

Resolution Number PC_2019-0014

County of Mendocino
Ukiah, California

September 5, 2019

R_2018-0002 CYRIL BENDA

**RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, RECOMMENDING THE
GRANTING OF A REZONE OF RURAL RESIDENTIAL FROM A TWO
ACRE MINIMUM TO A TEN ACRE MINIMUM**

WHEREAS, the applicant, CYRIL BENDA, filed an application for a rezone with the Mendocino County Department of Planning and Building Services to rezone one (1) parcel in a Rural Residential zoning district from a two acre minimum to a ten acre minimum, 0.5± miles south of Comptche town center, on the west side of Flynn Creek Road (CR 135), immediately south of the Volunteer Fire Department, located at 8475 Flynn Creek Rd., Comptche (APN: 125-090-31).; General Plan RR; Zoning RR:2; Supervisorial District 5; (the "Project"); and

WHEREAS, the Project is Exempt from review under the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines pursuant to Article 12, Section 15183 governing Special Situations and Projects Consistent with a General Plan; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on September 5, 2019, 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 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 located within the Rural Residential General Plan Land Use Designation and Rural Residential zoning district with a two acre minimum parcel size and is consistent with both regulations. The parcel will remain consistent with the zoning code after rezoning to a Rural Residential ten acre minimum.
2. **Environmental Protection Findings:** The proposed project is exempt from review under CEQA pursuant to Article 12, Section 15183.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors grant the requested rezone as shown 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 Board of Supervisors 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


EXHIBIT A: REZONE EXHIBIT A MAP

MARILYN OGLE, Chair
Mendocino County Planning Commission


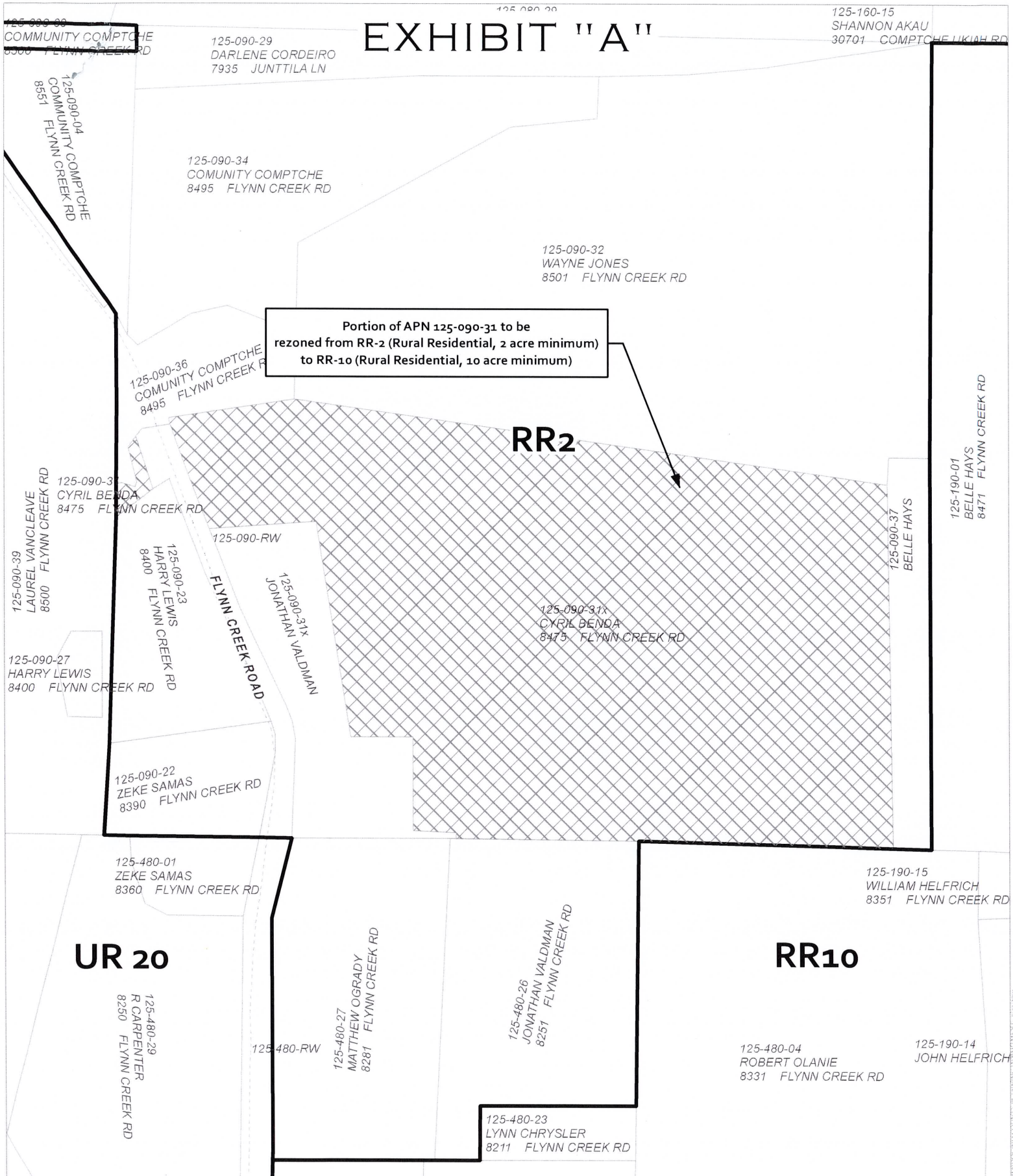





EXHIBIT "A"



CASE: R 2018-0002
 OWNER: BENDA, Cyril
 APN: 125-090-31x
 APLCT: Cyril Benda
 AGENT:
 ADDRESS: 8475 Flynn Creek Road, Comptche

 REZONE FROM: R-R :L :2 (Rural Residential, 2 acre minimum)
 TO: R-R :L :10 (Rural Residential, 10 acre minimum)
 Zoning Districts
 Public Roads

