



City of Ukiah

FOR IMMEDIATE RELEASE

CONTACT: Shannon Riley, Deputy City Manager
City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482
Phone: (707) 467-5793

APPEAL FILED ON COSTCO PROJECT'S SITE DEVELOPMENT PERMIT APPROVAL

Ukiah, CA. August 10, 2017. – Ukiah City Councilmember Stephen G. Scalmanini has filed an appeal from the Planning Commission's recent approval of Costco's site development permit. As a result, a special City Council meeting will be held to hear that appeal on Thursday, August 24th at 5:00 pm, at 300 Seminary Avenue. The appeal could potentially delay construction of the Costco Store by six months or more, even if the City Council upholds the Planning Commission decision.

In his letter of appeal, Mr. Scalmanini claims that "the lack of photovoltaic solar energy production on-site is inconsistent with several goals and policies of the current City of Ukiah General Plan, with recommendations submitted during the Design Review phase of the project by the Mendocino County Air Quality Management District, with recommendations of the City's Design Review Board, with other recommendations and requirements."

He further states that, "This omission of on-site energy production is partly, but not wholly, a result of irrational beliefs of a majority of the City Council, beliefs that are not supported by documentation for the project and that cause avoidable harm to the air quality of the State of California."

The original site development permit for Costco was approved in January 2014. However, when a lawsuit was filed on behalf of "Ukiah Citizens for Safety First," challenging the certification of the environmental impact for the project, the State Court of Appeal ruled that the City had to include an Energy Analysis in the environmental impact report (EIR) before it is certified. The City was directed to set aside its project approvals, circulate an Energy Analysis for public comment and then reconsider certification of the EIR and approval of the project.

The use of solar panels by the Costco store has been considered by the EIR when it was originally certified and discussed by both the Planning Commission and the City Council during seven earlier public hearings. These include hearings before the Planning Commission and City Council in 2013 and 2014 on certifying the EIR, adopting amendments to the City's Planned Development ordinance to allow the project, and approving the site development permit for the project.

The use of solar panels by the Costco project was considered again in 2017 in the Energy Analysis when it was added to the EIR. It was also considered at two hearings before the Planning Commission and a hearing before the City Council on certifying the EIR with the added Energy Analysis and on the introduction and adoption of the amended Planned Development ordinance.

The EIR, including the added Energy Analysis, concluded that Costco's use of energy did not require mitigations and would not result in wasteful, inefficient, or unnecessary consumption of energy; conflict with existing energy standards and regulations; or adversely affect local and regional energy resources. These conclusions were based, in part, on the fact that 49% of the City of Ukiah's electrical energy already comes from eligible non-carbon producing renewable sources and an additional 25% comes from large scale hydroelectric projects and on the number of energy saving features incorporated into the Costco store, including pre-wiring and a roof design to allow the addition of solar panels after the store is constructed.

After reviewing this evidence in the record before them, neither the Planning Commission nor the City Council voted during the seven prior hearings on the project to require the use of solar panels despite Mr. Scalmanini's previous proposals to require them.

While not agreeing to add solar panels when the store is first constructed, Costco has made a number of additional improvements to the project since it was originally approved in January 2014. The proposed project now complies with the 2017 California Energy Code, utilizes LED lighting in the store and in parking lot lighting and a Heat-Reclaim system, which captures heat from the refrigeration lines and uses it to heat water for the building, includes additional trees on the site, and more. In approving the site development permit, the Planning Commission voted 4-1 to adopt a finding that the project is consistent with the General Plan goals and policies.

Per UCC 1203, City Councilmembers are permitted to file an appeal to the City Council, when they are dissatisfied with a decision by the Planning Commission.

In a related project, construction of the traffic improvements at Talmage Road and Highway 101 and Airport Park Boulevard are scheduled to begin this summer, with anticipated completion in the spring of 2018.


Sage Sangiacomo, City Manager

#