
MENDOCINO COUNTY MEMORANDUM

DATE: March 7, 2011

TO: Planning Commission

FROM: Planning and Building Services; Planning Staff

SUBJECT: Agenda Item for March 17, 2011; Review-Comment-Recommendations regarding the Draft 2007 Ukiah Valley Area Plan (UVAP).

Purpose:

The purpose of the public hearing on March 17, 2011 is to provide the Planning Commission, the public, and agencies the opportunity to comment on the Draft 2007 Ukiah Valley Area Plan (UVAP) tentatively approved by the Board of Supervisors in 2007. The Planning Commission is being asked to make recommendations to the BOS regarding suggested modifications to the UVAP, as well as making a selection of the preferred alternative with respect to various proposed land use changes. The Board of Supervisors will also hold a public hearing on the UVAP on a date to be determined in the near future.

Background:

The County proposes to adopt the 2007 Ukiah Valley Area Plan (UVAP) as an element of the Mendocino County General Plan. The draft UVAP approved by the Board of Supervisors as "the project" pursuant to CEQA 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. The project and project alternatives are addressed in the Draft Environmental Impact Report (DEIR). It is anticipated that revisions to the Draft UVAP may result from the EIR review and certification process.

The UVAP plan area is coterminous with the Planning Area for the City of Ukiah as shown in the City's adopted General Plan (December 1995). The City's General Plan includes land use classifications and policies that would apply to portions of the Planning Area if it were annexed to the City. In 1992, at the City's request, the County Board of Supervisors made a commitment to consider the City's General Plan (once adopted) as an "area plan" for the entire Ukiah Valley.

In 1998, the Board of Supervisors directed County planning staff to revise the unincorporated portion of the City's General Plan as the draft Ukiah Valley Area Plan to provide increased County perspective and greater consistency with the existing County General Plan. In January 2000, the County Planning Commission held the first public hearing on possible adoption of the City of Ukiah's General Plan land use as an area plan for the Ukiah Valley. Over the next two years the Planning Commission, with input from the public, made a number of modifications to the land use classifications, policies, and implementation measures to develop an area plan that

provided a County perspective on land use as well as increased consistency between the area plan and other planning policies and documents, including the County's General Plan.

In 2005, the County proposed adoption of the Draft 2002 UVAP. A Draft Environmental Impact Report (DEIR) was prepared on that plan and circulated for public review in July 2005. After receipt of public comments on the Draft EIR, the County determined that revisions to the draft plan were needed to address the public concerns. Accordingly, a new draft plan was developed – the Draft 2007 UVAP. It is important to note that the Draft 2007 UVAP has been updated by County staff to include information from the recently completed Water Assessment (fall 2010). In addition, background and supportive text was added to the Draft 2007 UVAP in support of goals and policies which were tentatively approved by the BOS in 2007. The current version of the UVAP is dated December 2010; however, it is in essence the Draft 2007 UVAP.

The following is a summary of previous workshops and meetings held resulting in the current draft version of the UVAP:

- UVAP Open House (September 25, 2006) was an introductory presentation and meeting with the plan consultants. Over 100 residents attended and reviewed existing maps and the 2002 Draft UVAP. They gave initial feedback about their vision for the plan area and met with County staff who answered questions.
- Eight focus group meetings (October through December 2006) with stakeholder groups and residents were held. The purpose of these meetings was for County staff to obtain a first impression of what stakeholders and residents consider to be the assets, issues, and opportunities of the plan area.
- Community Workshop #1 (November 4, 2006) was a presentation about the plan vision, opportunities for participation, the planning process, and key planning opportunities and constraints. Over 125 people attended, and many participated in meetings of break-out groups to develop input on plan vision, assets, and constraints and opportunities.
- A Joint Policy Boards Meeting of the County Planning Commission, County Board of Supervisors, City of Ukiah Planning Commission, and Ukiah City Council (January 10, 2007) was held to present information on the plan process and constraints and opportunities. Representatives of the various boards and commissions provided input into the planning process. This meeting was attended by 15 County officials, 11 City officials, and about 60 residents.
- Community Workshop #2 (March 10, 2007) was a day-long design exercise which allowed groups of participants to allocate where new development should occur in the nine main discussion areas developed for the plan area.
- A second Joint Policy Boards Meeting of County and City officials (April 24, 2007) was held to review a number of issues that had been developed after the previous meetings. It included a presentation of an economic report prepared for the plan and summaries of the citizen input from Workshop #2. Potential land use alternatives were presented for discussion and input from the officials.
- The Board of Supervisors conducted a public meeting (June 26, 2007) to review potential land use designations for the nine plan discussion areas and to provide guidance to County

staff for developing a range of alternatives to be included in the Notice of Preparation for an updated/revised EIR.

- An Open House (August 14, 2007) was held to allow residents to review all planning documents, including the Preliminary Draft of the Goals, Policies, and Implementation Measures and the three preliminary land use alternatives.
- The Board of Supervisors held a public meeting (August 21, 2007) wherein they reviewed all preliminary Draft 2007 UVAP materials and selected a preferred land use alternative. They also determined that the other two alternatives be assessed in the EIR.
- The EIR Scoping Meeting (November 5, 2007) was held to identify what issues should be assessed in updated/revised EIR.

Recent Actions:

As described above, in 2007, the County proceeded to conduct a series of workshops and other public outreach efforts to gather public concerns and recommendations that were used to guide the UVAP revision process. A variety of alternative land use plans were developed. On August 21, 2007, the County Board of Supervisors selected the “preferred alternative” that is “the project” to be assessed in the EIR. The Board also directed that two other land use alternatives (Alternatives A and B) be analyzed and compared with “the project”. It is important to note that “the project/preferred alternative” is the most aggressive alternative with respect to development potential. The Board of Supervisors recognized this fact and directed staff to prepare the DEIR on this alternative thereby assuring that the potential impacts of the “highest intensity development” scenario would be analyzed thus allowing for the greatest flexibility in selecting the final alternative.

Subsequent to the Board’s direction, the decision was made to complete a Water Assessment for the Ukiah Valley. This assessment was/is considered a major component of the UVAP. The Water Assessment was completed in October of 2010 and has been incorporated into the DEIR. The Draft 2007 UVAP has been updated by County staff to include information from the completed Water Assessment. Additionally, PBS staff was directed to complete the 2007 version of the UVAP (which contained only a framework of goals, policies, and a land use map with selected land use designation change alternatives) into a complete document. This task has been completed without modifying the BOS direction of 2007. A policy matrix has been prepared as an attachment to this report which tracks policy renumbering and reformatting associated with the transition to the 2010 version of the UVAP. In addition, background and supportive text was added to the Draft 2007 UVAP in support of goals and policies which were tentatively approved by the BOS in 2007. The latest printed version of the UVAP is dated December 2010; however, it is in essence the Draft 2007 UVAP.

At the direction of the County, Leonard Charles & Associates (LCA) has prepared a Revised Draft Program Environmental Impact Report (DEIR) addressing the potential impacts of future development that would be allowed under the Draft 2007 Ukiah Valley Area Plan (UVAP, as reformatted and updated in December 2010). The UVAP has a year 2030 planning horizon. Projections regarding the amount of new development that can be expected over the next 20+ years have been developed as part of preparing the DEIR based on land use classifications, policies, and implementation measures included in the UVAP. The Planning Commission has held two public comment hearings regarding the DEIR, with a third joint meeting scheduled with the BOS to take additional comments on the DEIR.

UVAP - Summary of Key Points:

- A. First and foremost, the UVAP is considered a policy document with a 20 year planning horizon.

Discussion: The stated goals of the 2007 UVAP are:

Goal LU1: *Create compact, mixed-use, and well-balanced communities that can achieve this plan's principles of sustainability.*

Goal LU2: *Promote compatible land uses adjacent to important transportation facilities and protect against incompatible ones.*

Goal LU3: *Consider the needs of education providers in the planning and project review process.*

Goal LU4: *Manage future growth to ensure that essential support infrastructure is in place prior to development.*

Goal LU5: *Recognize that the Ukiah Valley is one community, and foster collaborative decision-making between County and City Agencies.*

Goal LU6: *Create a business development strategy that emphasizes local ownership and/or adds value to local goods or services that re-circulates money within the community.*

Goal LU7: *Ensure that there is an ongoing process of community involvement for the purposes of providing input and monitoring the success of the Ukiah Valley Area Plan.*

To realize these goals, the County has proposed land use designations within the plan area so that future land use will be consistent with the goals and policies of other plan elements. The Land Use and Community Development Section provides land use designations to ensure that future development within the plan area preserves open space and agriculture; conserves natural resources; provides adequate park facilities; is consistent with available roads and infrastructure; is safe; and maintains the beauty of the area. The Land Use Section promotes economic sustainability and revenue sharing with the City in order to develop an equitable revenue sharing agreement to facilitate economic development, efficient resource use and resource protection, throughout the Ukiah Valley. The UVAP includes provisions for a growth management plan and would allow new development entitlements only if adequate infrastructure and services are available to serve that development.

In preparing the Land Use and Community Development Section, the County concentrated on developing appropriate land use classification for nine areas (called "discussion areas" in the planning process) where most new development could be located. The DEIR describes the acreage of development potential for those nine areas as well as the rest of the plan area outside those nine discussion areas. The DEIR contains information regarding buildout potential for the proposed plan, the Existing General Plan, and the land use alternatives identified by the Board of Supervisors (Alternatives A and B), the latter being modified by the County Department of Planning and Building Services based on citizen and agency input.

The UVAP specifies standards of population density and building intensity in the various land use categories and includes the primary statement of how land in the plan area should be used or reused in the event of redevelopment. It sets the framework for all other

elements in the Plan, all of which must be consistent with one another. The Land Use and Community Development Section and its policies would guide growth and the development and use of land in the unincorporated areas of the plan area through 2030. The section includes an area wide land use policy framework, specific land use policies, a land use map, and an implementation program.

B. The draft UVAP contains a variety of alternatives to choose from.

Discussion: Figure 3.1 of the draft 2007 UVAP depicts various areas within the Plan area which are being considered for land use changes as part of final UVAP adoption. The table immediately preceding Figure 3.1 titled "Comparison of Land Use Differences Between the 2010 UVAP Alternatives" describes details of possible changes such as acreages, what land use changes are being proposed, and the property location. The table contains columns labeled Preferred Project, Land Use Alternative A; Land Use Alternative B; Land Use Alternative C (Policy document only) and indicates which changes would be part of which alternative with a "yes" or "no" indicator.

C. The UVAP ("the project") and its major objectives, including the location of several proposed changes to the Land Use Map.

Discussion: During previous hearings on the UVAP, a majority of the discussion and general public interest was focused upon certain proposed land use changes that were being considered as either part of the project, or as project alternatives. Early on in the UVAP process, the decision was made by the County Board of Supervisors to include potential land use changes as part of the UVAP in order to gain a comprehensive perspective on future growth and development in the Ukiah Valley. Although positive in some respects, this approach resulted in a major focus on potential land use changes, resulting in less input and focus on UVAP goals, policies and implementation measures which are intended to guide development in the Plan area.

As an example, there has been much interest in the future land uses on the decommissioned "Masonite" site. Because of the intense interest in this site, as well as other sites situated throughout the valley, the Board of Supervisors tentatively approved the UVAP in 2007 with "the project" alternative (most intense development scenario), as well as two additional alternatives which offered an array of land use options for the parcels in question. The DEIR analyzes impacts associated with the "the project", which is the most intense with respect to development potential and associated impacts.

In continuing with the Masonite site example, the UVAP and DEIR are written in such a manner as to provide the option of maintaining the Industrial land use designation on the site. The impacts of this option are thoroughly described in the DEIR. The "Comparison of Land Use Differences Between the Alternatives" table contained in the DEIR and UVAP provides for this "menu" of land use choices for all of the mapped study areas shown in UVAP Figure 3.1.

D. The Draft UVAP contains a fourth alternative, Alternative C, which has been added by County staff.

Discussion: Alternative C developed by County staff combines the land use classifications of the Existing General Plan, the policies of the County’s 2009 updated General Plan, and the policies of the Draft UVAP, but would not make any of the land use changes being considered as part of the Draft UVAP. As such, the development potential for this alternative is the same as for the Existing General Plan. Under Alternative C, the goals, policies and implementation measures of the UVAP would be adopted. The land use changes considered as part of the project, as well as Alternatives A and B would not be adopted.

E. Adoption of the UVAP will complete the County General Plan update process and will facilitate implementation of the Housing Element.

Discussion: The existing County General Plan, updated in 2009, states that land uses in the UVAP planning area will be regulated and guided by the UVAP (even though the UVAP had not been adopted at the time the General Plan was adopted). Should the UVAP not be adopted, the "no project" alternative will be the continuation of the existing general plan. For purposes of the DEIR analysis, it was determined that the existing land use designations from the 1982 General Plan apply to the UVAP area. In addition, all policies and action items contained in the 2009 General Plan would apply to new development within the UVAP planning area.

Additionally, there are goals, policies, and implementation measures contained in the UVAP directed at providing housing for a wide range of residents. Adoption of the UVAP will facilitate the implementation of the County’s Housing Element.

F. Proposed Land Use Designations.

The Draft 2007 UVAP contains 16 land use classifications organized into four broad categories. Except for the five Mixed-Use classifications, the land use classifications are the same as in the County’s current General Plan. The County’s recently updated General Plan contains a “mixed use” land use designation, however this designation has not been applied to any properties, nor has a corresponding zoning classification been developed as of yet. The UVAP proposed designations are listed below.

<p>Residential Neighborhoods</p> <ul style="list-style-type: none"> ▪ Remote Residential (RMR) ▪ Rural Residential (RR) ▪ Suburban Residential (SR) ▪ Multi-Family Residential (MF) 	<p>Industry and Commerce</p> <ul style="list-style-type: none"> ▪ General Commercial (C) ▪ Industrial (I) ▪ Agriculture (AG) ▪ Range Lands (RL)
<p>Activity Centers</p> <ul style="list-style-type: none"> ▪ Rural Community (RC) ▪ Mixed-Use: General (MU-2) ▪ Mixed-Use: Brush Street Triangle (MLBST) ▪ Mixed-Use: Lovers Lane (MU-3) ▪ Mixed-Use: Masonite (MUM) ▪ Mixed-Use: North State (MUNS) 	<p>Open Space</p> <ul style="list-style-type: none"> ▪ Public Lands (PL) ▪ Public Services, Parks, and Recreation (PS)

Summary

In staff's opinion, the UVAP should be viewed as an "opportunity" document. It provides for flexibility in responding to future development and growth opportunities in the Ukiah Valley, the area of the County that has the greatest potential for economic growth.

Adoption of the Plan, in whatever alternative form, provides for growth capacity. However, it is likely that the Plan's development capacity will not be realized during the 20 year planning horizon of the UVAP. This is because growth is primarily market-driven, meaning if there is no demand for growth, it will not happen. In reality, regardless of which alternative is chosen by the BOS, the amount, type and rate of growth in the valley will continue to be modest unless a significant change in the national and local economy takes place.

Adoption of the Preferred Project alternative considered by the by the BOS in 2007 gives the County the greatest flexibility in responding to future change affecting the County because it allows for the broadest range of land use changes, even though they may never happen based on market dynamics.

Recommended Action:

That the Planning Commission review the draft 2007 UVAP and make comments and recommendations to the BOS regarding any suggested modifications and make a selection of the preferred alternative*.

*Note: With respect to selecting a preferred alternative as a recommendation to the BOS, the Planning Commission should refer to the table titled "Comparison of Land Use Differences Between the 2010 UVAP Alternatives" in order to select the preferred combination of land use changes to be considered as part of the UVAP adoption. The Planning Commission can select any of the alternatives listed in the table, as well as a hybrid of land use choices contained in the various alternatives.

Attachments:

- UVAP Table titled "Comparison of Land Use Differences Between the Alternatives"
- UVAP Figure 3.1