

Resolution Number _____

County of Mendocino
Ukiah, California
April 16, 2020

R_2019-0014 LOUIS D TINSLEY

RESOLUTION OF THE Planning Commission, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CEQA (Article 12 Section 15061(b)(3)) General Rule Statutory Exemption to create a Commercial Cannabis Prohibition Combining District.

WHEREAS, the applicant, Fracchia Road & Bisby Avenue Neighborhoods, filed an application for a Commercial Cannabis Prohibition Combining District to include twenty-nine (29) contiguous parcels adjacent to the Boonville Road-Woodyglen Cannabis Prohibition District with the Mendocino County Department of Planning and Building Services. All affected parcels are contained in Exhibit 'A' to this Resolution and incorporated herein by reference. Located 3.5± miles south of the City of Ukiah center, lying on the west side of Burke Hill Road (CR 140), extending northwest from its intersection with Bisby Avenue (Private), Ukiah (APN's: 185-050-06, 185-050-07, 185-050-08, 185-090-07, 185-100-02, 185-100-06, 185-100-07, 185-100-08, 185-100-09, 185-100-11, 185-100-12, 185-100-13, 185-100-14, 185-100-19, 185-100-20, 185-100-25, 185-100-27, 185-100-28, 185-100-29, 185-100-31, 185-100-36, 185-100-37, 185-100-39, 185-100-40, 185-100-44, 185-100-47, 185-100-48, 185-100-49, 185-100-50, Multiple Zoning and General Plan designations; Supervisorial District 5; (the "Project"); and

WHEREAS, the Project is Statutorily Exempt from review under the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines pursuant to Article 12, Section 15061(b)(3).

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, April 16, 2020, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

1. **General Plan Findings:** The subject parcels are located within the Rural Residential, Agricultural and Rangeland General Plan designations. The intent of the Cannabis Prohibition Combining District is to maintain the residential qualities of neighborhoods where residents feel commercial cannabis cultivation and facilities are incompatible with existing residential uses, and—as provided by community petitionsuch, thishe proposal seeks to prohibit commercial cannabis activities that could otherwise be facilitated on the aforementioned Assessor Parcel Numbers. The Mendocino County General Plan emphasizes the role of the community – local residents, organizations and others –, as well as the importance of self-determination in shaping communities' future through public planning processes. As such, this proposal aligns with the County's General Plan, particularly 'Principle 2-3b', as the establishment of a Cannabis Prohibition or Accommodation District "Encourage(s) and empower(s) local communities and organizations to engage in local planning and community improvement", especially as they "Promote open, inclusive public planning and development processes."
2. **Rural Residential, Agricultural and Rangeland Zoning District Finding:** That the proposed districts meets the stated intent of the Commercial Cannabis Prohibition Combining District as

stated in Mendocino County Code Chapter 20.119 (Cannabis Prohibition Combining District). As a combining district, aspects related to the underlying zoning districts, including 20.048 (Rural Residential), 20.052 (Agricultural) and 20.060 (Rangeland) remain applicable.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors grant the requested rezone as shown in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

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

ATTEST:

BY: JAMES F. FEENAN
Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ
Director

MARILYN OGLE, Chair
Mendocino County Planning Commission

EXHIBIT A: REZONE EXHIBIT MAP