

Resolution Number PC 2019-0029

County of Mendocino
Ukiah, California

December 19, 2019

GP_2019-0005 / R_2019-0006 / U_2019-0009 – GOLD WEST LAND COMPANY LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS ADOPT A NEGATIVE DECLARATION AND GRANT A GENERAL PLAN AMENDMENT FROM REMOTE RESIDENTIAL (RMR) TO RURAL COMMUNITY (RC), A REZONE FROM UPLAND RESIDENTIAL (UR) TO RURAL COMMUNITY (RC), TO A PORTION OF THE SUBJECT PARCEL, AND A MINOR USE PERMIT FOR CANNABIS RETAIL, VOLATILE AND NON-VOLATILE MANUFACTURING AND DISTRIBUTION WITHIN SAID PORTION

WHEREAS, the applicant, TYLER PEARSON, filed an application for a General Plan Amendment, Rezone, and Use Permit with the Mendocino County Department of Planning and Building Services to amend the general plan to change a portion of the subject parcel from a Remote Residential (RMR) designation to a Rural Community (RC) designation, rezone a portion of the subject parcel from the Upland Residential (UR) zoning district to the Rural Community (RC) zoning district, and allow a use permit for retail, manufacturing (volatile and non-volatile), and distribution, 1.5± mi. south of the Laytonville center, on the east side of US Hwy. 101 (US 101), 0.2± mi. north of its intersection with Vincent Ln. (private), located at 43045 Hwy 101, Laytonville (APN: 035-150-25); General Plan RMR; Zoning UR:40/NONE; Supervisorial District 3; (the "Project"); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made available for agency and public review on November 21, 2019 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, December 19, 2019, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or 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, 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 Negative Declaration and the Project.

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

1. **General Plan and Zoning Findings:** The proposed project is located within the Remote Residential General Plan Land Use Designation and the amendment to the Rural Community General Plan Land Use Designation will be consistent along with the rezone. The rezone from Upland Residential to Rural Community would be consistent with the General Plan Land Use Designation amendment of Rural Community and provide consistency for the Use Permit request to operate a cannabis retail, manufacturing, and distribution business.

2. **Use Permit Findings:** The Project satisfies the Use Permit required findings per the Mendocino County Code §20.196.020 as noted in the staff report.

3. **Environmental Protection Findings:** An Initial Study was conducted and a Negative Declaration prepared for the Project in accordance with CEQA, which determined the Project will not have any significant adverse impacts on the environment.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors adopt the Negative Declaration which has been completed, reviewed, and considered, together with the comments received during the public review processes and the evidence in the record is in compliance with CEQA and State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgement and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends the Board of Supervisors approve the requested (1) General Plan Amendment, (2) Rezone, and (3) Minor Use Permit as described in the staff report and attachments subject to the Conditions of Approval in Exhibit "A", attached hereto.

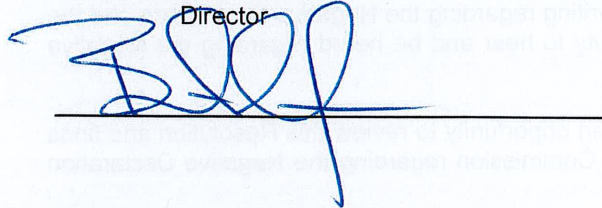
BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building 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: JAMES F. FEENAN
Commission Services Supervisor

By: 

BY: BRENT SCHULTZ
Director



MARILYN OGLE, Chair
Mendocino County Planning Commission

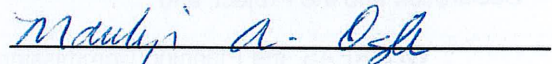


EXHIBIT A: GENERAL PLAN EXHIBIT

EXHIBIT B: REZONE EXHIBIT

RMR 40

EXHIBIT "A"

014-260-58

035-170-25

035-170-19

035-170-18

RL 160

RC

014-270-57

014-270-22

035-150-25

035-150-20

Portion of APN 035-150-25 to be reclassified from RMR (Remote Residential) to RC (Rural Community)

RMR 40

014-270-35

014-270-33

035-150-22

035-150-27

035-150-23

CASE: GP 2019-0005 / R 2019-0006

OWNER: Gold West Land Company, LLC

APN: 035-150-25

APLCT: Gillian Hayes

AGENT:

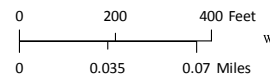
ADDRESS: 43045 N. Highway 101, Laytonville



RECLASSIFY FROM: RMR (Remote Residential)
TO: RC (Rural Community)



General Plan Classes

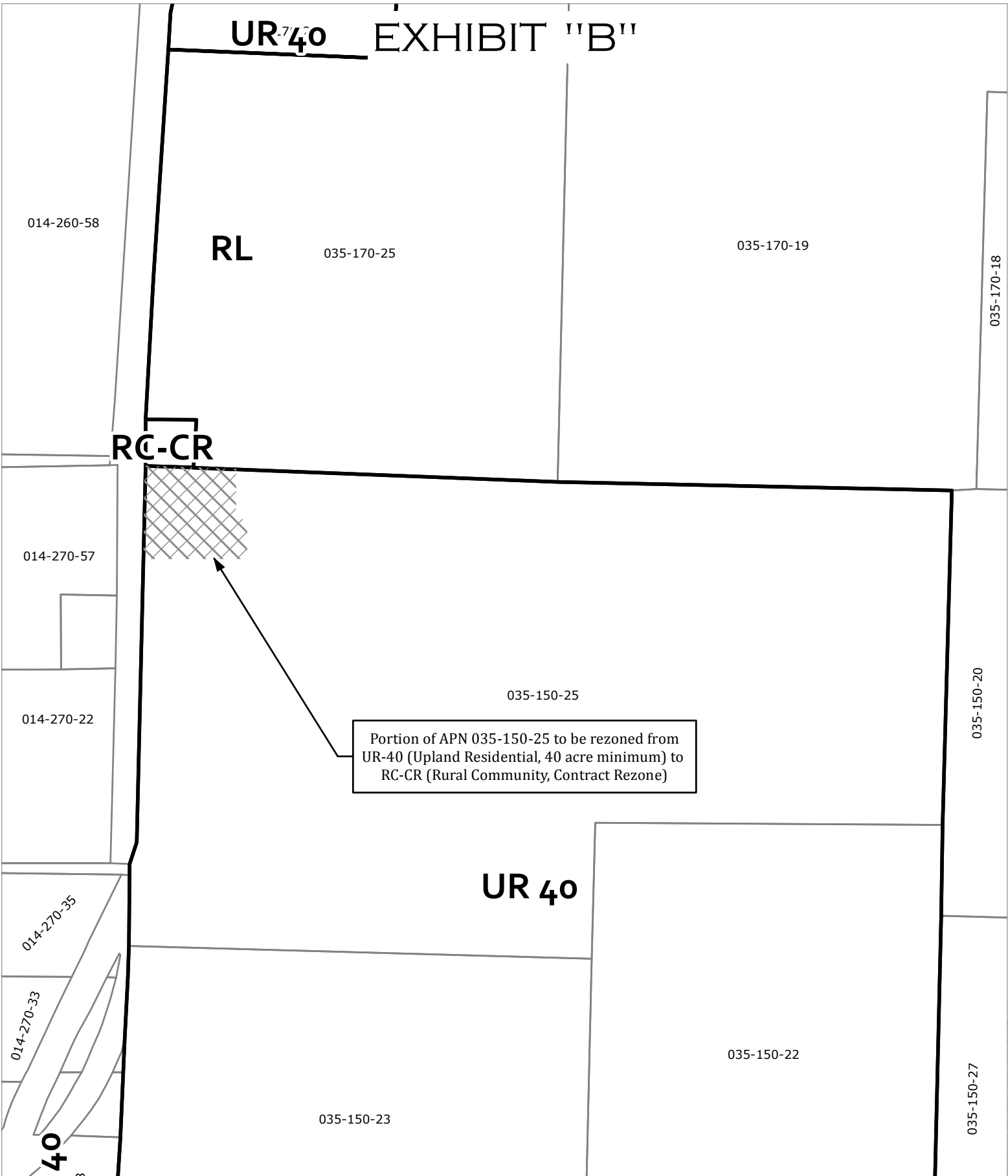


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MENDOCINO COUNTY PLANNING DEPARTMENT - 6/6/2019



GENERAL PLAN RECLASSIFICATION

UR^{7/40} EXHIBIT "B"



Portion of APN 035-150-25 to be rezoned from UR-40 (Upland Residential, 40 acre minimum) to RC-CR (Rural Community, Contract Rezone)

CASE: GP 2019-0005 / R 2019-0006
OWNER: Gold West Land Company, LLC
APN: 035-150-25
APLCT: Gillian Hayes
AGENT:
ADDRESS: 43045 N. Highway 101, Laytonville

-  REZONE FROM: U-R:L-40 (Upland Residential, 40 acre minimum)
TO: RC-CR (Rural Community, Contract Rezone)
-  Zoning Districts

