

## ORDINANCE NO. 4369

### AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

WHEREAS, the applicant, Rustic Retirement LLC, filed an application for a Rezone No. R\_2016-0001 with the Mendocino County Department of Planning and Building Services to authorize the rezoning of an 160± acres property from the Rangeland (RL-160) zoning district to the Timberland Production (TP-160) zoning district (the "Project"), situated 4.5± miles north of Boonville, accessible by 0.5± mile private drive located, 3.5± miles on Peachland Road (CR 128), from its intersection with Highway 128; located at 9120 Peachland Rd., Boonville, CA 95415; APN 046-550-76; General Plan Range Land (RL); Zoning Rangeland (RL-160); and

WHEREAS, Chapter 22.07 of the Mendocino County Code contains requirements for rezoning property to Timberland Production Zoning; and

WHEREAS, on October 6, 2016, the Planning Commission held a noticed public hearing, received comments and recommended the Board of Supervisors approve R\_2016-0001; and

WHEREAS, the Project is Statutorily Exempt from the California Environmental Quality Act (Pub. Res. Code Section 21000 *et seq.*, "CEQA"), pursuant to Section 15264 of the State CEQA Guidelines (Title 14, Cal. Code Regs. Section 15000 *et seq.*), and the Project was noticed and made available for agency and public review in accordance with the CEQA and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on November 14, 2016, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the Statutory Exemption and the Project. All interested persons were given an opportunity to hear and be heard regarding the Statutory Exemption and the Project.

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

(a) The Project is Statutorily Exempt from CEQA pursuant to Section 15264 of the State CEQA Guidelines.

(b) The Project meets the requirements of Chapter 22.07 of the Mendocino County Code pertaining to rezoning property to Timberland Production Zoning.

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:

Said zoning change encompasses the property described by Assessor's Parcel Number 046-550-76 which is reclassified from the Rangeland-160 (RL-160) zoning district to the Timberland Production-160 (TP-160) zoning district as shown on attached Exhibit A.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 14th day of November, 2016, by the following vote:

AYES: Supervisors Brown, McCowen, Gjerde and Hamburg  
NOES: None  
ABSENT: Supervisor Woodhouse

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

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

Karla Van Hagen  
Deputy

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

[Signature]

[Signature]  
DAN GJERDE, Chair  
Mendocino County Board of Supervisors

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

BY: CARMEL J. ANGELO  
Clerk of the Board

Karla Van Hagen  
Deputy

