

RESOLUTION NO. 21-042

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING A NEGATIVE DECLARATION FOR REZONING (R_2019-0015) ONE LEGAL PARCEL FROM RURAL COMMUNITY (RC) TO LIMITED INDUSTRIAL (I1) LOCATED AT 80300 ROAD 442-B, PIERCY, CA (APNS: 053-110-10 AND 053-130-01)

WHEREAS, the applicant, COOMBS TREE FARM, filed an application for Rezone with the Mendocino County Department of Planning and Building Services to Rezone one legal parcel comprised of two (2) Assessor Parcels (053-110-10 and 053-130-01) totaling 33.79± acres from Rural Community (RC) to Limited Industrial (I1), located in the unincorporated community of Piercy, lying on the south side of Road 442-B (CR 442B), adjacent to its intersection with State Highway 271 (SH 271), located at 80300 and 80160 Road 442-B, Piercy; APNs: 053-110-10 and 053-130-01, (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made publicly available for agency and public review on July 15, 2020 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on August 6, 2020, to solicit public comments on the proposed Negative Declaration and the Project, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally and in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

WHEREAS, on August 6, 2020 the Planning Commission recommended that the Board of Supervisors adopt a Negative Declaration for the proposed Rezone, finding that the project, as proposed would have a less than significant impact on the environment; and

WHEREAS, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on February 23, 2021, which was continued to March 23, 2021, to solicit public comments on the proposed Negative Declaration and the Project, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally and in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, based upon the evidence in the record before it, that the Mendocino County Board of Supervisors makes the following determinations and findings:

1. The recitals set forth in the above resolution are true and correct and incorporated herein by this reference.
2. The Negative Declaration for the Project was prepared pursuant to CEQA and the State and County CEQA Guidelines.
3. The Board of Supervisors hereby certifies that the Negative Declaration has been completed, reviewed and considered, together with the comments received during the public review process, in compliance with CEQA and the State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors.

4. The Board of Supervisors hereby finds and determines, on the basis of the whole record before it, that there is no substantial evidence in the record that there is any significant environmental impact that might arguably be anticipated to occur as a result of the Project; therefore a Negative Declaration is adopted.

5. The Board of Supervisors hereby adopts the Negative Declaration attached to this resolution as Exhibit A and incorporated herein by this reference.

6. The Board of Supervisors designates the Clerk of the Board of Supervisors as the custodian of the documents and other materials, which constitutes the record of proceedings upon which the Board of Supervisors' decision herein is based. These documents may be found at the office of the Office of the Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, Ukiah, CA 95482.

7. The Board of Supervisors hereby directs the Department of Planning and Building Services to file a notice of determination following the adoption of the Project in accordance with CEQA and the CEQA Guidelines.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Haschak, and carried this 23rd day of March, 2021, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES: None
ABSENT: None

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

ATTEST: CARMEL J. ANGELO
Clerk of the Board

DAN GJERDE, 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:
CHRISTIAN M. CURTIS
County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy