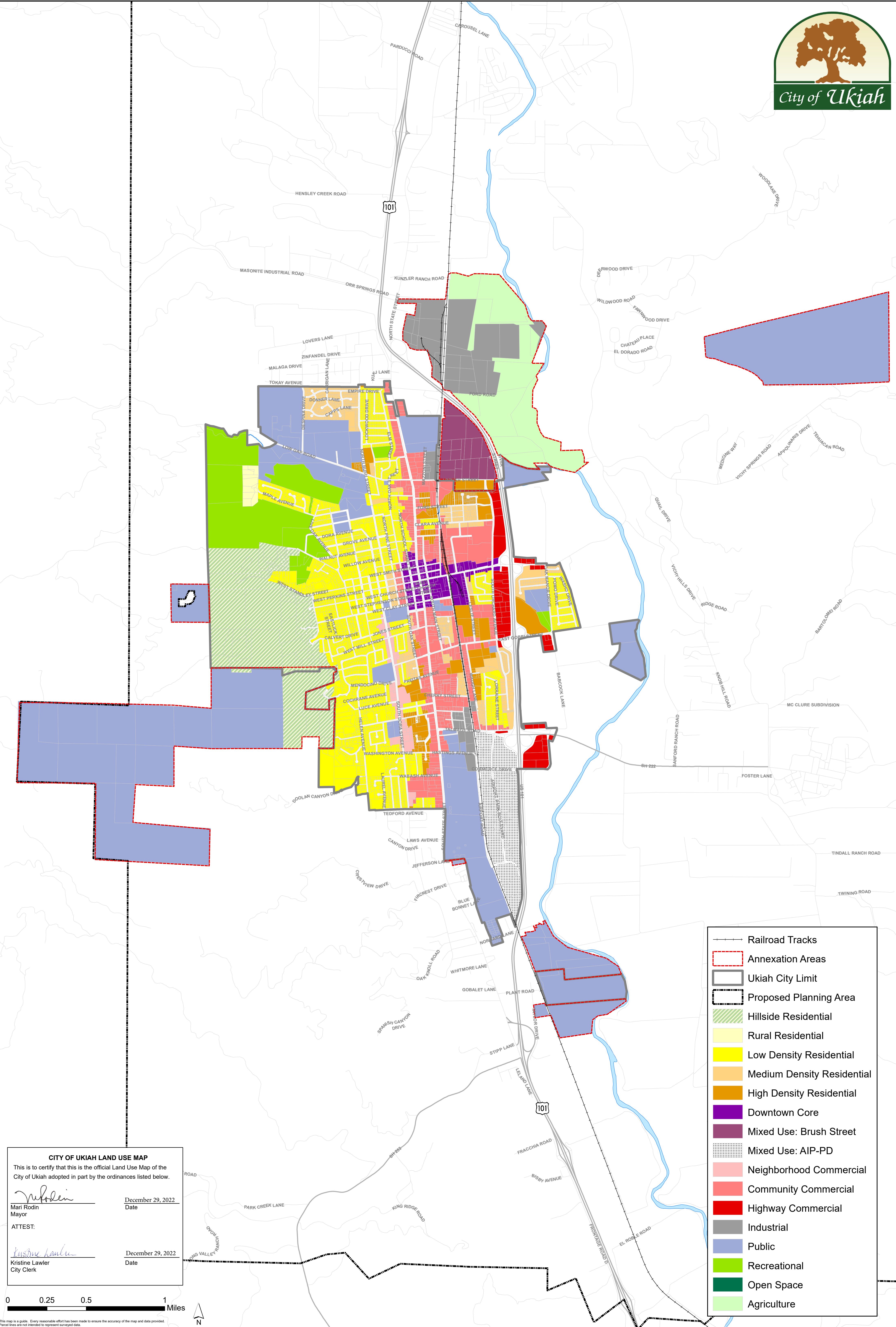
2021 Western Hills Annexation parcels

"Clean up parcels" added during City's General Plan Update

Additional parcel proposed for inclusion (Revised Project, 2023)



UKIAH GENERAL PLAN - 2040 Land Use Diagram

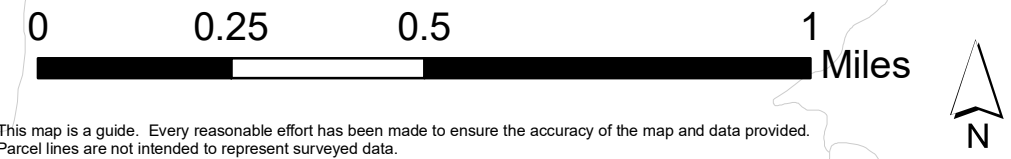


CITY OF UKIAH LAND USE MAP
This is to certify that this is the official Land Use Map of the City of Ukiah adopted in part by the ordinances listed below.

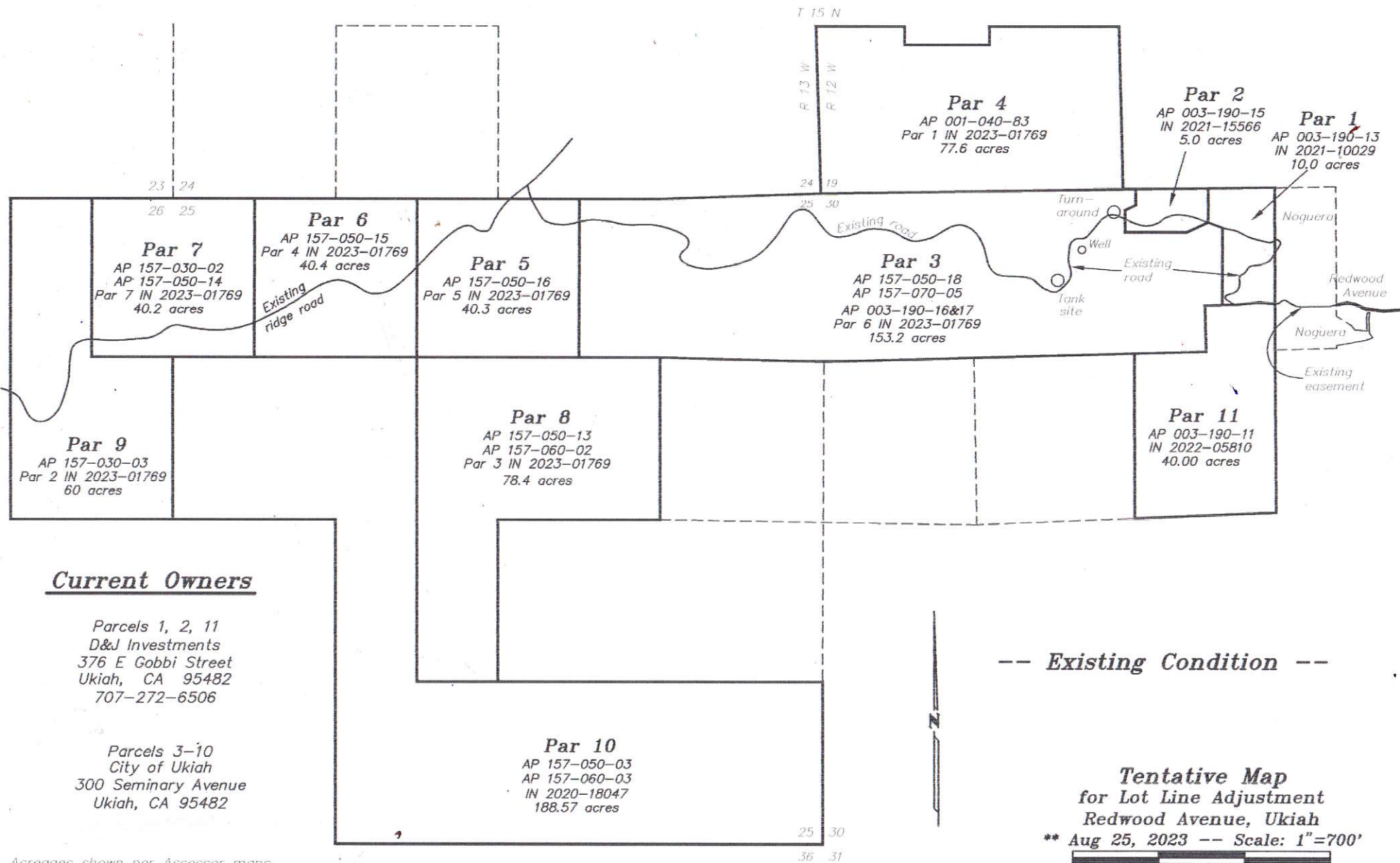
Mari Rodin
Mari Rodin
Mayor
December 29, 2022
Date

ATTEST:

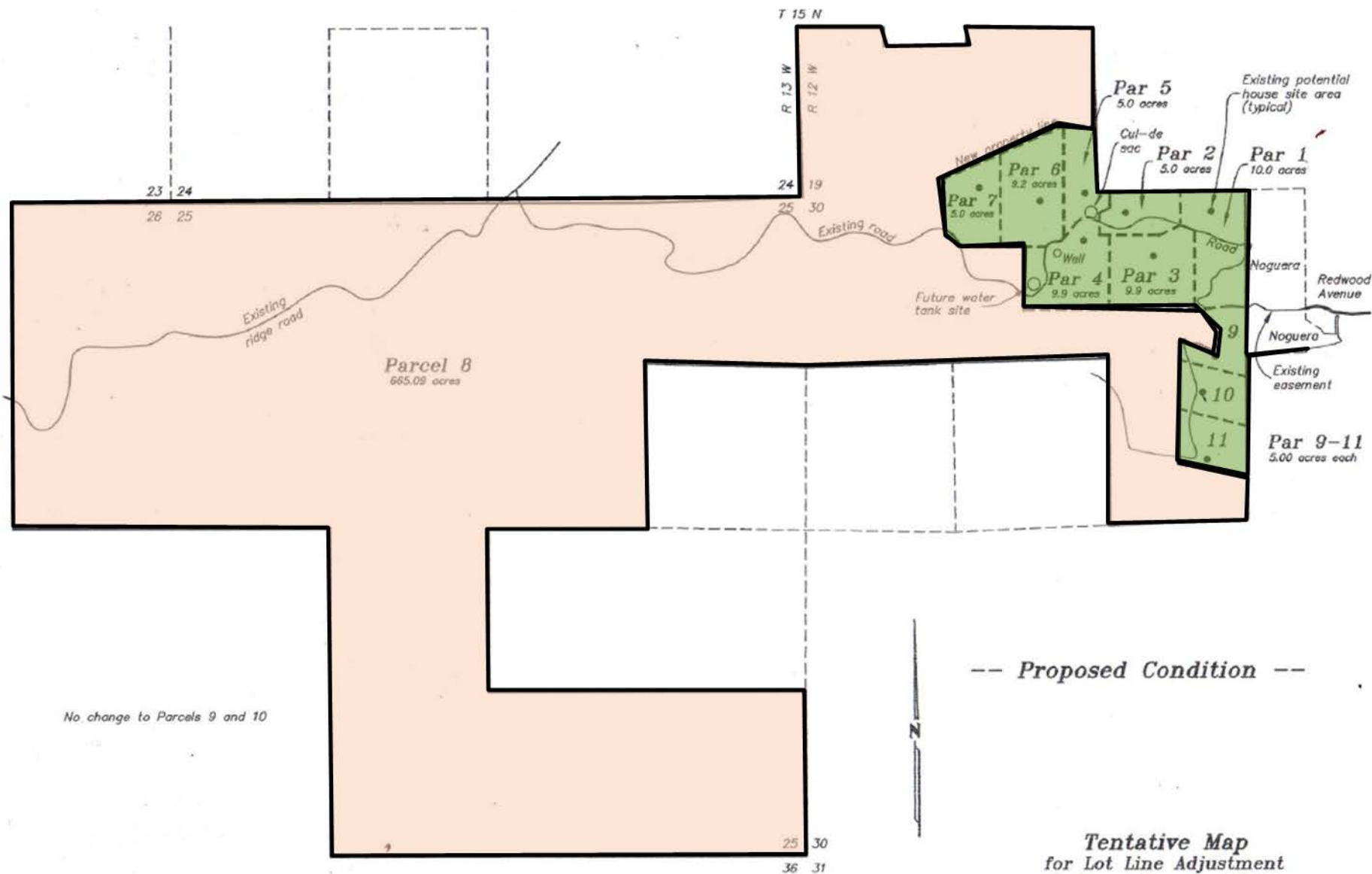
Kristine Lawler
Kristine Lawler
City Clerk
December 29, 2022
Date



This map is a guide. Every reasonable effort has been made to ensure the accuracy of the map and data provided. Parcel lines are not intended to represent surveyed data.



Acreages shown per Assessor maps



Proposed Prezoning Upon Successful Annexation

- Single-Family Residential-Hillside Overlay (R1-H)
- Public Facilities (PF)

Tentative Map
for Lot Line Adjustment
Redwood Avenue, Ukiah
**** Aug 25, 2023 -- Scale: 1"=700'**

**** updated AP numbers**
Added Parcel 11

MITIGATION MONITORING REPORTING PROGRAM (as adopted for the “2021 Western Hills Project”)					
Potential Impact	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
Construction and ground disturbing activities could result in short-term impacts to air quality.	AQ-1: Diesel Engines – Stationary and Portable Equipment and Mobile Vehicles: a. Any stationary onsite diesel IC engines 50 horsepower or greater (i.e. large power generators or pumps) or any propane or natural gas engines 250 horsepower or greater may require a permit from the District. b. Portable diesel powered equipment that may be used during the proposed project are required to be registered with the state Portable Equipment Registration Program (PERP) or obtain permits from the District. c. Projects located adjacent to sensitive receptors (schools, child care facilities, health care facilities, senior facilities, businesses, and residences, etc.) during the construction phase of this project have the potential for exposure to diesel particulate. d. Heavy duty truck idling and off-road diesel equipment or other diesel engine idling is limited to less than 5 minutes.	Developer	Developer	During construction and ground disturbing activities	
	AQ-2: Grading Projects- During Construction- All grading activities must comply with the following fugitive dust mitigation measures in accordance with District Regulation 1, Rule 1-430: a. All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.	Developer	Developer	During construction and ground disturbing activities	

	b. All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 mph. c. Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed. d. Asphalt, oil, water, or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise airborne dusts. e. All earthmoving activities shall cease when sustained winds exceed 15 mph. f. The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours. g. The operator shall keep a daily log of activities to control fugitive dust. h. For projects greater than one acre or one mile of road not located within a Naturally Occurring Asbestos Area, prior to starting any construction the applicant is required to: 1. Submit a Large Area Grading permit application to the District. 2. Obtain a final determination from the Air Quality Management District as to the need for an Asbestos Dust Mitigation Plan and/or Geologic Survey to comply with CCR sections 93106 and 93105 relating to Naturally Occurring Asbestos. 3. Obtain written verification from the District stating that the project is in compliance with State and Local regulations relating to Naturally Occurring Asbestos. 4. If the project is located within a Naturally Occurring Asbestos Area, additional mitigations shall be required.				
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	AQ-3: Property Development-Prior to starting any construction, the applicant is required to: a. Obtain a Property Development Permit from the District for any open outdoor burning. b. Obtain a Grading Permit, if applicable. c. Confirm whether the project is in a Naturally Occurring Asbestos Area, and follow additional MCAQMD recommendations, if applicable. d. Consider alternate means of disposal other than open burning, such as cutting the majority of the larger material up as firewood, and chipping smaller material, if feasible to mitigate impacts from open outdoor burning. e. Obtain written verification from the MCAQMD stating that the project is in compliance with State and Local regulations.	Developer	Developer	Prior to construction	
Biological Resources					
Construction and ground disturbing activities could result in impacts to sensitive plant species	BIO-1: Special-Status Plants. Full USFWS protocol-level sensitive plant species surveys for Mendocino tarplant, congested headed hayfield tarplant, bristly leptosiphon, broad-lobed leptosiphon, redwood lily, green monardella, white-flowered rein orchid, Mayacamas popcornflower, beaked tracyina, showy Indian clover, and oval-leaved viburnum within the blooming period (generally March-August) shall be conducted prior to any ground disturbing activities to verify the presence of special status plants, and identify additional mitigation if needed, to ensure that the project will not result in a significant impact.	Qualified Biologist	Developer	Prior to ground disturbing activities	

Construction and ground disturbing activities could impact Red-belly newt and their habitat	BIO-2: Red-belly newt. A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of Red-belly newt, and identify additional avoidance measures, if needed.	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction, vegetation removal, and ground disturbing activities could impact nesting birds and their habitat	BIO-3: Nesting Birds. Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities occurring between March 1 and August 31 of any year. All active bird nests shall not be removed, relocated, or otherwise disturbed for any purpose until all fledglings have left the nest.	Qualified Biologist	Developer	Prior to vegetation removal or ground disturbing activities between March 1 and August 31	
Construction and ground disturbing activities could impact special-status insects and their habitat	BIO-4: Special-Status Insects. A qualified biologist shall survey the area prior to any groundbreaking activities to determine the presence of special-status insect species and identify additional avoidance measures if needed. If a special-status insect nests are observed, active nests shall not be removed, relocated, or otherwise disturbed until the nest becomes inactive.	Qualified Biologist	Developer	Prior to ground disturbing activities	
Construction and ground disturbing activities could impact special-status mammals and their habitat	BIO-5: Special-Status Mammals. Pre-construction surveys shall be conducted prior to any vegetation removal or ground disturbing activities. If evidence of bat roosts is observed (i.e. bat guano, ammonia odor, grease stained cavities) around trees or structures, pre-construction bat surveys shall be conducted by a qualified biologist for activities that may affect bat roosting habitat and den sites.	Qualified Biologist	Developer	Prior to ground disturbing activities	

Cultural Resources and Tribal Cultural Resources					
Ground disturbing activities have the potential for accidental discovery of unknown, undiscovered cultural resources and tribal cultural resources	CUL-1: Unanticipated Discovery. If previously unidentified cultural, historic, paleontologic or archeologic resources are encountered during project implementation, altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. A qualified professional archaeologist shall be contacted to evaluate the resource and methods necessary to protect it. Project personnel shall not collect, move, or disturb cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.	Qualified archaeologist	Developer	During ground disturbing activities	
Ground disturbing activities have the potential for accidental discovery of unknown Native American remains	CUL-2: Encountering Native American Remains. If human remains are encountered during ground disturbing activities, all work shall stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist shall be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of the remains will be provided.	Qualified archaeologist	Developer	During ground disturbing activities	

Geology and Soils					
Ground disturbing activities could result in impacts associated with erosion, the loss of topsoil and landslides if not properly designed	Incorporation of Mitigation Measure CUL-1	Qualified archaeologist	Developer	During ground disturbing activities	
	GEO-1: The Project shall comply with the erosion and design standards outlined in Chapter 7 of the Ukiah City Code. Prior to any ground disturbance, erosion and sediment control plans shall be submitted to the Public Works and Community Development Departments for review and approval. Said plans shall protect against soil erosion and runoff through the implementation of appropriate Best Management Practices (BMPs). Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, etc. No silt, sediment or other materials shall be allowed to flow from the project area.	Developer	Developer	Prior to any ground disturbance and throughout construction activities; ongoing as needed to control erosion	
Hazards and Hazardous Materials					
Project construction could result in a hazard to the public or the environment if the incidental use of petroleum hydrocarbons (fuel, oil) in tools used during construction were to lead to	HAZ-1: The developer shall establish and implement construction site management practices that will prevent toxic materials and other debris from entering the City's storm drainage and waterway systems, including: a) There shall be no storage of hazardous materials at the Project Site; b) The developer shall provide adequate materials management, including covering, securing, and segregating potentially toxic materials (grease, oils, fuel, solvents, etc.); and	Developer	Developer	During construction	

accidental leaks or spills in or around the work area	c) The developer shall maintain supplies on-hand to contain spills of oil and any other hazardous materials used on-site.				
Construction of the Project may involve the use of gasoline-powered tools and equipment potentially introducing new temporary sources of ignition that could increase fire risk.	HAZ-2: Should portable gasoline-powered equipment be used on site, the following firesafe precautions shall be taken: a) Spark arresters are required on all portable gasoline-powered equipment. b) Equipment shall be maintained in good working condition, with exhaust systems and spark arresters in proper working order and free of carbon buildup. c) Fuel the equipment in a safe place where spills can be contained and a fire extinguisher is nearby. Use the recommended gas/oil mixture and do not top off. Use a funnel or spout for pouring. Wipe off any spills. d) Do not refuel running or hot equipment. Dispense fuel at least 10 feet from sources of ignition. e) Do not use equipment in areas of dry vegetation. Keep leaves and dry materials away from a hot muffler. f) No smoking or open flame allowed near gasoline-powered equipment.	Developer	Developer	During construction	

Hydrology and Water Quality					
Ground disturbing activities and construction of the project would result in impervious surfaces that could impact water quality	Implementation of Mitigation Measures GEO-1 and HAZ-1	Developer	Developer	Prior to and during construction ; ongoing as needed to control erosion	
Noise					
Ground disturbing activities and construction of the project would result in temporary noise impacts	NOI-1: Prior to building permit or grading permit issuance, the developer shall comply with the following: a. Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices. b. Construction haul routes shall be designed to avoid or lessen impacts to noise-sensitive uses (e.g., residences, schools, convalescent homes), to the extent feasible. c. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. d. Per the City's Noise Ordinance, construction shall not take place outside of the hours of 7:00 a.m. to 7:00 p.m.	Developer	Developer	Prior to issuance of building or grading permits, and during construction	

Utilities and Service Systems					
City sewer, water and electric utilities would be extended to the area which could result in physical impacts to the environment	Implementation of BIO-1 through BIO-5 , and GEO-1 .	See BIO-1 through BIO-5 and GEO-1	See BIO-1 through BIO-5 and GEO-1	See BIO-1 through BIO-5 and GEO-1	
Wildfire					
Construction of the Project may involve the use of gasoline-powered equipment and machinery, potentially introducing new sources of ignition that could increase fire risk	Implementation of Mitigation Measure HAZ-2	Developer	Developer	During construction	

ORDINANCE NO. 1217

UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UKIAH TO PREZONE CERTAIN PARCELS IN ASSOCIATION WITH THE WESTERN HILLS OPEN LAND ACQUISITION AND LIMITED DEVELOPMENT AGREEMENT PROJECT.

The City Council of the City of Ukiah hereby ordains as follows: SECTION ONE. FINDINGS

1. The City proposes to acquire and annex approximately 707 acres total, including the "Hull Properties" (APNs 001-040-83, 157-070-01, 157-070-02, 003-190-01, 157-050-09, 157-060-02, 157-050-02, 157-050-04, 157-050-01, 157-030-02, 157-030-03, 157-050-11 & 157-050-12), the "Noguera Properties" (APNs 003-190-09 & 003-110-90) and the City-owned "Donation Parcel" (APNs 157-050-03, 157-060-003) in the Western Hills for open space preservation, while allowing the potential for future low-density residential development on the approximately 54 easternmost acres ("Development Parcels"), consistent with existing development in the Western Hills within the City of Ukiah limits; and
2. Government Code Section 65859 allows the City to adopt a zoning district for land outside of the city limits in anticipation of annexation and development, i.e. prezone.
3. Government Code Section 56742 allows the City to annex parcels that are not located within the City's Sphere of Influence ("SOI"), provided that those parcels are located in the County of Mendocino, less than 300 acres, owned by the City, and used for municipal purposes at the time of the annexation application.

SECTION TWO.

The City Council of the City of Ukiah hereby ordains that:

1. The City will apply to annex approximately 640 acres total referred to as the "Conservation Parcels", for open space and conservation. The Conservation Parcels will be pre-zoned with a Public Facilities (PF) zoning designation, which encompasses lands within the City that contain open space and parks, as well as other public facilities. Approximately 343 acres of the Conservation Parcels are located within the City's SOI and 296 acres outside of it.
2. The proposed Development Parcels (totaling approximately 54 acres) will be zoned to Single-Family Residential-Hillside Overlay District (R1-H) with a General Plan Designation of Low Density Residential (LDR), consistent with adjacent City zoning and development patterns in the Western Hills. In addition, the Noguera Properties will be zoned R1-H for consistency with surrounding zoning and land uses.
3. A map of the affected territories is set forth in Exhibit A, and the parcel configuration, intended use, and proposed pre-zoning of the affected territories are set forth in Exhibit B, attached hereto and by reference incorporated herein.

SECTION THREE.

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: Section 2 and 3 of this ordinance shall become effective as of the date that the annexation of the Conservation Parcels, Development Parcels, and Noguera Properties becomes final.

Introduced by title only on September 15, 2021, by the following roll call vote:

AYES: Councilmembers Rodin, Duenas, Brown, and Mayor Orozco
NOES: None
ABSENT: Councilmember Crane
ABSTAIN: None

Adopted on October 6, 2021, by the following roll call vote:

AYES: Councilmembers Duenas, Brown, and Mayor Orozco
NOES: None
ABSENT: Councilmembers Crane and Rodin
ABSTAIN: None



Juan V. Orozco, Mayor

ATTEST:



Kristine Lawler, City Clerk

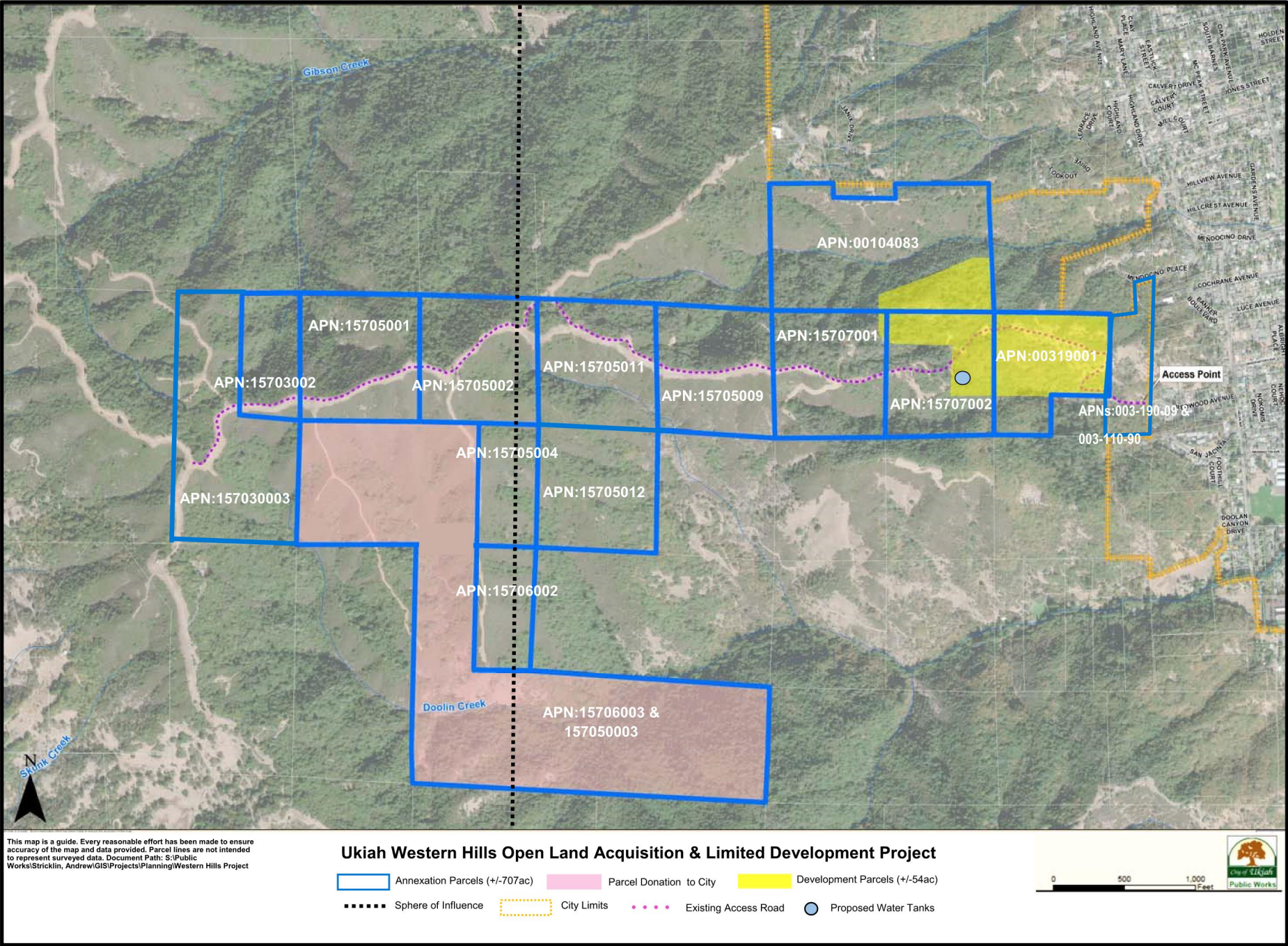


Figure 1
Location Map
Page 84 of 90

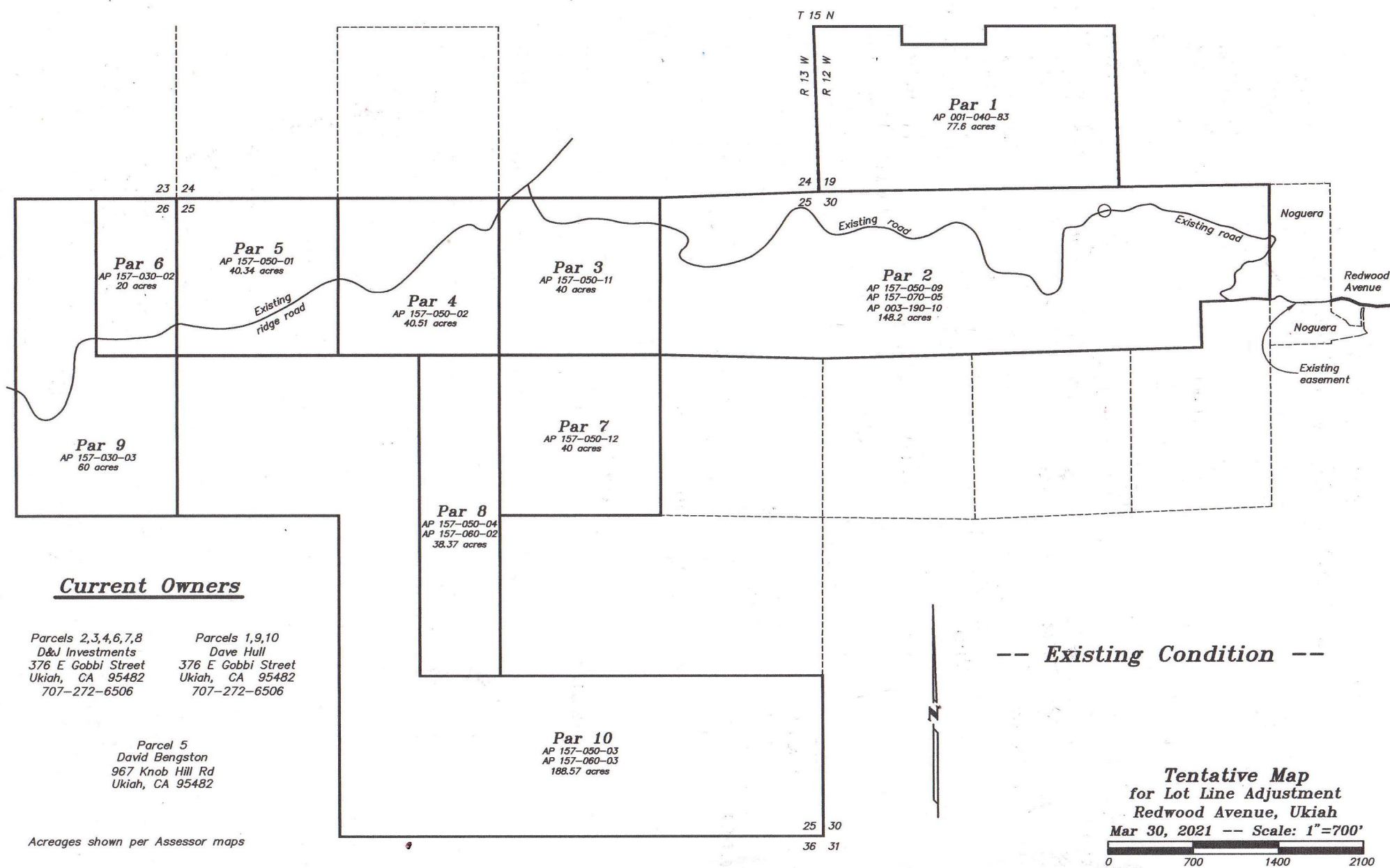
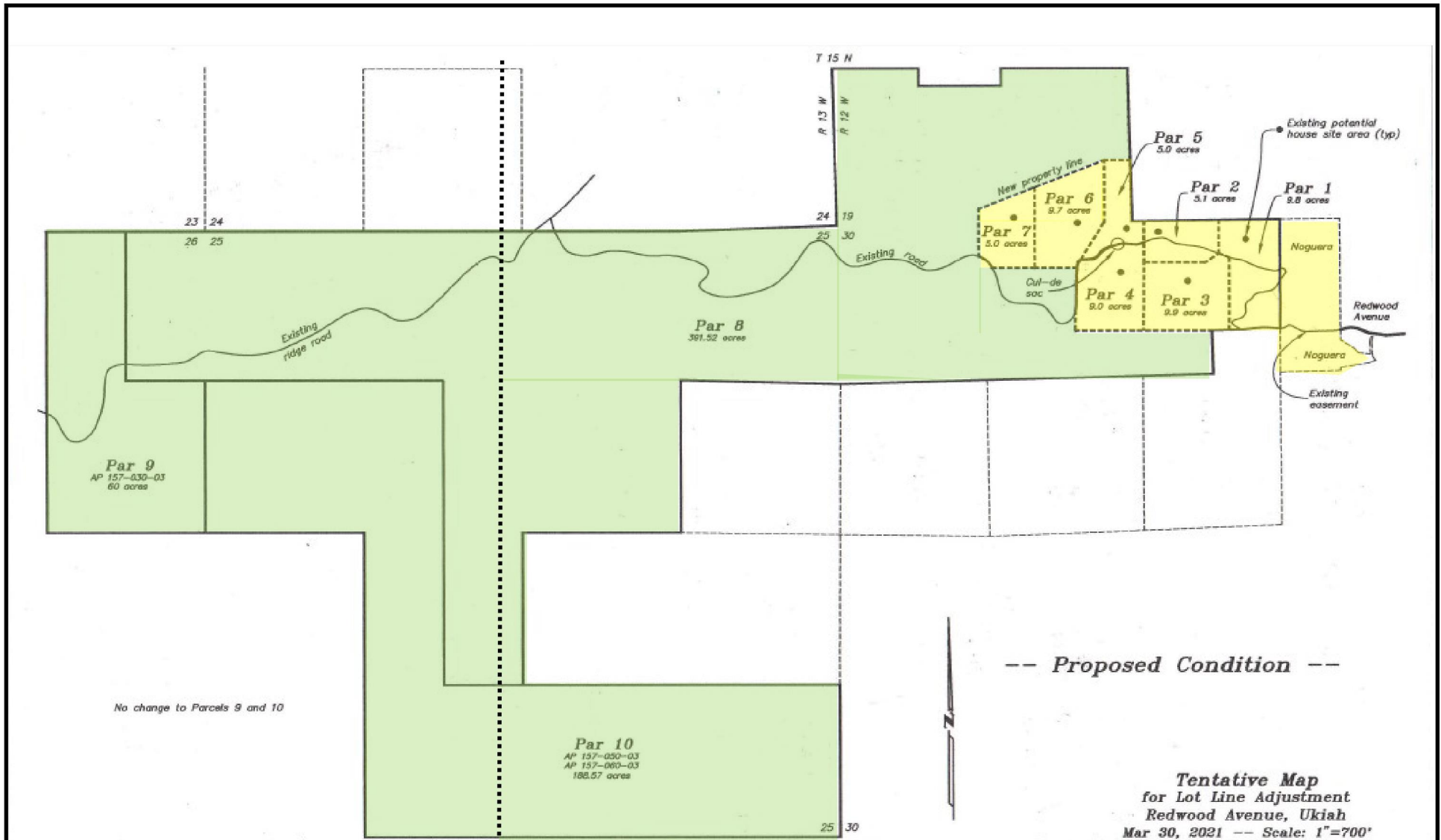


Figure 2
Existing Parcel Configuraton
Page 85 of 90



Proposed Parcel Configuration & Prezoning for Western Hills (Hull Properties) Open Land Acquisition & Limited Development Agreement Project

..... Sphere of Influence

Conservation Parcels" (640ac) with Public
Facilities (PF) Prezoning

"Development Parcels" (54ac) with Single-Family Residential-
Hillside Overlay District (R1-H) Prezoning

Last revised June 2, 2021

Figure 3
Proposed Parcel Configuration & Prezoning

EXHIBIT B- ANNEXATION PARCELS AND PREZONING

Assessor's Parcel Number (APN)	Existing Size (+/acres)	Proposed Size (+/-acres) through Lot Line Adjustments¹	Resulting Parcel Configuration, Intended Use and Proposed Prezoning
001-040-83	77.6	9.8	Parcel 1 will become a Development Parcel intended for single family housing and prezoned R1-H.
157-070 01, 157-070-02, 003-190-01 & 157-050-09	148.2	5.1	Parcel 2 on Existing Conditions Tentative Map, contains several APNs but is one legal parcel (149 acres total). This parcel will become a Development Parcel intended for single-family housing and prezoned R1-H.
157-050-11	40.0	9.9	Parcel 3 will become a Development Parcel intended for single-family housing and prezoned R1-H.
157-050-02	40.5	9.0	Parcel 4 will become a Development Parcel intended for single-family housing and prezoned R1-H.
157-050-01	40.3	5.0	Parcel 5 will become a Development Parcel intended for single-family housing and prezoned R1-H.
157-030-02	20.0	9.7	Parcel 6 will become a Development Parcel intended for single-family housing and prezoned R1-H.
157-050-12	40.0	5.0	Parcel 7 will become a Development Parcel intended for single-family housing and prezoned R1-H.
157-050-04 & 157-060-02	38.7	391.5	Parcel 8 will become a Conservation Parcel and be prezoned PF. The proposed water tanks will be placed on this parcel within the existing water tank pad site (on existing Parcel 2).
157-030-03	60.0	60.0	Parcel 9 is an Conservation Parcel and will prezoned PF.
157-030-03 & 157-060-03	188.5	188.5	Parcel 10 (City-owned "Donation Parcel") will become a Conservation Parcel and will be prezoned PF.
"Noguera Properties" 003-190-09 & 003-110-90	10.20 4.14	10.20 4.14	These parcels contain the existing access road that will be improved but remain under private ownership. It will be included in the annexation proposal and prezoned R1-H, consistent with surrounding zoning and land uses, but no development is proposed; this parcel is not included in the Lot Line Adjustment.
TOTAL	+/- 707 acres		

¹ Resulting parcel configuration is subject to change but the Development Parcel area footprint and number of resulting parcels will remain the same.

Ukiah Western Hills Open Land Acquisition & LDA ISMND

Summary

SCH Number	2021040428
Lead Agency	City of Ukiah
Document Title	Ukiah Western Hills Open Land Acquisition & LDA ISMND
Document Type	NOD - Notice of Determination
Received	9/27/2021
Posted	9/27/2021
Document Description	1) Acquisition and annexation of approx. 707 acres for open space and limited develop- ment; 2) Pre-zoning of the parcels; 3) Sequential Lot Line Adjustments to reconfigure parcels into seven lots for future development; 4) Development Agreement between the City and Hull Properties restricting development to one single-family residence and one accessory dwelling unit (total of 14 units on 54ac); and 5) Site improvements (ex- tension of utilities, road improvements, construction of water tanks).

Contact Information

Name	Michelle Irace
Agency Name	City of Ukiah
Contact Types	Lead/Public Agency
Address	300 Seminary Ave. Ukiah , CA 95482
Phone	(707) 463-6268
Email	mirace@cityofukiah.com

Location

Cities	Ukiah
Counties	Mendocino
Regions	Citywide, Countywide, Northern California
Cross Streets	Redwood Avenue

Zip	95482
Total Acres	707
Parcel #	several
State Highways	Highway 101
Airports	Ukiah Municipal Airport

Notice of Determination

Approving Agency	Ukiah City Council
Approving Agency Role	Lead Agency
Approved On	9/15/2021
County Clerk	Mendocino
Final Environmental Document Available at	https://www.cityofukiah.com/ceqa-review/ or 300 Seminary Ave., Ukiah CA, 95482

Determinations

(1) The project will have a significant impact on the environment	No
(2a) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA	No
(2b) A Mitigated or a Negative Declaration was prepared for this project pursuant to the provisions of CEQA	Yes
(2c) An other document type was prepared for this project pursuant to the provisions of CEQA	No
(3) Mitigated measures were made a condition of the approval of the project	Yes
(4) A mitigation reporting or monitoring plan was adopted for this project	Yes
(5) A Statement of Overriding Considerations was adopted for this project	No
(6) Findings were made pursuant to the provisions of CEQA	Yes

Attachments

Notice of Determination

Western Hills ISMND NOD

PDF

473 K

Disclaimer: The Governor’s Office of Planning and Research (OPR) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. You may also contact the OPR via email at state.clearinghouse@opr.ca.gov or via

Notice of Determination**To:**

☒ Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk
 County of: Mendocino
 Address: 501 Low Gap Rd # 1020
 Ukiah, CA 95482

From:

Public Agency: City of Ukiah
 Address: 300 Seminary Ave.
 Ukiah, CA, 95482
 Contact: Michelle Irace, Planning Manager
 Phone: 707-463-6268 mirace@cityofukiah.com

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2021040428

Project Title: Ukiah Western Hills Open Land Acquisition and Limited Development Agreement Project

Project Applicant: City of Ukiah

Project Location (include county): approx. 707 acres in unincorporated Mendocino County

Project Description:

1) Acquisition and annexation of approx. 707 acres for open space and limited development; 2) Rezoning of the parcels; 3) Sequential Lot Line Adjustments to reconfigure parcels into seven lots for future development; 4) Development Agreement between the City and Hull Properties restricting development to one single-family residence and one accessory dwelling unit (total of 14 units on 54ac); and 5) Site improvements (extension of utilities, road improvements, construction of water tanks). +

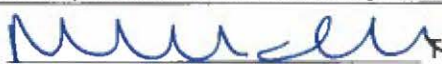
This is to advise that the Ukiah City Council _____ has approved the above
☒ Lead Agency or ☐ Responsible Agency)

described project on 9/15/21 _____ and has made the following determinations regarding the above
 (date)
 described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<https://www.cityofukiah.com/ceqa-review/> or 300 Seminary Ave., Ukiah, CA, 95482

Signature (Public Agency):  Title: Planning Manager

Date: 9/20/21 _____ Date Received for filing at OPR: _____