



**Final Findings of Consistency:  
Open Space Zoning Ordinance  
CEQA Section 15183 Statutory Exemption  
November 19, 2025**

**SCH No: XXXXXXXXXXXX**

*Prepared by:*

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## I. PROJECT INFORMATION

<b>Project Title:</b> Ordinance of the City Council of the City of Ukiah Adding a New Article 11.5 to Division 9, Chapter 2 to Establish and Regulate the Open Space (O-S) Zoning District
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<b>Applicant:</b> City of Ukiah
<b>Property Owner:</b> City of Ukiah
<b>Project Location:</b> City-wide within the Open Space (O-S) Zoning District
<b>General Plan Designation:</b> Those designations listed as compatible with the proposed O-S Zoning District, including: Public (P), Recreational (REC), Open Space (OS), Agriculture (AG)
<b>Zoning Designation:</b> Open Space (O-S) - Proposed

## II. INTRODUCTION

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

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

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

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

Since the adoption of a zoning ordinance is considered a discretionary action and a "Project" under CEQA Guidelines Section 15378, the application of Section 15183 is appropriate for this legislative action. This section limits the examination of environmental effects to those effects that are peculiar to the project or its site, or which the prior EIR failed to analyze.

### 2. Ukiah 2040 General Plan EIR

The Ukiah 2040 General Plan and its associated EIR (SCH# 2022050556) were certified in December 2022. The General Plan designates land uses defining the type and amount of development that can occur throughout the City and proposed annexation areas through the planning horizon year of 2040 (over approximately 18 years). The EIR serves as the foundational environmental document for subsequent projects and implementing ordinances, such as the proposed Open Space Zoning District. The adoption of the O-S Ordinance is consistent with the goals and policies of the General Plan and can therefore utilize this prior environmental analysis for tiering and streamlining purposes.

## III. PROJECT DESCRIPTION

### 1. Project Purpose

The Open Space (O-S) Zoning District Ordinance establishes a regulatory mechanism to implement the open space conservation goals of the Ukiah 2040 General Plan. The purpose of the O-S district is to conserve natural resources, preserve ecological systems, protect scenic

and cultural landscapes, and provide opportunities for passive recreation and public access where appropriate.

The ordinance addresses the following core goals and policies of the Ukiah 2040 General Plan:

- **Goal ENV-1:** To preserve open space lands for natural resource protection, recreation, scenic enjoyment, and hazard avoidance.
- **Policy ENV-6.7 and Policy LU-6.3:** By providing a regulatory mechanism to identify, preserve, and manage creek corridors, hillsides, and ridgelines for trails, wildlife habitat, and public access.
- **Action Item ENV-1.2(C):** By establishing allowances ensuring compatibility with long-term land conservation and watershed management objectives, specifically referencing the Western Hills Watershed Protection Area Management Plan (2024).
- **Government Code Compliance:** The ordinance fulfills the intent of state law (Government Code Sections 65302 and 65560–65570) requiring the City to adopt measures to implement the Open Space and Conservation Elements of the General Plan.

## 2. Environmental Setting and Project Location

The City of Ukiah is located in the Ukiah Valley, a region defined by a mix of urban development, agricultural lands, and undeveloped natural areas. Open space, meaning land or water areas that remain largely unimproved and support ecological, recreational, or scenic values, is an important component of the broader landscape. The Ukiah Valley includes significant areas of hillside, riparian corridors, and rural lands that contribute to the environmental and visual character of the region.

Within the city limits, the City of Ukiah owns and manages a range of park and recreation facilities totaling approximately 260 acres. These include neighborhood and community parks, as well as Low Gap Park, an 80-acre open space area owned by Mendocino County. Low Gap Park features an existing network of trails that extend into the hills west of the city and support passive recreation uses. Additional regional open space areas within the City's planning sphere include Mill Creek Park (400 acres), Lake Mendocino Recreation Area (5,110 acres), and Cow Mountain Recreation Area (60,000 acres). These regional open space areas are managed by the County of Mendocino, or Federal entities, such as the U.S. Army Corps of Engineers, or the Bureau of Land Management. The Russian River also provides recreational opportunities for Ukiah residents, with public access available at four locations within or near city limits: the City Softball Complex, Vichy Springs Road crossing, Riverside Park, and the Talmage Road crossing.

The City's existing holdings help to preserve the valley's natural features and ecological health. These lands include oak woodlands, hillside areas, and riparian corridors that provide important wildlife habitat and natural space for residents. While some areas are open to the public, others feature restricted access or lack formal infrastructure. Recent acquisitions such as the City-Owned Annexation (2023) and the Western Hills Annexation (2024) have expanded the City's open space inventory and provide future opportunities for preservation and management. These

areas contribute to long-range goals for viewshed protection, wildfire risk reduction, and public recreation. While these lands currently function as open space, they are designated Public (P) in the General Plan and zoned Public Facilities (PF) in the zoning code.

With the adoption of the Ukiah 2040 General Plan, the City established a new Open Space land use designation. This designation applies to lands that are unsuitable for development due to environmental constraints such as slope instability, fire hazard, poor access, or flood risk, or that are otherwise considered most valuable in their undeveloped state. Typical areas include creek corridors, hillsides, and ridgelines. The Open Space designation is intended to ensure the long-term protection of these areas for ecological, recreational, or scenic purposes.

At present, the City's zoning code does not include a corresponding Open Space zoning district. As a result, lands designated as Open Space in the General Plan cannot be zoned in a manner consistent with the intended use. This ordinance would enable implementation of the General Plan by providing a regulatory framework for the management, use, and protection of designated open space lands. Although the ordinance applies citywide, it would initially affect a limited number of parcels owned or controlled by the City. Future rezonings to apply the O-S district to other properties would be subject to separate discretionary review and environmental evaluation, as applicable.

#### IV. EVALUATION OF ENVIRONMENTAL EFFECTS

The following evaluation determines whether the proposed O-S Zoning Ordinance qualifies for streamlined review pursuant to CEQA Guidelines Section 15183 by evaluating the three mandatory findings (Density, Project-Specific Effects, and Unanalyzed Impacts) required by the guidelines.

##### 1. Density

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

**Discussion:** The Open Space (OS) designation in the Ukiah 2040 General Plan explicitly establishes the density and intensity as N/A (not applicable) for both Minimum/Maximum Density (dwelling units per acre) and Floor Area Ratio. The designation is intended to identify lands that are to remain undeveloped due to environmental constraints or conservation value. The O-S Zoning District is designed specifically to enforce this intent, conserving natural resources and restricting development.

The limited allowed uses in the O-S district, such as public trails, conservation and habitat restoration activities, and native plant propagation areas, are inherently low-intensity and non-residential. These uses fully conform to and support the General Plan's designated density of N/A, thereby maintaining consistency with the General Plan and meeting the requirements of CEQA Guidelines Section 15183.

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

**Finding:** There are no project-specific environmental effects which are peculiar to the adoption of the O-S Zoning Ordinance or to its sites, and which the Ukiah 2040 EIR failed to analyze as significant effects.

**Discussion:** The O-S Ordinance is a regulatory measure whose primary effect is environmental preservation and protection of sensitive lands. The General Plan EIR inherently analyzed the impacts associated with the lack of development in Open Space areas and established policies (e.g., Goal ENV-1, Policy LU-6.2, Goal ENV-6) intended to minimize impacts on scenic vistas, hillsides, and riparian habitats.

The O-S Zoning Ordinance directly implements these protective goals, such as safeguarding creek corridors and managing open space resources. Since the ordinance focuses on conservation, it reinforces the environmental baselines assumed in the EIR. Any future development activities permitted by the ordinance (e.g., public trails or habitat restoration) would be site-specific projects requiring subsequent environmental documentation (such as an Initial Study or site-specific environmental review) to ensure compliance with the EIR and identify any peculiar, site-specific effects. The adoption of the ordinance itself, being a consistent and protective regulatory act, does not introduce new environmental effects peculiar to the parcels that were not already contemplated under the General Plan's land use designation.

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

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

**Discussion:** The EIR certified for the Ukiah 2040 General Plan is a program-level document that analyzed the cumulative and regional impacts of land use patterns, including policies designed to manage and protect natural resources and prevent land use conflicts. The O-S Ordinance is an implementing measure that strictly adheres to the land use assumptions of the General Plan EIR and furthers its protective policies, such as:

- **Minimizing Land Use Incompatibilities:** The ordinance reduces the potential for urban/resource conflicts by restricting development in environmentally sensitive areas, aligning with Policy LU-7.1 and Goal AG-1.
- **Preservation of Resources:** By protecting creek corridors, hillsides, and habitat (Policies ENV-6.7/LU-6.3), the ordinance reduces the possibility of significant impacts on biological resources, aesthetic resources, and water quality, which are all issues analyzed in the GP EIR.

Because the ordinance restricts development and solidifies environmental preservation, it results in impacts that are either equivalent to or less severe than those anticipated and analyzed in the certified EIR, and therefore introduces no unanalyzed significant impacts.

#### 4. Cumulative Impacts

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

**Discussion:** The O-S Ordinance is a component of a larger City strategy aimed at achieving sustainable growth by prioritizing infill development and preserving surrounding open space and agricultural resources (Policy LU-7.1). The establishment of this zoning district contributes positively to the regional environmental and cumulative land use context by providing legal permanency to the protection of ecological systems, scenic areas, and hazard avoidance areas. The cumulative impacts of development within the City limits, coupled with resource preservation strategies, were addressed in the certified EIR. The O-S Ordinance supports the cumulative goal of long-term sustainability of the region's resources.

#### 5. New Information

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

**Discussion:** No substantial new information has been identified demonstrating that the proposed regulatory adoption of the O-S Zoning District would result in more severe impacts than those disclosed in the EIR. The ordinance is consistent with the established General Plan density and land use policy directives. The purpose of the O-S district is to mitigate the hazards inherent to these lands and conserve resources. This function prevents the environmental baseline conditions (which supported the EIR's findings) from being undermined by incompatible development.

### V. DETERMINATION

In accordance with CEQA Guidelines Section 15183, the City Council finds that the proposed Open Space (O-S) Zoning District Ordinance qualifies for streamlined environmental review because the following conditions are met:

1. The project (adoption of the O-S Zoning Ordinance) is consistent with the development density (N/A) established by the Ukiah 2040 General Plan policies for which an EIR was certified.
2. There are no project-specific effects peculiar to the regulatory action or its general site, and which the Ukiah 2040 EIR failed to analyze as significant effects.
3. No specific parcels are being rezoned by this action, and no real property is being affected. If rezoning is proposed for any parcel in the future, a site-specific review will be conducted to evaluate the environmental impacts of applying the O-S zoning district to that property.
4. There are no project-specific impacts which the Ukiah 2040 EIR failed to analyze as significant effects.



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