

Resolution Number PC_2018-0035

County of Mendocino
Ukiah, California
July 19, 2018

GP_2014-0002/R_2014-0003 – BRIAN ADKINSON

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS ADOPT A MITIGATED NEGATIVE DECLARATION AND GRANT A GENERAL PLAN AMENDMENT TO CHANGE A PORTION OF (APNs: 046-070-26, -27, -28) FROM RURAL RESIDENTIAL TO RURAL COMMUNITY AND REZONE OF (APNs: 046-070-26, -27, -28) FROM RURAL RESIDENTIAL AND RURAL COMMUNITY TO COMMERCIAL – GENERAL WITH COMBINING DISTRICTS OF CONTRACT REZONE AND FLOOD PLAIN

WHEREAS, the applicant, Brian Adkinson and James Roberts, filed an application for General Plan Amendment and Rezone with the Mendocino County Department of Planning and Building Services to change the General Plan Land Use Designation of 8.33± acres (portion of APNs: 046-070-26, -27, -28) from Rural Residential – 5 acre minimum with a Flood Plain combining district (RR-5:FP) to Rural Community with a Flood Plain combining district (RC:FP), as depicted in Exhibit “A” attached hereto and incorporated by this reference, and Rezone 12.01± acres (APNs: 046-070-26, -27, -28) 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 Contract Rezone and floodplain combining districts (C-2:CR[FP]), as depicted in Exhibit “B” attached hereto and incorporated by this reference, 1.0± mile southeast of Philo, lying on the southwest side of Highway 128, 1000± feet north of its intersection with Indian Creek Road (CR 129). Located at 8800 Highway 128, Philo (APNs: 046-070-26, -27, -28). Supervisorial District 5; (the “Project”); and

WHEREAS, a Mitigated Negative Declaration was prepared for the Project and noticed and made available for agency and public review on June 27, 2018 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 July 19, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings based upon the evidence in the record;

1. **General Plan and Zoning Consistency Findings:** The proposed project is for a general plan amendment and rezone to make the entire parcel one consistent general plan classification and zoning district. The proposed general plan classification of Rural Community and zoning designation of General Commercial are appropriate for the site. The proposed land use classification for this project, Rural Community, is intended to designate small, unincorporated towns and community centers (including areas in the Community Planning Areas such as the Anderson Valley Community Area) which are logical, planned centers for future growth with the Rural Community classification. 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. 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 are protected from potential environmental impacts resulting from the change in general plan designation and zoning district.

2. **Environmental Protection Findings:** The environmental impacts identified in the initial study for the project can be adequately mitigated through the features of the project design or the conditions imposed by the Contract Rezone so that no significant adverse environmental impacts will result from this project; therefore, a Mitigated Negative Declaration is adopted.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors grant the requested Rezone and General Plan Amendment, subject to the Contract Rezone provisions in Exhibit "C", attached hereto and incorporated herein by this reference.

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: VICTORIA DAVIS
Commission Services Supervisor

By: 

BY: BRENT SCHULTZ
Director



MADELIN HOLTkamp, Chair
Mendocino County Planning Commission

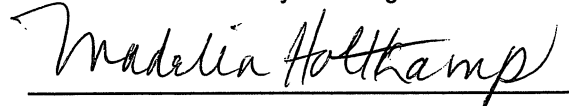


EXHIBIT A: GENERAL PLAN EXHIBIT

EXHIBIT B: REZONE EXHIBIT

EXHIBIT C: REZONE CONTRACT