



## MENDOCINO COUNTY PLANNING COMMISSION

**MINUTES FOR THE MEETING HELD ON:** March 3, 2011

**LOCATION:** Mendocino County Board of Supervisors Chambers  
501 Low Gap Road, Room 1070  
Ukiah, California

**COMMISSIONERS PRESENT:** Little, Calvert, Nelson, Warner, Holtkamp, Hall

**COMMISSIONERS ABSENT:** Ogle

**PLANNING & BLDG SVC STAFF PRESENT:** Ignacio Gonzalez, Director  
Roger Mobley, Chief Planner  
Jessica Stull-Otto, Planner I  
Gary Pedroni, Contract Planner  
Leonard Charles, EIR Consultant  
Adrienne Thompson, Commission Services Supervisor

**OTHER COUNTY DEPARTMENTS PRESENT:** Tom Peters, Department of Transportation  
Terry Gross, Deputy County Counsel

1. **Roll Call.**

The meeting was called to order at 10:00 a.m. Commissioner Ogle was absent by prior arrangement.

2. **Determination of Legal Notice.**

The Clerk advised the Commission that all items had been properly noticed.

3. **Director's Report and Miscellaneous.**

Mr. Gonzalez did not present a Director's Report.

4. **Regular Calendar.**

4a **PROJECT TITLE: DRAFT UKIAH VALLEY AREA PLAN (UVAP) AND DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (CONTINUED FROM 2-17-11)**

**PROJECT APPLICANT:** COUNTY OF MENDOCINO

**PROJECT LOCATION:** The project is situated within the unincorporated area of Mendocino County extending from immediately north of the Highway 101/20 interchange north of Calpella (excludes Redwood Valley area), southerly to 2+- miles south of the Highway 253/101 interchange, and approximately from ridge top to ridge top east and west of the Ukiah Valley.

**PROJECT DESCRIPTION:** The County proposes to adopt the 2007 Ukiah Valley Area Plan (UVAP) as an element of the Mendocino County General Plan. The draft plan tentatively approved by the Board of Supervisors as "the project" includes Open Space & Conservation, Historic & Archaeological Resources, Health & Safety, Parks & Recreation, Community Design, Circulation & Transportation, Water Management, Energy & Air Quality, and Land Use Elements. Noise and Housing Elements are not included, but are part of the County's General Plan and will apply to the UVAP planning area.

**PROJECT COORDINATOR:** ROGER MOBLEY

Mr. Gonzalez provided opening comments and discussed the purpose of the meeting; for the Commission to discuss the Draft Environmental Impact Report (DEIR) and take public comments on the document. He noted the Planning Commission would also have a joint meeting with the Board of Supervisors on March 15, 2011 at 6:00 pm, to allow for further public comment on the DEIR. Mr.

Gonzalez reintroduced Leonard Charles, Gary Pedroni, Roland Sanford, turned the discussion over to Roger Mobley.

Chairman Nelson asked individuals to fill out speaker forms in advance to help facilitate the meeting.

Mr. Mobley advised the Commission that he had asked both Mr. Charles and Mr. Pedroni to present their previously prepared power point presentations for those in the audience that had not been able to attend the February meeting. He noted Mr. Charles would also discuss the CEQA process again for the audience.

**Gary Pedroni**, Planner, further discussed the background of the UVAP and how the County got to this point. He commented that work began in 1998, when the City of Ukiah and Mendocino County decided to undertake a cohesive planning effort on the outer fringes of Ukiah. He stated that process had produced the 2007 Framework Goals and Policies, which was the plan that the Board had adopted in 2007. Since then, the Board had directed the plan to be completed, which is what is before the Commission, dated 2010. He noted that the UVAP was based on a Program Level EIR, which did not consider specific projects and discussed the public hearing process. Finally, he noted that the Planning Commission would make recommendations to the Board of Supervisors on the proposed land use changes and the Board would certify and adopt the plan, a hybrid of the plan or not adopt the plan and use the previously adopted General Plan for zoning, etc. He also discussed one new slide and commented that the UVAP would facilitate the implementation of the Housing Element, would complete the General Plan and provides for an opportunity of future change.

**Leonard Charles**, Leonard Charles and Associates, discussed the CEQA process for an EIR and stated the purpose was to allow the Commission to make an informed decision. He stated the EIR process was not exhaustive, but would compare the main concerns for the preferred project to the alternatives. He further discussed the meaning of a Program EIR, that the overall cumulative impacts of the Ukiah Valley as a whole with total buildout by 2030 was considered as the "worst case scenario". He noted the possibility of full buildout in 20 years was absurd, but allowed for alternate scenarios that would be covered under the EIR. He noted after the end of the comment period, the Final EIR would be completed and have the response to comments. Mr. Charles further discussed the process and noted that if the plan was adopted in some form or a hybrid of the proposed alternatives, a Statement of Overriding Considerations would have to be included for impacts that cannot be mitigated. He noted some impacts could not be addressed in the plan, such as public infrastructure, schools, parks, waste water treatment, storm drains, etc. Several impacts that were considered significant and unavoidable including loss of farmland with prime agricultural soils, water quality/runoff from new construction, and protection of the Russian River corridor. He noted that the main difference in project alternatives was the reduction in the amount of development, both residential and commercial, and that the EIR was flexible enough to cover the alternatives.

Commissioner Little commented on the impact that ministerial projects would have on the EIR and noted that there could potentially be more environmental impacts from abandoning the UVAP versus adopting the mitigation measures in the document.

Mr. Charles agreed that the EIR presumes the Ukiah Valley is undeveloped land to determine the effects of buildout and noted the environmentally superior alternative was to maintain the existing General Plan and adopt the policies of the UVAP. Mr. Charles commented that he understood Commissioner Little's concern and would try and clarify in the analysis. He also noted that the Board of Supervisors would have to adopt a Statement of Overriding Considerations for each impact, when it came to plan approval.

Commissioner Warner discussed the Transportation fee and asked how it related to the UVAP, noting there was a policy for impact fees.

Mr. Charles noted he could check whether the Transportation Nexus Study was part of the EIR.

The public hearing was declared open.

**Alan Nicholson** commented that the preferred project was flawed and felt the EIR should be modified to reflect Alternative C as the preferred project. He was concerned that the EIR did not include future development in the City Limits, such as Costco or the expansion of Walmart and thought the increased traffic, demand for services, depletion of resources, etc. could devastate the valley.

**Guinness McFadden** discussed potential development at the Masonite site and disagreed with changing the zoning to mixed use. He stated it was unfair to the voters and owners of the Masonite property to include the zoning change after the ballot measure was defeated.

**Ibo Thorbas** discussed the population numbers in the EIR and did not think the potential increase anticipated by the UVAP was possible. He thought there was a better way to develop rather than letting business/corporations dictate development.

**Mary Ann Miller** commented that Mr. Charles had produced an excellent EIR, but also felt that the Plan, policies, objectives and mitigation measures were important. She stated the mitigation was necessary to fill the void left in the General Plan. She also thought that Alternative C should be the preferred project.

**Jim Houle** thought the UVAP was out of date. He felt studies were pointless after 6 months and thought County staff should be used instead of consultants to cut costs.

**Pinky Kushner** agreed with previous comments and was concerned with the Housing Element numbers, which were calculated before the recession. She was also concerned with the list of finished and unfinished projects in the Housing Element and asked if there was an updated list. She was also confused by the discussion of available land and did not see a discussion of converting development to farmland, since there were lands informally farmed.  
[Break 10:56 AM - 11:05 AM]

**Lee Howard** felt that the information in the EIR was incorrect in numerous areas and discussed page 133, stating the Ukiah Valley Sanitation District pond system was an underflow of the Russian river. He noted that during previous meetings, it had not been discussed widening roadways such as extending Orchard Avenue to Lake Mendocino Drive or making Lake Mendocino Drive 4 lanes. He also discussed page 6-10 from the water assessment, which stated there was insufficient water to implement any of the 4 land use alternatives thru 2030. He thought the County was playing a "shell game" and stated there were no resources to develop.

**Kerri Vau** commented that she was in favor of growth and stated it was the only way to have a future. She thought it was important to have jobs, low income housing, services, etc. for younger generations to find Mendocino County valuable. She stated she would rather have retail shopping than drive by Masonite and look at the blight that is there today. She supported a mixed use designation, noting there was adequate industrial for expansion. She also noted, as a local farmer, that it was a tough business and several farmers were in foreclosure due to the economy. She did not see any reason to increase the land zoned for agriculture and found it offensive that she should be forced to preserve the lands as open space if it was not viable for farming.

**Andrew Nicoll** commented that the DEIR assumes growth is neither good nor bad, but evaluates a project on its own merit. He felt some impacts would be beneficial, such as converting some agricultural parcels to mixed use would take pressure off the larger parcels. He thought there was sufficient infrastructure and resources for growth and stated the plan would result in jobs.

**Tony Shaw** felt there was a flaw with the environmentally superior alternative and the feasibility of the mitigation measures. He was concerned that the mitigation could cause more impacts than they were attempting to mitigate and felt the "sprawl" development pattern around the City should be corrected by updating the zoning.

**Todd Schapmire** noted he had originally supported full buildout, but after moving away and then coming back, he felt people need economic development and a self sustainable economy to make Ukiah their home.

**Steve Scalmanini** was concerned that since the label “preferred project” had been associated with one project, it would be chosen due to the title and hoped the Commission and Board would be careful in adopting the Plan. He also noted that the census was set to be updated and thought the information could be useful.

**Jack Cox** noted during previous meetings, annexation of several properties into the City Limits had been discussed and asked to have the issue addressed.

The public hearing was closed for the day.

Commissioner Hall commented on page 159, that ephemeral streams be included in the discussion of mitigation impacts and riparian zones.

Commissioner Warner commented that it was difficult to find the mitigation measures because they were scattered throughout the chapters and asked if there was somewhere that all mitigation measures were listed on one page.

Mr. Charles commented that the Final EIR will have all the mitigations compiled in a list as part of the mitigation monitoring, but he would try and add something for the Commission.

Commissioner Warner noted that she had insufficient knowledge of the Ukiah Valley to make a determination on the transportation extensions and asked if there was a map that showed all the connections and corridors.

Mr. Charles was not aware of a map and noted that the extensions were conceptual and would depend on future development in the area for completion.

Chairman Nelson was concerned that unique farmland was not listed on Page 78 under Table 2.6-1, or in mitigation measures 3.1-b1 under B and asked that it be added since that was the best soil for wine grapes.

Commissioner Little noted that the majority of the public comment appeared to have issues with the preferred alternative due to the level of buildout assumed; however he felt that full buildout would not happen in 20 years. He used the commercial square footage from the EIR, which was 4.6 million square feet, and noted it was impossible to reach that buildout by 2030; however an EIR could not assume that something would not happen.

Mr. Charles added a clarification that the EIR never uses the term “preferred”, it only refers to the “project”.

Chairman Nelson referenced page 130 under water quality, which stated that agricultural uses were a major source of sediment and challenged the statement. He commented that Mendocino County had the largest organic crops of any County in the State and felt the rural roads were to blame for the sediment. He also was not aware of any coho salmon north of Sonoma County aside from along the Coast.

In closing, Mr. Mobley reminded the audience that the Planning Commission and Board of Supervisors would hold a joint meeting on the Draft Environmental Impact Report on March 15, 2011, beginning at 6:00 PM.

Commissioner Hall asked if the first meeting on the UVAP itself would be March 17, 2011.

Mr. Mobley stated the Plan discussion would begin on March 17, 2011.

**5. Matters from Staff.**

There were no matters from staff.

6. **Matters from Commission.**

There were no matters from the Commission.

7. **Approval of Minutes.**

There were no minutes to approve.

8. **Matters from Public.**

No one was present from the public who indicated a desire to address the Commission.

9. **Adjournment.**

Chairman Nelson declared the Planning Commission hearing adjourned at 11:53 a.m.