

ORDINANCE NO. _____

**AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY**

WHEREAS, the applicant, Wayne Baynham, filed an application for a Rezone No. R_2017-0003 with the Mendocino County Department of Planning and Building Services to authorize the rezoning of 160± acres from the Public Facilities (PF) zoning district to the Forest Land (FL) zoning district (the "Project"), situated 6.0± miles east of the U.S. 101 and Spyrock Road (CR 323) intersection, at the terminus of Fitzhugh Road (private), 6,000± feet southeast of its intersection with Iron Creek Road (private), located at 6820 Fitzhugh Road, Laytonville (APN: 033-040-48 and 033-040-49); General Plan Forest Land (FL); Zoning Public Facilities (PF); and

WHEREAS, on November 16, 2017, the Planning Commission held a noticed public hearing, received comments and recommended the Board of Supervisors approve R_2017-0003; and

WHEREAS, the Project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines pursuant to Article 12, Section 15183 governing Special Situations and Projects Consistent with the General Plan, and the Project was noticed and made available for agency and public review in accordance with the CEQA and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on March 13, 2018, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the Categorical Exemption and the Project. All interested persons were given an opportunity to hear and be heard regarding the Categorical Exemption and the Project.

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Section 1. Findings. Based on the information provided in the memorandum accompanying this ordinance and evidence in the record, the Board of Supervisors makes the following findings:

(a) The Project is Categorically Exempt from CEQA pursuant to Section 15183 of the State CEQA Guidelines.

(b) The Project is located within the Forest Land General Plan designation and as such, the proposed rezone seeks to bring the Zoning designation into compliance with the General Plan.

(c) The Project meets the stated intent and minimum lot size requirements of the Forest Land Zoning District, as stated in Mendocino County Code Chapter Sections 20.064.005 and 20.064.030.

Section 2. Rezone. Pursuant to Division I of Title 20, Chapter 20.212 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as follows:

Said zoning change encompasses the property described by Assessor's Parcel Numbers 033-040-48 and 033-040-49 which is reclassified from the Public Facilities (PF) zoning district to the Forest Land (FL) zoning district as shown on attached Exhibit A.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

WHEREUPON, the Chair declared said Ordinance adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

DAN HAMBURG, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

Deputy

APPROVED AS TO FORM:
KATHARINE L. ELLIOTT, County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy

Deputy

CASE#: Rezone #R 2017-0003
OWNER: WAYNE BAYNHAM