

ORDINANCE NUMBER 4427

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

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 agenda packet accompanying this ordinance and evidence in the record, the Board of Supervisors makes the following findings:

- (a) General Plan Consistency: The proposed project is consistent with the Anderson Valley Community Area Plan and will help further the achievement of the goals in the Plan. The proposed General Commercial zoning designation is typically applied in the central core of community areas where commercial facilities are desired. The site for the proposed project is located within the main commercial and industrial area of Philo and the proposed zoning district would be appropriate for the site with inclusion of the protections provided in the proposed Contract Rezone.
- (b) The rezoning of the subject property meets the stated intent and minimum lot size requirements of the General Commercial zoning district, as stated in Section 20.092.005 and 20.092.025 of the Mendocino County Code.
- (c) A Contract Rezone is necessary so as not to create problems inimical to the public health, safety or welfare of the County, in that the conditions imposed by the Contract will ensure that resources located within the parcel and nearby areas are protected from potential environmental impacts resulting from the change in zoning district.

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:

The property described by Assessor's Parcel Numbers 046-070-26, 046-070-27, 046-070-28 (the "subject property") is rezoned from Rural Residential – 5 acre minimum with a Flood Plain combining district (RR-5:FP) and Rural Community with a Flood Plain combining district (RC:FP) to General Commercial – with a Contract Rezone and Flood Plain combining district (C-2:CR[FP]) as shown on Exhibit A, attached hereto and incorporated herein by this reference, subject to the requirements of Section 2 of this Ordinance.

Section 3. Contract Rezone. Said zoning change made by Section 1 of this Ordinance shall be subject to the conditions set forth in the Contract for Compliance with Rezoning Conditions, attached hereto as Exhibit B and incorporated herein by this reference, to be recorded against the subject property and in Exhibit B pursuant to Government Code Section 27281.5 and Mendocino County Code Section 20.212.010.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this 19th day of March, 2019, by the following roll call vote:

AYES: Supervisors Brown, McCowen, Haschak, Gjerde, and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared the Ordinance passed and adopted and **SO ORDERED**.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

CARRE BROWN, Chair
Mendocino County Board of Supervisors

Deputy

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

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

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy