



Planning Commission

Regular Meeting **AGENDA**

Please join my meeting from your computer, tablet or smartphone.

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June 9, 2021 - 6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.a. Approval of Minutes of May 26, 2021, a Regular Meeting.

Recommended Action: Approve the Minutes of May 26, 2021, a Regular Meeting.

Attachments:

1. 2021-05-26 Planning Commission Regular Meeting Minutes - Draft

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 June 21, 2021

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

The Planning Commission welcomes input from the audience. 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

11. CONSENT CALENDAR

12. NEW BUSINESS

- 12.a. Recommendation to the City Council for Approval of an Initial Study/Mitigated Negative Declaration and Approval of the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project. File No.: 20-5915.

Recommended Action: Staff recommends the Agenda Item for the Western Hills Initial Study and Mitigated Negative Declaration be continued to a time and date not yet certain.

Attachments:

1. ISMND Comments Combined
2. Correspondence Received-Farr
3. Correspondence Received-Kramer
4. Correspondence Received-McMillen

13. UNFINISHED BUSINESS

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.

June 4, 2021
Stephanie Abba
Planning Commission Secretary

**CITY OF UKIAH
PLANNING COMMISSION MINUTES
Regular Meeting**

Meeting held Virtually: <https://global.gotomeeting.com/join/678443853>

Ukiah, CA 95482

May 26, 2021

6:00 p.m.

1. CALL TO ORDER

The regular meeting of the City of Ukiah Planning Commission was called to order by Vice Chair Hilliker at 6:01 p.m. on <https://global.gotomeeting.com/join/678443853>. The meeting was legally noticed on Friday, May 21, 2021

VICE CHAIR HILLIKER PRESIDING

2. ROLL CALL

Roll was taken with the following **Commissioners Present:** Rick Johnson, Michelle Johnson, Ruth Van Antwerp, Vice Chair Mark Hilliker **Commissioners Absent:** Chair Christensen **Staff Present:** Craig Schlatter, Community Development Director; Jesse Davis, Planning Manager; and Stephanie Abba, Planning Commission Secretary

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by everyone.

4. APPROVAL OF MINUTES

a. Approval of May 12, 2021, Regular Meeting Minutes.

Motion/Second: R. Johnson/Van Antwerp to approve the Draft Minutes of May 12, 2021, a Regular Meeting. Motion **carried** by the following roll call vote: AYES: R. Johnson, M. Johnson, Van Antwerp, and Vice Chair Hilliker. NOES: None. ABSENT: Chair Christensen. ABSTAIN: None.

5. APPEAL PROCESS

No matters eligible for appeal were received.

6. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

*No public comment was received regarding Non-Agenda Items.
Comment received regarding the Mural – Alvia Santana*

7. SITE VISIT VERIFICATION

No Comment

8. VERIFICATION OF NOTICE

Confirmed by Staff

9. PLANNING COMMISSIONERS' REPORT

No report was given.

10. DIRECTOR'S REPORT

Presenter: Craig Schlatter, Community Development Director.

Report Received.

11. CONSENT CALENDAR

No items on consent calendar.

12. NEW BUSINESS

a. Consideration of proposed Mural Permit facilitated by the Ukiah Valley Youth Leadership Coalition to be located on the Arbor youth Resource Center at 810 North State street; APN (002-08-36); File No. 21-6250

Presenter: Jesse Davis, Planning Manager

Public Comment: Jolene Treadway, Director of Arbor Youth Resource Center; Priest Martinez, Round Valley Tribal Member; Moises Gonzalez; Cassie Russ, Scotts Valley Tribal Member; Mike Duncan, Round Valley Tribal Member; Ms. Azurena; Patricia Franklin, Scotts Valley Tribal Member; Victoria Kelly, CEO Redwood Community Services; Katie Ray, Round Valley and Scotts Valley Tribal Member; Jaime Cabarrubia, Round Valley Tribal Member.

Motion/Second: R. Johnson/Van Antwerp to approve the Application Permit, subject to the Conditions in the Staff Report and that the work be done with all applicable City Codes. Motion **carried** by the following roll call vote: AYES: R. Johnson, M. Johnson, Van Antwerp and Vice Chair Hilliker. NOES: None. ABSENT: Chair Christensen. ABSTAIN: None.

b. Recommendation to the City Council for approval of an Initial Study/Mitigated Negative Declaration and Approval of the Ukiah Wester Hills Open Land Acquisition & Limited Development Agreement Project. Staff recommends a continuance of the Western Hills Open Land Acquisition & Limited Development Agreement Project to be moved to the next scheduled meeting of June 9, 2021 or soon thereafter.

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: R. Johnson/Van Antwerp for a continuance of the Western Hills Open Land Acquisition & Limited Development Agreement Project to be moved to the next scheduled meeting of June 9, 2021 or soon thereafter. Motion **carried** by the following roll call vote: AYES: R. Johnson, M. Johnson, Van Antwerp and Vice Chair Hilliker. NOES: None. ABSENT: Chair Christensen. ABSTAIN: None.

13. UNFINISHED BUSINESS

No Unfinished Business

14. ADJOURNMENT

There being no further business, the meeting adjourned at 6:57 P.M.

Stephanie Abba, Planning Commission Secretary



AGENDA SUMMARY REPORT

SUBJECT: Recommendation to the City Council for Approval of an Initial Study/Mitigated Negative Declaration and Approval of the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project. File No.: 20-5915.

DEPARTMENT: Community Development

PREPARED BY: Michelle Irace, Planning Manager

PRESENTER: _____

ATTACHMENTS:

1. ISMND Comments Combined
2. Correspondence Received-Farr
3. Correspondence Received-Kramer
4. Correspondence Received-McMillen

Summary:

Background:

Discussion:

Recommended Action: Staff recommends the Agenda Item for the Western Hills Initial Study and Mitigated Negative Declaration be continued to a time and date not yet certain.

**Comments Received on the Ukiah Western Hills Open Land Acquisition &
Limited Development Agreement Project Draft ISMND
(Public Review Period April 16, 2021- May 20, 2021)**

Comment Letter #	Commenter	Date Received
1	Margo Frank	May 3, 2021
2	Crispin B. Hollinshead	May 6, 2021
3	Ulla Brunnberg Rand	May 12, 2021
4	Allie Duggan	May 13, 2021
5	Western Hills Fire Safe Council	May 14, 2021
6	Chris Watt	May 18, 2021
7	Jeanne Chinn	May 19, 2021
8	Andrea Vachon	May 19, 2021
9	Michael Maynard	May 19, 2021
10	Sharon Thomas (sent via email from Emily Thomas)	May 19, 2021
11	Andrea Davis	May 20, 2021
12	Margo Frank	May 20, 2021
13	Heather Seggel	May 20, 2021
14	Thomas Hunt (via email from Chris Watt)	May 20, 2021
15	Steve and Jean Lincoln	May 20, 2021
16	North Coast Regional Water Quality Control Board	May 20, 2021
17	John and Delynne Rogers,	May 20, 2021
18	Pinky Kushner	May 20, 2021
19	Mendocino County Local Agency Formation Commission (LAFCo)	May 20, 2021
20	Helen Sizemore	May 20, 2021

From: [Margo Frank](#)
To: [Michelle Irace](#)
Subject: Commenting on draft for Western hills open land
Date: Monday, May 3, 2021 7:17:20 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Michelle,

I read the lengthy and detailed draft of the initial study for the Western Hills development. We moved to Gardens Ave last fall after living at the top of Deerwood in the Eastern hills of the Ukiah Valley. While living there we were very aware of the danger of living in a high fire zone and having only one road for egress. It seems to me that this proposed Western Hills development would create a similarly dangerous situation. Many people I know who now live on the far western edge of Ukiah, up against the hills, are very concerned about fire risk. I don't understand how development on those hills makes any sense!

Thank you,
Margo Frank
180 Gardens Ave. Ukiah

From: [Crispin B. Hollinshead](#)
To: [Michelle Irace](#)
Subject: comments of proposed Western Hills annexation
Date: Thursday, May 6, 2021 12:23:36 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Members of the Planning Commission,

My name is Crispin B. Hollinshead. I am a neighborhood representative on the Western Hills FireSafe Council, and the proposed Western Hills annexation was a topic of discussion at our recent meeting.

California is now headed into another drought, and the fire seasons over the last few years keep exceeding previous records. The proposed annexation includes 7 parcels for residential development, allowing up to 14 new homes. Emerging fire safe understanding suggests this kind of Wildland Urban Interface development is bad public policy, very risky for the potential home owners, and expensive for the community trying to protect that property.

Historic fires in the area burned down to the valley floor as far as Todd Grove Park in the 1950's. There is no reason to believe that the projected development wouldn't be completely destroyed by such fires happening in the future. The projected development is to the west of the recently completed Shaded Fuel Break, putting it in the expected sacrifice zone. The single road access will be a problem in a fire emergency, and will likely violate emerging CalFire regulations.

I urge you to take a serious look at the fire hazard being created, and revise the plans.

Sincerely,

Crispin B. Hollinshead
960m Dominican Way
Ukiah, CA 95482

Gratitude, Love, and Global Awakening
May All Beings Awaken From The Illusion Of Separation
May You Awaken With This Breath



From: [Ulla Brunnberg Rand](#)
To: [Michelle Irace](#)
Subject: Comments of proposed Western Hills annexation
Date: Wednesday, May 12, 2021 2:08:58 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Members of the Planning Commission,

My name is Ulla Brunnberg Rand. I am a neighborhood representative on the Western Hills Fire Safe Council, and the proposed Western Hills annexation was a topic of discussion at our recent meeting.

California is now headed into another drought, and the fire seasons over the last few years keep exceeding previous records. The proposed annexation includes 7 parcels for residential development, allowing up to 14 new homes. Emerging fire safe understanding suggests this kind of Wildland Urban Interface development is bad public policy, very risky for the potential homeowners, and expensive for the community trying to protect that property.

Historic fires in the area, one of them started by boys playing with matches, burned down to the valley floor as far as Todd Grove Park in the 1950's. There is no reason to believe that the projected development would not be completely destroyed by such fires happening in the future. The projected development is to the west of the recently completed Shaded Fuel Break, putting it in the expected sacrifice zone. The single road access will be a problem in a fire emergency. It will likely violate emerging CalFire regulations.

I urge you to take a serious look at the fire hazard being created. Please revise the plans to only allow one dwelling per parcel and possibly less parcels.

In addition, please consider, allowing this Western Hill Development can become a precedent for future developments in the WUI area. I do not want to see any more developments in the hills. I am concerned that having more people living in high fire prone zones creates more possibilities for accidental fires and could potentially endanger the entire Ukiah Valley.

Sincerely,

Ulla Brunnberg Rand

109 Giorno Ave.

Ukiah, CA 95482

Michelle Irace

From: Allie Duggan <allie@studio4forty.com>
Sent: Thursday, May 13, 2021 9:52 AM
To: Michelle Irace
Subject: Ukiah Western Hills Open Land Acquisition

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to express my strong opposition to the development of homes on the Ukiah Western Hills Open Land Acquisition. This development would be detrimental to the area, nearly all residents in on Redwood Avenue are completely opposed to the development of homes that will cause traffic on a road not equipped for any more than it already sees, safety problems, and destroy local wildlife habitat. Additionally, I was under the impression that this land was originally donated for fire mitigation and recreation, not development.

Traffic and safety of children on the street are major areas of concern. We don't need any more cars and trucks going up and down this tiny street and we did not sign up for months of construction equipment going up and down the street on a daily basis. Most of the time with cars parked on the street it is a one lane road and not equipped to handle the high traffic this will cause.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat which should be investigated by the appropriate agency prior to approving development.

Among the impacts stated on the notice we got, wildfire is my, and should be the cities main concern. We do not need any more catalysts that could potentially cause a wildfire in this are, especially a high risk zone like the proposed land. This land was originally acquired for fire mitigation so this is completely going against what the land was originally donated for. Quoted from a news article from January 15, 2021 "the local government hopes to use the land to create and maintain fuel breaks to protect the city from fire, for conservation, and for recreation." [Link](#) Absolutely no mention of development, so it is extremely discouraging to know that has been added to the plan now.

I was disappointed that this project started on April 16, 2021 and the homeowners on Redwood Avenue, who would be majorly impacted, were given printed notice of it on May 13, 2021, nearly a month after this process has started. That is completely inconsiderate to all of us on this street who will have to deal with the issues that development will cause.

I urge you to disapprove the proposed development, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

ALLIE DUGGAN | CREATIVE DIRECTOR

916.539.9395 | allie@studio4forty.com | studio4forty.com

STUDIO
4forty

wine
women&shoes

Farm to table(au)

VENTFUL
RAISING DOLLARS FROM A DISTANCE

To the Ukiah Planning Commission and City Council Members:

The Western Hills Fire Safe Council (WHFSC) is a FSC project under The Mendocino County Fire Safe Council (MCFSC), a 501.C3 organization. WHFSC has eighteen neighborhood sub-groups in and along the Western Hills that actively work on fire preparedness, prevention, emergency measures, and environmental protections.

The ISMND states that Mr. Hull generously donated 188.57 acres (ISMND, Figure 2, parcel 10) to the City in December 2020. On December 11, 2020, there was an article in the Ukiah Daily Journal by Justine Frederiksen praising the gift from Mr. Hull. There was no mention of the annexation and acquisition of 693 acres (ISMND, p.2) or 740 acres (ISMND, p.4, para 2) or 640 acres (ISMND, p.4, para 6) ("Hull Properties") when she interviewed City Manager Sangiacomo. On April 16, 2021, Notice of Intent was sent to a few Redwood Avenue and San Jacinta Drive property owners, and the scope of the project goes well beyond a land donation.

The improvements Mr. Hull has made to his property go back at least to 2015 (ISMND, page 3, #3-Background – road improvements were made throughout 2015-2017 and the road extended further west in 2018). Changes included widening, improving, and extending the westward access road, vegetation management on proposed construction sites, and preparation of the water tank site. These improvements were followed by the December 2020, 188.57 acre land donation, followed by the current proposed annexation and acquisition agreement.

The majority of the property is zoned PF, public facilities. It possible to change this zoning designation in the future to R1-H zoning (single family residential), should there be interest in further development. Clearly, the property was being prepared years ahead for development, as documented in the ISMND. Is it possible to change the zoning on the inside conservation PF zoned parcels (ISMND map p.13) to a Conservation Easement in perpetuity along with the outside conservation parcels for a Ukiah Wildlife Sanctuary?

Regarding the proposed water tank, in the ISMND, page 8, it is stated, "...the City desires to add new water storage and fire protection facilities in the Western Hills." What are the plans for the new water storage tank besides fire protection measures? Who will be responsible for maintaining the 150,000 gallon tank, pump, and well that supports the water tank? Is the water in this tank dedicated for fire department use or also for use of potential domestic purposes for the buildout? Will there be hydrants on the city water main extending up from Redwood Avenue? Neil Davis' responses to WHFSC questions to Mr. Sangiacomo regarding the Hull Properties Limited Development Agreement included a question on water resources. Mr. Davis stated, "...this project provides sourcewater protection and will benefit the entire Ukiah Valley by protecting the sourcewater and ensuring that it reaches its maximum potential." How does Mr. Davis define "sourcewater protection?"

Historical wildland fires in the Western Hills includes the substantial 1945 Hayworth Fire that took out all the vegetation. The Fire Department came to the edge of development and set backfires that halted the fires. The Strong Mountain Fire occurred in 1950, and another scare

about a decade ago was from 150 lightning fires to the west that didn't result in fire in the Western Hills. The proposed buildout area is in the CalFIRE designated Highest Fire Severity Zone, as well as in a Wildland-Urban-Interface (WUI) area. It would be prudent to keep this landscape free of human habitation for the safety of citizens and to not further overburden our fire resources. "One of the first and most important considerations is how the location itself influences exposure to wildfire and potential for future losses of life and property." (Moritz, Max, Butsic, Van, Building to Coexist with Fire: Community Risk Reduction Measures for New Development in California. UC ANR Publication 8680, April 2020, page 8)

The potential development parcels buildout of 14 units (ISMND, p.7, para 3) are west of the fire break thus defeating the purpose of the Shaded Fuel Break for wildfire protection measures. Can the residential development of the 54 easternmost acres be taken out of the Development Agreement, or are they inextricably linked to acquiring the conservation lands? Will the lower elevation properties also west of the shaded fuel break that remain in Mr. Hull's possession be considered for future buildout?

Thank you for your attention to these matters. We look forward to your responses.

The Western Hills Fire Safe Council
Chair, Jeanne Wetzel Chinn, M.S.
395 San Jacinta Drive, Ukiah
JeanneChinn@gmail.com

From: [Christopher Watt](#)
To: [Michelle Irace](#)
Subject: Ukiah Western Hills Open Land Acquisition and Limited Development Agreement
Date: Tuesday, May 18, 2021 11:25:40 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Michelle - here are my comments/questions on the IS/MND. Please include in the record and provide responses.

1. Does the annexation require a tax-sharing agreement with the County of Mendocino? If so, what actions have been taken by the City to secure an access agreement?
2. Have the parcels proposed for development to be pre-zoned as Residential with Hillside Overlay been sized consistently with the Hillside Development Standards? If not, the parcels should be sized in accordance with the Hillside Development Standards and Subject to the Use Permitting Process and the Hillside Development Standards.
3. In 1991, the California Geological Survey prepared a report titled Landslide and Engineering Geology of the Western Ukiah Area, Central Mendocino County, California, Landslide Hazard Identification Map No. 24. Was this map consulted to determine the potential presence of landslide hazards with the parcels proposed for development and the access roads to the development? This report should be consulted and included as a reference in the IS/MND.
4. The California Building Code requires a Preliminary Soils Report for any subdivision of land. This project seeks to create parcels for development by lot line adjustment thus avoiding the requirements for subdivisions; however, given the known landslide hazards within the Western Hills as documented in the 1991 CGS Report, it seems imprudent to not perform a preliminary soils report to determine if the parcels proposed for development have soils or landslide hazards which would preclude development or at a minimum severely limit the development potential.
5. The Geology and Soils section of the IS/MND should also reference the requirement in the California Building Code to submit a Geotechnical Report for each lot.
6. The Wildfire section of the IS/MND indicates that fuel breaks are developed in the project area. However, fuel breaks requirement ongoing maintenance. The IS/MND does not describe how the fuel breaks will be maintained. Also does, the Ukiah Valley Fire District have capacity to defend the proposed development areas against wildfire given the Extremely High Fire Risk for the lands adjacent to the proposed development area? Why not subject these parcels to Wildland Urban Interface requirements? Perhaps include a benefit zone to pay for vegetation management and fire protection which is quite different from the urban parcels of the City.

Sincerely,
Chris Watt
690 Mendocino Drive, Ukiah

From: [Jeanne Chinn](#)
To: [Michelle Irace](#)
Subject: Comments on proposed Western Hills Annexation
Date: Wednesday, May 19, 2021 1:36:38 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Ukiah's Planning Commission:

I applaud David Hull for donating 188 acres of wildlands to the City of Ukiah.

I don't take issue with transferring several of his individual parcels to be annexed to the City of Ukiah. However, there are concerns regarding how the additional acreage is planning to be utilized: 296ac for Conservation Lands on the most western area, 343ac for Recreational (zoned PF-Public Facilities) Lands in an odd shaped "C" pattern, and 54ac as Development Parcels (zoned R1-H) on the northeastern corner, as shown and stated in the ISMND map legend on p.13. Who owns the 5 parcels between the "C" Recreational Lands, and what are the plans for these parcels?

The role of land use planning in communities with very high and high fire severity zones is to create wildfire resilience for protection of the community. CalFIRE has already supported this in calling out Ukiah's Western Hills as one of their 35 top projects in 2017. That alone tells us these Western Hills are fragile and at risk. CalFIRE's follow-through was exemplary in dozing the ridge tops and working with the County/City to re-establish and extend the Shaded Fuel Break from Low Gap Road to Robinson Creek Road.

The Western Hills is in a Wildland-Urban-Interface (WUI) area. Given the recent uptick in wildfires and drought years, to be further exacerbated by climate change into the future, it is counter-intuitive to plan a buildout of [up to 14] any more homes in the WUI/highest fire severity zone. Further, this buildout would be west of the Shaded Fuel Break, creating additional risk and expense to fire fighting resources and potentially life-threatening to the residents. These homes would be exclusive and a gated community. I'm not opposed to gated communities, and the City is also working on additional low and moderate income housing. However, in this case it is the Ukiah community whose tax dollars would pay for undergrounding plumbing and utility lines up to this area for the benefit of a few in a higher income category. And, who would pay for the maintenance of the 150,000 gal. water storage and fire facilities tank, pump, and well? It would be more appropriate to plan this gated community in a non-WUI area with a lower fire hazard zone rating where wild lands are not being developed.

In 2005, the Mendocino County Fire Safe Council (MCFSC) co-sponsored a report, the Mendocino County Wildfire Protection Plan. On page 86 in reference to the western hills of Ukiah, the report states the following:

"These hills have experienced large-scale fires since the turn of the century, with major fires occurring in 1950 and 1959. The City of Ukiah's encroachment into these hills since then has created the significant probability of a very destructive wildland interface fire." (<https://firesafemendocino.org/wp-content/uploads/2015/02/CWPP-FINAL.pdf>)

At the most recent Paths, Open Space, and Creeks Commission (POSC) meeting, we were told there will be no infrastructure on the recreation lands, including no public bathroom facilities or parking areas for potential hikers & bikers. Who would be responsible for patrolling those areas to pick up cigarette butts and other trash, and keep transients from establishing camps?

As a Commissioner for POSC, I support protection of open space for wildlife. There is documented wildlife in the Western Hills that City Manager Sangiacomo mentioned at a POSC meeting over a year ago from footage taken on wildlife cameras. These wildlife include a mountain lion and her cub, bobcat, bear, fox, occasional coyote, many deer, and smaller mammals. In addition, Doolan Creek is a Class I watercourse that has steelhead trout and frogs, and there are Class II and Class III watercourses that likely have other aquatic species. These different wildlife species have overlapping territories and need landscape level space for their survival. I would like to see the Conservation and Recreational Lands be annexed together and retained as “Ukiah’s Wildlife Sanctuary” and conserved in perpetuity. That would be a feather in the cap for Ukiah and our wildlife! Rather than further fragmenting the lands with hiking trails and e-bike paths, the accompanying noise, and recreation lands that can in the future be rezoned for housing, let’s protect this area for nesting, denning, fawning, and a place for wildlife.

Sincerely,

Jeanne Wetzel Chinn, M.S.
Commissioner, POSC

May 19, 2021

TO: Michelle Irace, Planning Manager, City of Ukiah Community Development Department
and Ukiah City Council Members

RE: UKIAH WESTERN HILLS OPEN LAND ACQUISITION AND LIMITED DEVELOPMENT AGREEMENT PROJECT

Here are comments and questions regarding the Draft Initial Study and Mitigated Negative Declaration (ISMND).

Traffic on Redwood Avenue This is a quiet cul-de-sac of approx. 20 properties.

- Additional traffic from fourteen (14) more residences would **significantly** negatively affect the quality of life of existing residents.
- Additional volume of traffic due to a 300+ acre Public Facility (park) accessible to the public according to Division 1, Chapter 12 of Ukiah City Code (see ISMND p. 42) would **severely** impact existing residents' quality of life. <https://www.codepublishing.com/CA/Ukiah/#!/Ukiah01/Ukiah0112.html>
- In what circumstances are secondary access roads required by the Fire Code? Is a secondary access road available or planned for the proposed housing development?

Parking

If a Public Facility is established on the 343-acre Inside Conservation Parcels, where are its users expected to park their motor vehicles?

Utilities

Numerous statements in the ISMND suggest uncertainty that housing will be developed on the 54 acres (examples below). In view of this uncertainty, why is the City proposing to pay for extension of utilities to the site? And should this not be the future developer's responsibility?

"The Project does not propose any residential development at this time..." (p7)

"...sites would not be developed until an applicant submits a project site plan..." (p7)

"However, no purchasers have been identified, and the timing of the sale and development of the properties is unknown." (p7)

"It is unknown whether all of the single family homes, and ADUs in particular, would be developed..." (p12)

Protected Open Space

If the City is going to preserve the Outside Parcels via a Council resolution (ISMND pp 5, 42-43), why not include the Inside Parcels also? This would effectively create valuable local wildlife habitat, and perhaps allow limited public access seasonally or by permit. (As an avid hiker and mountain bicyclist, I welcome new opportunities for recreation, but do not think this project is an appropriate location for a large public park.)

Wildfire Risk

Section V 11 of the ISMND (particularly p 43) discusses how the 14 housing units would constitute a portion of the City's Regional Housing Needs Allocation (RHNA). It is my understanding that the development site lies to the west (i.e., the "wrong side") of the shaded fuel break, as well as being in a zone of highest fire risk. How can this be considered a wise location for new housing?

Thank you for your attention.

Sincerely,

Andrea Vachon
537 Redwood Ave.
Ukiah, CA 95482
avachon1@mindspring.com

Ukiah City Planning Commission
300 Seminary Drive
Ukiah CA 95482

5/18/2021

Subject: Ukiah Western Hills Open Land Acquisition and Limited Development Agreement

Honorable Members,

From November 2010 to December 2020, I was the CAL FIRE Battalion Chief for the Ukiah Valley area. During this period, I was responsible for the fuel reduction efforts in State Responsibility Area of the Ukiah Valley and surrounding areas.

I write to support the Ukiah Western Hills Open Land Acquisition and Limited Development Agreement and hope to provide some history and context to the fuel reduction efforts in the western hills of Ukiah and how it relates to this project.

Beginning in 2012 I began working with representatives from the City of Ukiah and private owners to discuss, plan and reduce the fire hazard and improve public safety in the Ukiah Valley. The westside was chosen for several reasons. There was no recent fire history, and little had been done to address the fuel loading. Access was limited with more residents in the wildland-urban-interface at risk. The western hills were nearly inaccessible to firefighting resources.

In the subsequent eight years we planned, funded and completed multiple projects that were too big for any one individual to complete on their own and met the standard of 'good for the community'. Through these projects multiple access routes have been developed for firefighting vehicles to use during a fire, landing zones constructed for helicopters to land, 435 acres of prescribed burn were completed, twelve miles of fire breaks constructed in 2015 and again in 2018. Nine miles of shaded fuel breaks were cut from Low Gap to Highway 253 continuing the work completed in 2002 and 2004.

These accomplishments were the result of three levels of government; City, County and State, dropping boundaries and jurisdictions, working in concert on a singular goal to reduce the risk of a catastrophic fire that have become all too frequent in the State. The fourth critical component that made it all possible was the property owners that allowed the work to be completed for the good of the community. The common denominator was the conclusion that vegetation fires were now a Ukiah community problem, not an individual problem, that put the entire community at risk.

Among the nearly one hundred properties that participated, one of the most critical properties is the "Hull Properties". From a firefighter perspective, they are kind of a key in middle that holds the three elements of the prevention work together- fire breaks, fuel breaks and prescribed burning. The Hull Properties provide access to the top of the western hill of Ukiah for fire resources that did not exist prior to 2018. This property is one of the few bisecting fire breaks, natural or man-made, on the western side of Ukiah. The roads and fire breaks are the foundation for future prescribed burns that reduce the fuel loading on the hills that have not burned since the late sixties.

All the work done since 2002 needs to be maintained and the work continue. I believe that the best way to maintain the roads, continue fuel reduction projects and reduce the risk of a catastrophic fire in Ukiah Valley, to have the City of Ukiah acquire the Hull Properties. The consolidation of the parcels under City guidance will allow for a single entity to manage the fuel reduction work, manage the watershed and reduce risk to the community.

It is my opinion that the proposed mid-slope development of the parcels would not add any additional risk to the community and may even reduce risk. There are many narrow, steep streets on the west side of Ukiah that present far greater risk due to development without wildland fires in mind. This development would benefit from the knowledge and experience in the current fire environment. Developed parcels are more likely to be maintained versus being converted to open space and dependent on the CAL FIRE funding and time to maintain.

A homeowner would have a vested interest to maintain the property to a defensible space standard. Any improved road surfaces in the development would provide a permanent fire break and development of a water system could be critical to fire extinguishment on the west side of Ukiah. This development could be a model for the future that combines modern pre-fire planning with rural development at the landscape level expanding the current shaded fuel break.

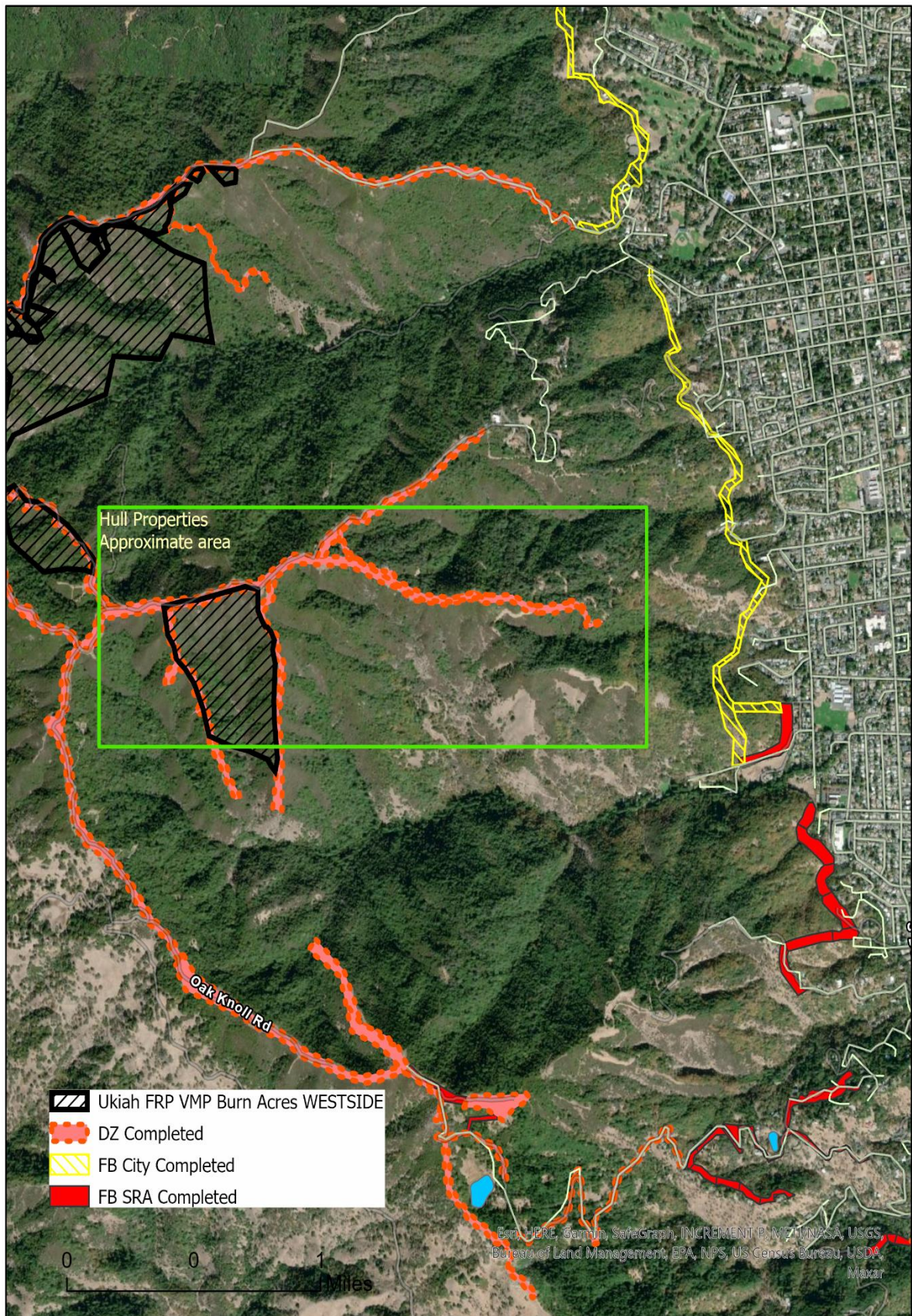
There will be challenges and new responsibilities with annexation and I would hope the City would adopt road and clearance standards like PRC 4290 and 4291 for any development off the valley floor. The City would become the stewards for a large portion of the western hills and would be challenged to manage it appropriately. Based on my interaction with the City of Ukiah over the years and the community attention and concern, I believe the City is up to the task and I appreciate a new, local approach. We must think outside the box find new ways to engage at all levels to change the trend of the fires.

It is critical that the work to reduce the risk of a catastrophic fire continue to be a top community priority and worked on at the community level, not at the individual parcel or owner level. It is not realistic to expect individual owners to maintain what has been done. The City acquiring the Hull Properties will keep the western hills fuel reduction a viable community level project and will provide the best chance of continued success.

Thank you for your time and please do not hesitate if you have any question.



Michael Maynard



From: [EMILY THOMAS](#)
To: [Kristine Lawler](#); [Michelle Irace](#)
Subject: Proposed Western Hills Annexation and Development
Date: Wednesday, May 19, 2021 1:46:24 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Subject: comments of proposed Western Hills annexation

Date: May 19, 2021

TO: Members of the Planning Commission & City Council Members

My name is Sharron Thomas. I am a neighborhood representative on the Western Hills FireSafe Council, and the proposed Western Hills annexation was a topic of discussion at our recent meeting.

California is now headed into another drought, and the fire seasons over the last few years keep exceeding previous records. The proposed annexation includes 7 parcels for residential development, allowing up to 14 new homes. Emerging fire safe understanding suggests this kind of Wildland Urban Interface development is bad public policy, very risky for the potential home owners, and expensive for the community trying to protect that property.

Historic fires in the area burned down to the valley floor as far as Todd Grove Park in the 1950's. There is no reason to believe that the projected development wouldn't be completely destroyed by such fires happening in the future. The projected development is to the west of the recently completed Shaded Fuel Break, putting it in the expected sacrifice zone. The single road access will be a problem in a fire emergency, and will likely violate emerging CalFire regulations. Turnouts are unlikely to mitigate congestion for fleeing residents in such an emergency.

I urge you to take a serious look at the fire hazard being created, and revise the plans.

Sincerely,

Sharron Thomas

May 20, 2021

Dear Ms. Irace and members of the City of Ukiah Planning and Building Department,

I am writing to express my concerns and questions regarding the Ukiah Western Hills Open Land Acquisition and Limited Development Agreement Project. I have been a resident of Redwood Avenue for 11 years. During the last 4 years, I have seen many changes to our neighborhood.

The road that extends from the end of Redwood Avenue (first graded in 1960 per the draft study) should never have been constructed. It is overly steep, approaching slopes of 30% for much of its length. I realize that much of what has occurred up to this point in time was under Mendocino County's jurisdiction and we are now stuck with their poor planning. When I first saw this road, it was overgrown with vegetation, much of it native grasses, shrubs and forbs. The road bed was stable due to the vegetation that prevented erosion. When the new property owners started grading the road, there was significant erosion, sometimes resulting in mud running down Redwood Avenue and often resulting in significant mud on the road tracked by vehicle tires. The topography in this area prevents road widening or contouring to decrease the steepness of the road bed. It also prevents best practices in disconnecting the hydrology from road to creeks.

Redwood Avenue is in a small canyon that traps dust and smoke. There have been several times that I've looked outside, or have been returning home, and thought that the canyon was on fire only to realize that dust was thick in the air from travel on the dirt road. Burning in the lower canyon likewise results in smoke trapped between the ridges and there have been winter days when I'm sure our air quality and the ash floating in the air was as bad as some of our worst summer wildfire days. Any plans should acknowledge this aspect of the topography. What will be the regulations for burning on the lower elevations of annexed properties? What will be done to enforce speed limits to decrease dust? The study indicates that with development, the first ½ mile of the road would be paved, but I'm not sure how much activity will continue on the road before that would happen.

Steep topography increases the noise from vehicles traveling up the road. Noise is likely amplified by the encompassing ridges, but I think it is mostly the result of the low gearing needed to go up the steep hill. Trucks are often loud enough to wake us up at night. I am not sure how this can be mitigated. Traffic on narrow, short Redwood Avenue is already surprisingly heavy. I am disappointed to see plans that will cause an increase. When I first moved here, children commonly played on the street and it felt safe for them to do so.

The CEQA study indicates that the increased costs of providing fire and police coverage will be covered by development fees. I wonder about the logistics of the coverage when this will essentially be a locked gate community located on a very steep, very narrow road? I don't think we have a precedent for this in Ukiah?

Included in the Energy and Green House Gas Emission discussions in the study should be the consideration that the development will encourage vehicle fuel consumption due to the location of the housing. I disagree with the statement in the study that "The assumed low-density development pattern is consistent and contributes to the rural 'small town' character of the Ukiah Valley."

I encourage the City to complete the botanical studies as planned. The study states that at least one more site visit was recommended. I recommend that this be completed before CEQA is finalized. That may mean waiting another year as many plants bloomed early this year and have already withered.

There are year-round springs adjacent to the road and I have heard that there are others in the area. We have found giant pacific salamanders on our property that must be residents of the springs. I don't think the salamanders are a protected species but they are very unusual in the Ukiah Valley. I have found native snails that I think are also unusual, if not protected, and I wonder what other species might be residents of these springs? I hope the biological surveys included the areas around the creek drainage.

I worry about enforcement of some of the practices recommended in the report. In the last few years, I have seen trees removed during nesting periods without nesting surveys and wildlife corridors fenced; 2 practices that the study states will be prohibited.

The unnamed creek drainage that runs along Redwood Avenue should be treated as a wildlife corridor and a seasonal creek. The springs along the creek are an important water source for wildlife. I have this drainage affected by sediment flows from improper grading, poor culvert placement, bright lights, tree removal in the creek corridor, and recently, fencing of the creek, prohibiting wildlife passage. I am concerned that these trends will continue if there is not educated oversight. Some of this has been on county land and some within the city limits.

I believe this project has many desirable aspects if implemented as planned, primarily in protecting the views of western hills as well as protecting open space and watersheds. I recommend that information about the project be presented in a form that will be easier for the public to understand, with pros and cons transparently written out. I sincerely believe that if development is inevitable, it will be better managed by the City of Ukiah than the County of Mendocino while at the same time believing that the area is unsuitable for road building and development and that the county should never have allowed it to proceed.

Thank you for your consideration,

Andrea Davis
607 Redwood Ave
Ukiah, CA 95482

From: [Kristine Lawler](#)
To: [Michelle Irace](#); [Maya Simerson](#)
Cc: [Craig Schlatter](#)
Subject: FW: Western Hill Development
Date: Thursday, May 20, 2021 11:22:14 AM

From: Margo Frank <margo@margofrank.com>
Sent: Thursday, May 20, 2021 11:04 AM
To: Kristine Lawler <klawler@cityofukiah.com>
Subject: Fwd: Western Hill Development

Begin forwarded message:

From: Margo Frank <margo@margofrank.com>
Subject: Western Hill Development
Date: May 20, 2021 at 8:48:36 AM PDT
To: lauraem@sbcglobal.net
Cc: mshilliker@comcast.net, roody@pacific.net

Dear Ukiah Planning Commission Members,

I am at a loss to understand how the Ukiah Planning Department could even consider building homes with only one egress/access route in the Western Hills at this time. We know that this area is at high risk of fire devastation. Having homes in a gated community in heavily wooded hill land seems incredibly short-sighted.

As the planet warms and droughts in the West become the norm, we will all be at risk. When the City builds housing in vulnerable areas with only one way out, we mislead home purchasers, implying they will be safe. I also do not understand why this development would be a gated community, one that shouts "We are special, we need protection from the rest of Ukiah".

Please do not approve this development. If I am correct that the current landowner is demanding this development in order to create/donate the nature conservancy. parkland in the Western Hills then we are all being held hostage by him.

I urge you to look at the bigger picture, to consult with local fire chiefs before seriously considering approval of this project.

Thank you for serving on the Planning Commission.

Margo Frank
180 Gardens Ave.
Ukiah, CA.
463-1834

From: [Kristine Lawler](#)
To: [Michelle Irace](#)
Subject: FW: cc-ing you my note to the planning commission
Date: Thursday, May 20, 2021 11:46:30 AM

From: Heather Seggel <heatherlseggel@gmail.com>
Sent: Thursday, May 20, 2021 11:26 AM
To: Kristine Lawler <klawler@cityofukiah.com>
Subject: cc-ing you my note to the planning commission

Ms. Lawler,

I should have copied you on this at the time, but here it is, for inclusion in the public record of comments. Thanks very much,

Sincerely,
Heather Seggel

From: Heather Seggel <heatherlseggel@gmail.com>
Date: 5/20/21 6:36 AM (GMT-08:00)
To: lauraem@sbcglobal.net, mshilliker@comcast.net, roody@pacific.net
Subject: western hills development

Dear members of the planning commission,

I'm writing to voice my concern about a planned development in the western hills of Ukiah. While I know the need for housing is dire, I have also lived through more stress and peril than I ever thought possible due to the wildfires that have ravaged our county. The location of this development seems like a double-whammy of negatives--it's beyond the reach of our fire breaks and in the path of potential fires, which means resources that can be used to save more populated areas will have to choose what to prioritize in the very literal heat of the moment. Let's create housing in areas that are easier to protect, and let the land rest where and whenever we can.

Thanks for your consideration,
Heather Seggel
306A W. Church St
Ukiah CA 95482
707-467-9067

From: [Christopher Watt](#)
To: [Michelle Irace](#)
Subject: Fwd: Western Hills Open Space / Land Development Agreement
Date: Thursday, May 20, 2021 12:36:50 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Michelle - see below. Another comment for you. -Chris

Sent from my iPhone. Forgive the brevity, typos and lack of nuance.

Begin forwarded message:

From: Thomas Hunt <thomashuntpe@gmail.com>
Date: May 19, 2021 at 9:11:50 AM PDT
To: mirace@cityofukiah.org
Subject: Western Hills Open Space / Land Development Agreement

Michelle- Here are some additional comments prepared as a local resident in the vicinity of this project:

1. The proposed IS/MND appear to not comply with the criteria for lot line adjustments is that each qualifying parcel of a lot line adjustment must have a recorded certificate of compliance that the lot is a viable conforming lot, and was created prior to the Subdivision Map Act of in compliance with the Subdivision Map Act. To qualify for a Certificate of Compliance the existing parcel has to comply with Map Act and local development ordinances. The reconfiguration of parcels using the lot line adjustment method becomes a violation of the Subdivision Map Act if greater than Four parcel reconfigurations (LLA) are performed. A development of this nature should be required to prepare a tentative subdivision map, preliminary engineering of the access road, lot layout in conformance with the hillside slope ordinance, and provide a slope analysis study in conformance with the Hillside ordinance using accurate topographic mapping. If the proposed project is to be approved a final subdivision map would be required per the California Subdivision Map Act and improvements would be in conformance with subdivision standards.
2. The proposed IS/MND appears to lack an analysis of the geologic slope stability

effects of a new road that meets Fire Safety Road Standards for width and turning radius, turnouts, and turnarounds on the existing hillside slopes. If the Road is to be private how is it to be maintained, or would the City except the roadway for public use and maintenance.

3. The proposed IS/MND does not address whether the existing City Utilities provide adequate sewer and water capacity for the proposed homes. The IS does not identify "Who" would own and maintain the water storage tank and booster pump(s) stations to serve the development, or what fire agency will protect these homes.

4. The proposed IS/MND does not address the following issues: The clearing limits of the Fire Safety zone around the homes, it is typically recommended by CalFire to clear a 100 foot radius, that is approximately a minimum of 1.2 acre per home. The proposed homes sites, plus roads, would clear over 10 acres of the last remaining unimprovement scenic hillside area left surrounding the Ukiah valley, and convert the scenic view of the native trees into homes and roads. This same area burned approximately 60 years ago in a wildfire and will continue to be a hazardous area even if developed. Allowing this development regardless of the fire safe clearing requirements around these proposed buildings would be unsafe for future residences, including the existing residences at the toe of the hillside, and irresponsible of a public agency to allow. Once you build homes in this area it will become increasing more difficult to control fuel loads because of the potential danger to the homes. The potential increase in the drainage runoff and erosion impacts of converting 10 plus acres of vegetated watershed into roof tops, driveways, roads and areas of cleared vegetation is not considered in the IS as any increase in runoff will end up in Mendocino creek drainage and the Redwood Avenue. The impact on these drainages may be significant to require the repair of failing culverts particular on Mendocino Creek at Mendocino Drive, the capacity of the Redwood Creek downstream drainage structures should analyzed as most of this drainage has be placed in culverts east of Helen Avenue.

Thank you for considering these issues.

Sincerely,

Thomas Hunt
420 Cochrane Ave
Ukiah Ca 95482
Email: thomashuntpe@gmail.com
Cell: 707-499-0152

From: [Steve & Jean Lincoln](#)
To: [Michelle Irace](#)
Subject: opposition to more residences high in Ukiah's western hills
Date: Thursday, May 20, 2021 2:10:23 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To: Ukiah City Planning Commission

We wish to express our strong opposition to the proposed residential property parcels on the Hull property in the western foothills. It is our very great concern that it is simply too dangerous to build more residences in this area which is ripe for burning - especially as we experience an increase in the length of wildfire season with increased temperatures and reduced soil and vegetation moisture. We live at the base of these hills and, every day, see the tremendous fuel load that has accumulated on them since the last wildfires there in the 1950's. Not only would these new homes be in a very vulnerable position with the shaded fuel break downhill from them, but, during a wildfire, they will take a large amount of firefighting efforts at a time when the higher density of homes downhill will probably also need much firefighting effort.

We trust you to make the wisest decision for Ukiah.

Thank you for your consideration,

Steve and Jean Lincoln
104 North Highland Ave, Ukiah

From: [Iantosca, Catherine M.@Waterboards](mailto:Iantosca.Catherine.M@Waterboards)
To: [Michelle Irace](mailto:Michelle.Irace)
Cc: [Filak, Jordan@Waterboards](mailto:Filak.Jordan@Waterboards)
Subject: Regional Water Board Comments: City of Ukiah Western Hills Open Land Acquisition & Limited Development Agreement
Date: Thursday, May 20, 2021 2:53:38 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Michelle Irace,

Thank you for providing staff of the North Coast Regional Water Quality Control Board (Regional Water Board) the opportunity to comment on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Ukiah Western Hills Open Land Acquisition & Limited Development Agreement Project, SCH #2021040428. We offer the following comments based on our review of the IS/MND.

Our comments are focused on the planned infrastructure improvements and construction components of the proposed project, including plans to pave/improve existing roadways, construct new roads for access to the development parcels, extend underground utilities, and construct a City water tank, and how these activities might impact waters of the state.

California Water Code defines waters of the state as “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code §13050 (e)). Projects that adversely impact waters of the state require permits from the Regional Water Board in the form of 401 Water Quality Certifications or Waste Discharge Requirements.

Regarding waters of the state in the IS/MND study area, the IS/MND’s Biological Resources section contains information that conflicts with Attachment B, the Biological Assessment Report. IS/MND Biological Resources Discussion Section b-c (IS/MND page 25) says “no sensitive biological communities, including riparian habitat or wetlands, were observed within or immediately adjacent to the study area.” However, the Biological Assessment Report (Assessment) identified six watercourses in the study area and did not definitively determine the presence or absence of wetlands in the study area.

With regard to wetlands, Assessment Section 3.4.2 Sensitive Biological Communities – Aquatic Resources states that a wetland delineation has not been performed in the study area (Assessment page 8). Instead, the Assessment referenced the United States Fish and Wildlife Service National Wetlands Inventory (NWI), which does not provide sufficient detail to determine the presence or absence of wetlands on at a property-specific level. The Assessment states that any wet areas onsite (which the Assessment defines as areas with hydrophytic vegetation and/or other hydrologic indicators) should be given the same protections as wetlands “until a wetland delineation is conducted to confirm the presence and extent of wetlands” (Assessment page 8). Please note that these hydrologic indicators are often difficult to identify during the summer and fall, particularly during a drought year. If the City of Ukiah determines that wetlands are present in the study area and that wetlands will be impacted by the project, a permit from the Regional Water Board will be required.

With regard to streams and riparian habitat, Assessment Section 5.1.2 Sensitive Biological Communities – Sensitive Aquatic Resources states that six watercourses were observed and mapped in the study area (Assessment page 16). These watercourses are depicted in the Assessment on a map titled “MCV2 Classification Map.” These watercourses are considered waters of the state. The MCV2 Classification Map shows existing roads crossing several of the watercourses. The IS/MND states that the existing gravel access road will be paved to serve the future development sites, and new access roads may be constructed. Work within watercourses or in their riparian areas, e.g. installation of new culverts or replacement of existing culverts during road improvement/construction, requires permits from the Regional Water Board. If other construction activities, such as utility installation or water tank construction, will impact waters of the state, those activities will require permits too.

If you determine that the proposed project will impact waters of the state, please contact the Regional Water Board prior to starting work to obtain the required permits. Impacts to waters of the state should be avoided or minimized as much as possible, and any unavoidable impacts will require compensatory mitigation. More information about the Regional Water Board's permitting can be found on our website:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/.

Thank you. Please contact me if you have any questions.

Catherine Iantosca

Environmental Scientist

Southern 401 Water Quality Certification Unit

North Coast Regional Water Quality Control Board

5550 Skylane Blvd, Ste. A

Santa Rosa, CA 95403

P: (707) 576-2501

E: catherine.iantosca@waterboards.ca.gov

City of Ukiah Community Development Department
ATTN: Michelle Irace
300 Seminary Avenue
Ukiah, CA 95482

May 20, 2021

Subject: Initial Study and Mitigated Negative Declaration for Western Hills Open Land Acquisition and Limited Development Agreement Project

Dear Ms. Irace,

We are very concerned about potential fire impacts from the proposed land development project in the western hills of Ukiah. The City of Ukiah would annex and acquire land for open space preservation in exchange for allowing the developer to develop seven residential parcels with the potential for two houses per parcel or 14 total houses. While the project has fire protection benefits (open space preservation), the potential for residential development raises serious fire safety concerns in the western hills of Ukiah.

The project area is in a very high fire hazard severity zone. With an increased frequency of drought conditions and impacts from climate change, the probability of a major wildland fire increases in the western hills of Ukiah. In 2005, the Mendocino County Fire Chiefs' Association, including the California Department of Forestry and Fire Protection (now Cal Fire) published a report, the Mendocino County Wildfire Protection Plan. On page 86 in reference to the western hills of Ukiah, the report states the following:

"These hills have experienced large-scale fires since the turn of the century, with major fires occurring in 1950 and 1959. The City of Ukiah's encroachment into these hills since then has created the significant probability of a very destructive wildland interface fire."

The parcels currently lie outside the city limits and city utilities are not available – power, sewer, water. Once annexed, the parcels will have access to city utilities with the ability for new development to connect to those utilities, increasing the likelihood for future residential development in the western hills.

We live at the end of San Jacinta Drive and adjoin one of the parcels in the project. We are in close proximity to the project and with the increased number of wildland fires in northern California over the last several years, we are very concerned about the increased potential of a wildland fire in our area. We urge you to take a serious look at the potential fire hazard created by the proposed project and the potential for future development beyond the current project.

Sincerely,

John and Delynn Rogers,

Members of the Western Hills Fire Safe Council

Comments on the ISMND May 20, 2021

Submitted by Pinky Kushner
504 N. Oak St., Apt #1
Ukiah, CA

I thank you for allowing me to comment on the environmental assessment document for the Western Hills project.

1. For the portion of the Conservation Parcels located outside of the SOI ("Outside Conservation Parcels," consisting of approximately 296 acres), the City will ensure that they remain preserved as open space through City Council resolution or other means, rather than rezoning them PF. Proposed Parcels 8 and 10 would effectively be "split zoned"; the portion within the SOI would be rezoned PF, while the remaining portion outside of the SOI would not be rezoned, but subject to a conservation easement, or other City Council action prohibiting development and preserving it as open space.

The language in the underlined section is weak and/or unclear. The land "will be subject to ...easement or other City Council action." The document should specify that this land will be dedicated open space in perpetuity by the City. By saying it 'could be' put into a conservation easement implies that the ownership of the property will not be the City and could be a private party. Thus the city might not be gaining the proposed promise of open space with approx. 640 acres, only approx 340 acres.

2. "City-owned parcels proposed for annexation are not required to be located within the City's SOI. City-owned 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."

It is not clear how this project satisfies any of those limitations. In fact it seems clear that none of the provisions are satisfied. The property that is proposed to be designated PF, will not be for municipal purposes in the ordinary legal meaning of the word "municipal." In order to be designated as 'municipal', the City should assign the area, the entire 640 acres, as a protected natural area in perpetuity. The proposed designation of PF could be changed by the current or any future City Council.

3. Leapfrog development: The City should demand a codicil to the private road access that will require that a keyed entrance gate be built on the road at the entry to the developed (housing) area and also at the distal end of the developed (housing) area. Furthermore, no third party, other than the owners of the developed housing and the City, can be given rights to trespass those two gates.

Without such a codicil, it is obvious that this proposed development will be able to leapfrog further development into the County property that lies further to the west along the roadway. These further lying parcels are designated County lands, and any development/construction will not be subject to City of Ukiah's reviews and will be without City limitations (as mentioned in the neg dec in the argument for the present annexation). It is egregious that the potential for leapfrogged development is not even mentioned in the 'neg dec.'

4. Aesthetics: The view shed of the City of Ukiah is unique and beautiful. Ukiah, derived from native language meaning 'deep valley,' indeeds lies in a narrow deep trough, approximately 2 miles wide and 20 miles long. Standing in the flat mid-point, one sees these 20 miles of wooded hillsides on either side. This project will affect this view in a deleterious manner, removing native vegetation, adding roads, lights and paved areas, in the south-western hills, in addition to a large 30' high water tank. This project for up to 14 dwellings, presumably large imposing houses with large, turn-around driveways, and lights, will be a significant blow to Ukiah's unique view shed. The potential damage is not "less than significant." Moreover, painting a house 'earth-tones' is not adequate mitigation for forest removal.

5. Forestry Resources: According to the ISMND the project should evaluate "forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board." No data have been provided. CO2 levels continue to increase in the Ukiah Valley. The removal of forests will add to the carbon increases. This effect cannot be said to be less than significant unless carbon measurements are established. In order to 'neg dec' the project, current, pre-project baseline data must be measured. The heat effect of forest removal must be evaluated.

6. Air Quality: The removal of forest and the on-going and continuing increase in carbon may contribute significantly to the atmospheric inversions that occur routinely in the Ukiah Valley. This issue cannot be said to be less than significant unless data about the Valley's atmospheric inversions are calculated. No data are found in the 'neg dec.'

7. Biological Assessment: This report is inadequate and cannot be said to evaluate the biological features of the project. At the beginning of the document prepared for the assessment, Jacobzooms and Associates state, "A site visit was conducted on February 5, 2021. A botanical survey was conducted on March 30, 2021. Additional botanical survey results will be amended in once completed." This statement is clear—the biological assessment at the present is inadequate to support the neg. dec. Interspersed in the document, the authors admit that they did not evaluate the plants and animals sufficiently. For example, birds of interest may be nesting, but not during February; plants of interest may appear but not be observable on March 30. And so on. The neg dec is incomplete since the biological assessment has not been completed.

I believe the assessment only reviewed the 55 acres for housing development. Am I wrong? What about the rest of the acreage in the annexation project? The large acreage, described as 640 acres at one point but not consistently, has not been

surveyed. Yet the project will *allow* (some might say promote) the roadway to access not only the area proposed for development, but also the further Western Hills. This is not a mere city lot with only traffic and noise to worry about on a small acreage. The acreage of the project is almost as large as Golden Gate Park in San Francisco and deserves a thorough biological assessment done in various seasons of the year for the entire project area.

8. Fire: It appears that a portion of the area proposed for housing lies beyond a fire-break. How is it justified to propose development beyond the fire-break?

Relative to this project are the following questions for a neg dec analysis:

What is the potential for a firestorm in the Western Hills? What is the history of firestorms in the Western Hills?

What is the state of drought in the Ukiah Valley? Has this drought increased the fire potential in the Western Hills?

Does the proposed development, occurring in a naturally wooded area increase, decrease or have no effect on the potential for fires? On the potential for a fire storm?

What is the moisture content of the soil annually in the summer and fall months? Will the roadway increase or decrease the moisture content of the surrounds?

What will be the speed of the fire's path were there to be a Western Hills fire originating in the project area?

9. Feasibility: What is the likelihood of any home development in a fire-prone acreage in the Western Hills? Will there be fire insurance for the developers/new home-owners? How will this development project be different from the homes in Deerwood that cannot get fire insurance?

10. Location and site plan: The maps are inadequate and not well integrated into the context of the document. There are no topographical maps. This is in spite of the fact that the site has very steep slopes. The slopes should be described precisely with the various grades of the roadway and possible driveways included. For fire management and the water tank accessibility these data are very important in an environmental assessment. The maps should have better satellite over-lays, with more indications of where the roadway and driveways will be located, complete with fire vehicle turn-arounds, etc. The photos included in the biological assessments are described only as "to the south" or "to the west", with no indication as to geographical or topographical whereabouts.

11. Land Use Planning: The goal of the City of Ukiah is densification, not suburban sprawl. This project is suburban sprawl. What is the mitigation? What is the justification?

12. Alternatives: an EIR is required to have alternatives, including a no project alternative and other alternatives that achieve the same or equal provisions.

a. Housing: Recently, the Ukiah Planning Department sponsored a public review of housing possibilities within the current boundaries of the City of Ukiah.

Where are the results of that review in this environmental evaluation and why don't the areas identified satisfy the needs for housing/development, even at all ends of the housing market? The Western Hills proposed project is clearly for the high end market. What is the need for high end housing in a fire prone area when those needs can be met within the existing boundaries of the City where the infrastructure improvements exist with good roads, good sidewalks, bike paths, trees, and parks?

b. Water: The water tank is said to help with supplying water to the southwestern portion of the City.

Alternative sites for the water tank must be identified, sites that are more accessible to more developed areas of south Ukiah and to a larger population of residents. The proposed site must be evaluated for efficiency and sufficiency in providing water to the urban population and for its use should a fire in south Ukiah occur, relative to other sites closer to the already built-out urban area.

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: <http://mendolafco.org>

May 20, 2021

Michelle Irace
Planning Manager, City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482

RE: Responsible Agency Comments regarding the City of Ukiah Draft Initial Study and Mitigated Negative Declaration for Ukiah Western Hills Open Land Acquisition and Limited Development Agreement Project

Dear Ms. Irace,

We have reviewed the Draft Initial Study and Mitigated Negative Declaration for the Ukiah Western Hills Open Land Acquisition and Limited Development Agreement Project and identified the following items as a Responsible Agency related to the annexation component of the proposed project.

Further Growth Inducing Analysis for Annexation Component

In order to fully address the annexation component of the proposed project, the Initial Study needs to further analyze the change in development potential of the annexation area from current conditions.

This involves identifying and comparing the maximum development potential under current conditions (County General Plan/Zoning and Ukiah Valley Sanitation District service) and the proposed project development potential (Boundary Line Adjustment, City General Plan/Prezoning, and City services).

The proposed project development potential of 7 Single-Family Dwelling Units and 7 Accessory Dwelling Units identified for the Development Parcels appears appropriate based on the Development Agreement, and may result in an overall reduction of environmental impacts or environmental benefits from the clustered development design, when compared with the current conditions.

Since there is no development anticipated for the Noguera properties, the development potential of these parcels would be the maximum development potential under both current conditions (County General Plan/Zoning and Ukiah Valley Sanitation District service) and the proposed project (City General Plan/Prezoning and City services).

The comparison of current and proposed development potential for the Conservation Parcels may result in an overall reduction of environmental impacts or environmental benefits from long-term conservation and associated natural resource and land management activities.

Further Municipal Service Analysis for Annexation Component

In order to fully address the annexation component of the proposed project, the Initial Study needs to further analyze the provision of municipal services.

This involves a comparison of current system capacity, anticipated service demand of the proposed project based on development potential, and the City's ability to serve the proposed project based on

available capacity and project demand. While not necessarily applicable to the proposed project, in situations where service expansions or improvements are needed to address the proposed project, the potential environmental impacts of such expansion and/or improvements should also be analyzed.

Prezoning

The Outside Conservation Parcels are subject to Prezoning pursuant to GOV §56375(a)(7) and should be addressed in the Initial Study.

Concurrent Detachment

Please modify the proposed project to include detachment of the annexation area from the Ukiah Valley Sanitation District, to address jurisdictional overlap and duplication of municipal service issues, and potentially County Service Area 3 if duplication of municipal services is applicable.

Based on interest expressed from City of Ukiah staff in support of a proposed Ukiah Valley Fire District annexation of City Limits, per LAFCo Pre-application No. P-2020-03, concurrent detachment from the Ukiah Valley Fire District does not appear appropriate at this time.

By addressing the above items in the Initial Study, the Mendocino Local Agency Formation Commission will be able to rely on the City's CEQA Determination in consideration of the annexation proposal. Please note that we are available to assist in modifying the Initial Study to address these items.

Please feel free to contact me if you need additional information or have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Uma Hinman', written in a cursive style.

Uma Hinman
Executive Officer

Cc: Craig Schlatter, City of Ukiah Community Development Director

From: [Kristine Lawler](#)
To: [Michelle Irace](#); [Maya Simerson](#)
Subject: FW: ISMND and proposed project
Date: Friday, May 21, 2021 7:44:27 AM

From: Helen Sizemore <helensize@gmail.com>
Sent: Thursday, May 20, 2021 9:55 PM
To: Kristine Lawler <klawler@cityofukiah.com>
Cc: Laura Christensen <lauraem@sbcglobal.net>; Mark Hilliker <mshilliker@comcast.net>; roody@pacific.net
Subject: ISMND and proposed project

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Kristine - please forward to City Council Members. TY

To the Planning Commission and the City Council:

I am very concerned to hear about the development of a small gated development in the western hills, at Redwood Avenue.

There is a housing shortage in California and in Ukiah. It would be so much more appropriate to construct condominium housing. Your future vision must consider our climate changing, drought emergency prone times.

Continuing the economic and cultural division in our town is not vision it is backward thinking.

A gift of land to the city does not have to be given back to the wealthy. The clustering of a condo project would be more easily defended from fire threat and be less damaging to the hillside when putting in utilities.

Ukiah can be the change we need. Single family housing is so last century.

Thank you,
Helen Sizemore

From: [Jonelle Farr](#)
To: [Michelle Irace](#)
Subject: Trail building and housing plan on western hill
Date: Monday, May 24, 2021 7:50:48 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To: Michelle Irace at Planning department Ukiah 5/25/2021

I am writing in favor of Dave Hull's proposal to donate his remaining land on the western hills. I live on Mendocino Drive and Dave Hull has allowed me to do many exploratory hikes on his property. I have brought many friends and they have all been amazed at the views and the beauty of this area. It will be so nice not to have to drive to Marin or Sonoma to do major hiking, The potential is endless!!

Not only is the area untapped hiking potential we are better off due to the fact that Dave and his team have done an amazing job of fire mitigation. He has removed many of the dead and dying trees. Every time I get the chance to hike I find they have done many improvements. I can't wait to see the potential hiking opportunities that we will be able to develop and we can do much to help all the area be fire safe and safe against illegal grows that will compromise Gibson or Dolan Creeks!!

The interface between the homes and hiking will be somewhat of a challenge but when you hike on Mt. Tamalpais is doable with good planning and property owners that see the value in sharing the western hills with all of us!!

I hope all of you will take the opportunity to visit this spectacular property and make it possible to share this beauty with all those who love this area!!

Sincerely,
Jonelle Farr
861 Mendocino Dr.
Ukiah, Ca

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: kramer@saber.net

Date: 5/20/21 6:15 PM (GMT-08:00)

To: roody@pacific.net

Subject: gated community in Western Hills.

Dear Planning Commission members, While not necessarily against all development in the Western Hills as owners of three properties on Westside (willow Avenue and West. Standley) we are adamantly opposed to

the development of a gated community. Outrageous deviation from the spirit of Westside. We love to walk the streets and cannot imagine being

"locked out." Why is this being proposed? Who is being locked out?

Thanks for your consideration of our opinion. Yvonne and Marvin Kramer

From: [Patty Mcmillen](#)
To: [Michelle Irace](#)
Subject: Western Hills Project
Date: Monday, May 24, 2021 3:16:04 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon: I wanted to reach out in favor of the Western Hills Project to say that I'm excited to see some new Westside housing parcels that will be available for market rate housing that allow ADU units. At our current market.. we only have 25 homes that are available for purchase and only one is a new home. The community needs to keep in mind that the hospital is constantly looking to recruit doctors to our area and with the shortage of housing they go to other areas with larger inventory of homes. It's not just about home development it's about accessibility of westside hiking trails, keeping the low density housing & the fire mitigation that has been done to protect the western hills. This is a great project for Ukiah and I'm excited to see it come alive.

Patty McMillen
Selzer Realty/ReMax Gold
707-467-3637