
12. IMPLEMENTATION AND ADMINISTRATION

While the individual goals and policies of each Specific Plan chapter (i.e., *Environmental Resources, Community Facilities and Services, Community Design*, etc.), contain implementing measures and an identification of the timing and entity responsible for implementing the various goals and policies, this chapter addresses the overall enforcement of goals and policies set forth within the other individual chapters of the Specific Plan. The financing of infrastructure and maintenance of Brooktrails Township facilities is addressed Specific Plan Chapter 11, which is also required to implement the Plan.

12.1 LAND USE REGULATIONS

The Specific Plan will be adopted by the Mendocino County Board of Supervisors and will become the guiding document for policy direction for subsequent development within the Township. The land use areas indicated on the Specific Plan, Zoning Map shall be zoned as called for in the Specific Plan and be in conformance with the *Mendocino County General Plan* and Zoning Ordinance.

12.2 FINANCING

Public facility, infrastructure and maintenance for which the Township is responsible shall be provided for consistent with established procedures now in place, or as otherwise allowed by law and approved by the Township Board of Directors.

12.3 ADMINISTRATION

The County of Mendocino will be the public agency responsible for the administration, implementation and enforcement of the portions of this Specific Plan that fall under its jurisdiction while the Township will be the agency responsible for the implementation and

enforcement of the portions of this Specific Plan that fall under its jurisdiction, all as documented in the various chapters of the Specific Plan.

12.4 AMENDMENT

The California Government Code Section 65453 states that a Specific Plan may be amended as often as deemed necessary by the legislative body. Proposals for amendments to this Plan may be initiated by any individual property owner, by the County or the District in accordance with any terms and conditions imposed during the original approval or in accordance with any terms and conditions pertaining to existing ordinances. Examples of significant changes include:

- The introduction to the Specific Plan area of a new land use designated not contemplated in this original Specific Plan, or in this Specific Plan as subsequently amended.
- Changes to the circulation system or community facility design which would materially affect a land use concept detailed in this Specific Plan, or this Specific Plan as subsequently amended.
- Changes or additions to the Design Guidelines which materially alter the stated intent of this Specific Plan or this Specific Plan as subsequently amended.
- Any change which would result in a significant and adverse environmental impact.

The Plan's integrity can be best protected by requiring documented, empirical evidence of changes in the conditions and assumptions upon which the Plan is founded as the basis for proposed revisions to the Zoning Map.

12.5 NECESSARY FINDINGS

The consideration of any proposed amendment to this Plan shall include the determination of the following findings:

- Changes have occurred in the Township since the approval of the original Specific Plan which warrant approving the proposed amendment.
- The proposed amendment is consistent with the *Mendocino County General Plan*.
- The proposed amendment will result in a benefit to the community at large and land area within this Specific Plan.

- The proposed amendment would not adversely affect the community.
- The proposed amendment would correct an error or an oversight.
- The proposed amendment will not result in any unmitigated environmental impact to adjacent properties.
- The proposed amendment will enable the delivery of services and public facilities to the population within the area of the Specific Plan.
- The proposed amendment is in conformance with the provisions of the California Environmental Quality Act.

12.6 SEVERABILITY

In the event that any regulation, condition, program or portion of this *Brooktrails Township Specific Plan* is held invalid or unconstitutional by a California or Federal Court of competent jurisdiction, such portions shall be deemed separate, distinct and independent provisions, and the invalidity of such provisions shall not affect the validity of the remaining provisions thereof.

12.7 SUBSEQUENT ENTITLEMENTS

Subsequent development of the Township will be governed by the Specific Plan Proposed Zoning Map, County of Mendocino Zoning Code, county permits and requirements, applicable county ordinances and related Township Site Development Standards, and Township Design Review by the Architectural Review Commission and Development Review Board of individual project proposals. Processing of these applications and entitlements will follow County of Mendocino and Brooktrails Township Community Services District processing procedures.

12.8 ENVIRONMENTAL REVIEW

Under the provisions of the California Environmental Quality Act (CEQA), a Program Draft Environment Impact Report (EIR) has been prepared for the Specific Plan. A Final EIR, consisting of responses to public and agency comments during the Draft EIR review and comment period will be prepared prior to adoption of the Specific Plan by the Mendocino County Board of Supervisors. The EIR and Specific Plan are to be considered as companion documents.

Certain infrastructure improvements as called for in the Specific Plan will require separate environmental review, consistent with the findings of the Program EIR. This will include preparation of an EIR at the proper time for the proposed 1,600 acre-foot water impoundment project, and EIRs for each of two new access roads proposed for the Township. In addition, any proposed expansion of the Willits Wastewater Treatment Plant would require environmental review. The timing of preparing these documents will be consistent with the timing of the proposed improvements, and instituted prior to inception of the proposed improvements.