



Mendocino County

DEC 06 2023

Planning & Building Services

December 6, 2023

County of Mendocino Planning Commission
C/O Department of Planning and Building Services
Attn: Liam Crowley, Planner II
860 N Bush St
Ukiah, CA 95482
VIA EMAIL: pbscommissions@mendocinocounty.org

Re: City of Ukiah comments, Minor Use Permit & Variance, U_2021-0016/V_2021-0005

Dear Chair Weidemann and Honorable Planning Commissioners:

On behalf of the Planning Division of the City of Ukiah Community Development Department, we respectfully submit the following comments for consideration regarding the aforementioned project, File # U_2021-0016/V_2021-0005.

Comments on Environmental Analysis

- 1. County staff's environmental analysis pertaining to Aesthetics, Section 3.1 (b), finding that the project has "no impact" on scenic resources, appears incomplete. Staff's analysis does not address the visual blight potentially created through the project's proposed 65-foot sign and how the allowance of such a sign may actually encourage the proliferation of billboards and other large signs along the U.S. Route 101 corridor. Such aesthetic impacts, due in part to the interconnectivity of the rural, idyllic corridor between Hopland and Willits, may cause downstream, substantially damaging impacts to the quality and viability of scenic resources in the Ukiah Valley and Mendocino County.**

As stated on Page 7 of the Initial Study/Environmental Checklist:

"Scenic resources" include objects, features, or patterns within the landscape which are visually interesting or pleasing. –And–

"...[T]he entirety of State Route 1 (SR-1) in Mendocino County, the portion of U.S. Route 101 (US-101) between Ukiah and Willits, all of State Route 20 (SR-20), and all of State Route 128 (SR-128) is listed as eligible."

For the portion of US-101 between Ukiah and Willits to remain eligible as a National Scenic Byway, scenic resources must be preserved. Approving billboards or large signs such as proposed within the project may impact the continued future eligibility of this corridor as a Scenic Byway.



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- 2. County staff mitigations recommended to reduce the environmental impact of the proposed project on Aesthetics, Section 3.1 (c) and (d), do not appear adequate. Although downcast, shielded external lighting, assumedly affixed to buildings within the proposed project, may mitigate light pollution related to safety and security, no mitigation measures are proposed for the 65-foot sign or the two illuminated fuel canopies and pole signs. As such, the latter illuminated signs will “stand out,” potentially causing an even greater environmental impact to the visual character of the surrounding area.**

County staff state on page 9 of the Initial Study/Environmental Checklist that:

“Therefore, the consolidation of multiple businesses onto one sign that exceeds the maximum sign area requirements would not be significant.” –And–

“If light would not exceed the boundaries of the project site, it is not expected to significantly impact nighttime views.”

It is not necessarily the number of signs located on a project that determines environmental significance, and erection of a 65-foot sign, especially at night, will affect nighttime views. Additional analysis and/or data to support staff’s conclusions in Section 3.1 (c) and (d) should be provided.

- 3. Staff environmental analysis pertaining to Transportation, Section 3.17 (a) and (b), appears incomplete. Not all conclusions reached within the traffic study completed by the Applicant’s consultant appear supported by available data.**

The Applicant’s transportation consultant found that of the 5,302 new trips per day expected to be generated by the project:

“The project is expected to be local-serving and would therefore result in a less-than-significant VMT impact.”

As noted within comments submitted by Caltrans, Caltrans disagrees that the project is locally serving. Although County staff note this, staff also utilize the observation from Caltrans that Vehicle Miles Traveled “can be assumed to be less-than-significant for CEQA purposes” as primary justification for determining a less than significant impact. Notably, a GHG emissions generation study for VMT is missing within the analysis. The less-than-significant finding is not adequately supported by presented data.

Additionally, the increased commercial intensity- and resulting traffic- may result in increased traffic safety issues at this location, creating potential impacts to fire and law enforcement services.



Additional study should be undertaken by County staff to verify stated conclusions in Section 3.17.

Comments related to Mendocino County General Plan Consistency

4. The proposed project appears inconsistent with goals and policies within the Mendocino County General Plan, specifically DE-83, DE-85, DE-90, and DE-94 and Planning Principles 2-1a, 2-1b, and 2-1c.

Per the Mendocino County General Plan:

Development Element Policy 83 (DE-83): *Parking lots should be located and designed to 1) appear subordinate to the uses served, 2) be visually attractive, 3) meet normal, not maximum single day expected vehicle demand, and 4) provide for on-site treatment of stormwater.*

- ➔ At 28 parking spaces, and for a project that the Applicant asserts is serving local traffic, the intention of this policy appears unmet.

DE-85: *Viewshed preservation shall be considered when development is in a highly scenic environment, adjacent to or atop a ridgeline or hill, and in similar settings.*

- ➔ The proposed project is located along a U.S. Route that is eligible for designation as a National Scenic Byway. The intention of this policy appears unmet.

DE-94: *Promote infill, reuse, redevelopment, and brownfield redevelopment supported by existing or improved infrastructure.*

- ➔ This is a new commercial retail project not near existing services. It does not promote infill, reuse, redevelopment, or brownfield redevelopment. It may lead to increased sprawl and will not encourage *attractive, compact building designs, mixed land uses, walkable communities, and a range of housing opportunities and choices*, as outlined in DE-90.

Planning Principle 2-1a: *Conservation of Mendocino County's natural resources, farmland, forest land, and open spaces is essential to the rural quality of life desired by residents and visitors alike.*

- *Planned growth and compact development forms are essential to conserving environmental resources, farmland and open spaces.*
- *Direct new commercial and residential growth to cities and community areas where development can be supported by existing or planned infrastructure and public services, and environmental impacts can be minimized.*

- ➔ The proposed project is in a non-urbanized area. It may lead to increased sprawl and it does not conserve environmental resources. The intention of this policy appears unmet.



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Principle 2-1b: *Mendocino County's natural, scenic, recreational, historic, and archaeological resources are vital to the quality of life and shall be protected for the enjoyment and economic prosperity of present and future generations.*

- *Protection and enjoyment of the outstanding scenic, recreational and natural qualities of Mendocino County require long-term supportive economic and social systems.*

- ➔ *Erection of a 65-foot sign, two separate illuminated canopies, 28 parking spaces, and 10 fueling pumps will fundamentally alter the visual character of this area. Protection for scenic and natural qualities envisioned in this planning principle appears unmet.*

Planning Principle 2-1c: *Emphasize compatibility between human activity and environmental resources and processes at all levels from regional planning to site design.*

- *Encourage safe, cost-effective and environmentally sound community planning and land use decisions.*
- *Emphasize development patterns, sustainable practices and materials that are compatible with natural environments and processes and that protect air and water quality.*

- ➔ *As described throughout our letter, the proposed project is expected to have a significant impact on environmental resources. The potential for sprawl from a new fueling station is not compatible with natural environments that protect air and water quality. The proposed project is in conflict with this planning principle.*

Comments related to Variance Findings

5. It is our opinion that Variance Findings (D) and (E) are not supported, and as such, the Variance for the 65-foot sign cannot be granted.

As explained throughout this letter, granting of the variance for the 65-foot sign would be detrimental to the public welfare, especially related to natural resource protection and preservation. Additionally, the proposed project is inconsistent with at least seven different policies and planning principles of the Mendocino County General Plan, as described in #4 above.

Conclusion

It is our opinion that for all the reasons mentioned above, neither the Minor Use Permit nor the Variance should be granted for the project at this time. We further suggest the environmental analysis for the proposed project be re-analyzed to determine future foreseen environmental impacts and to verify County staff conclusions.



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We appreciate the time of the Planning Commission and Mendocino County planning staff in reviewing our comments. Please contact us directly with any questions.

Sincerely,

Craig Schlatter, AICP Candidate
Director, Department of Community Development

CC: Sage Sangiacomo, City Manager
Shannon Riley, Deputy City Manager
Julia Krog, Director, Mendocino County Planning and Building Services
Nash Gonzalez, AICP, Zoning Administrator, Mendocino County Planning and Building Services