

RESOLUTION NO. 19-375

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS GRANTING A USE PERMIT FOR A CANNABIS RETAIL BUSINESS

WHEREAS, the applicant, MENDORICA LLC, filed an application for a Use Permit with the Mendocino County Department of Planning and Building Services to allow for a cannabis retail business, 2± miles north of Ukiah center, on the east side of N. State St. (CR 104), 0.3± miles north of its intersection with Orr Springs Rd. (CR 223). Located at 2397 N. State St., Ukiah (APN: 169-242-08); General Plan I; Zoning C2:12K/NONE; Supervisorial District 1; (the "Project"); and

WHEREAS, the Planning Commission held a public hearing on September 5, 2019, at which time the Planning Commission heard and received 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 the Planning Commission made a recommendation of approval to the Board of Supervisors; and

WHEREAS, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on October 22, 2019, at which time the Board of Supervisors 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 Board of Supervisors has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board of Supervisors regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors makes the following findings;

1. **General Plan & Zoning Consistency Findings:** The subject parcel has a General Plan Land Use Designation of Industrial (I) and the Project is consistent with the General Plan definition. Additionally, the subject parcel lies within the Zoning District of Limited Industrial (I1) and the Project is consistent with the Zoning Code per MCC Sections 20.096 and 20.243; and
2. **Use Permit Findings:** The Project satisfies the Use Permit required findings per the Mendocino County Code §20.196.020; and
3. **Environmental Protection Findings:** The proposed project has been determined to be Categorically Exempt from a CEQA Initial Study under a Class 1 exemption.
4. **Ukiah Valley Area Plan Findings:** The Project is consistent with the Ukiah Valley Area Plan and promotes Policy LU1.4a.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Project has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Project reflects the independent judgment and analysis of the Board of Supervisors.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Board of Supervisors 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.

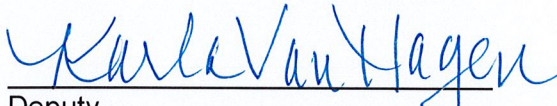
BE IT FURTHER RESOLVED that the Board of Supervisors action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Williams, and carried this 22 day of October, 2019, by the following vote:

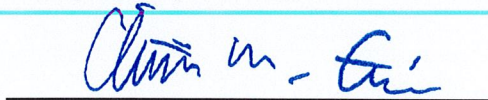
AYES: Supervisors Brown, McCowen, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

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

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
Acting County Counsel




CARRE BROWN, 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

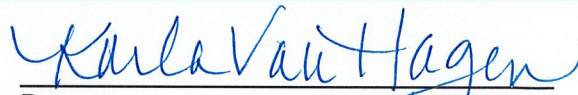
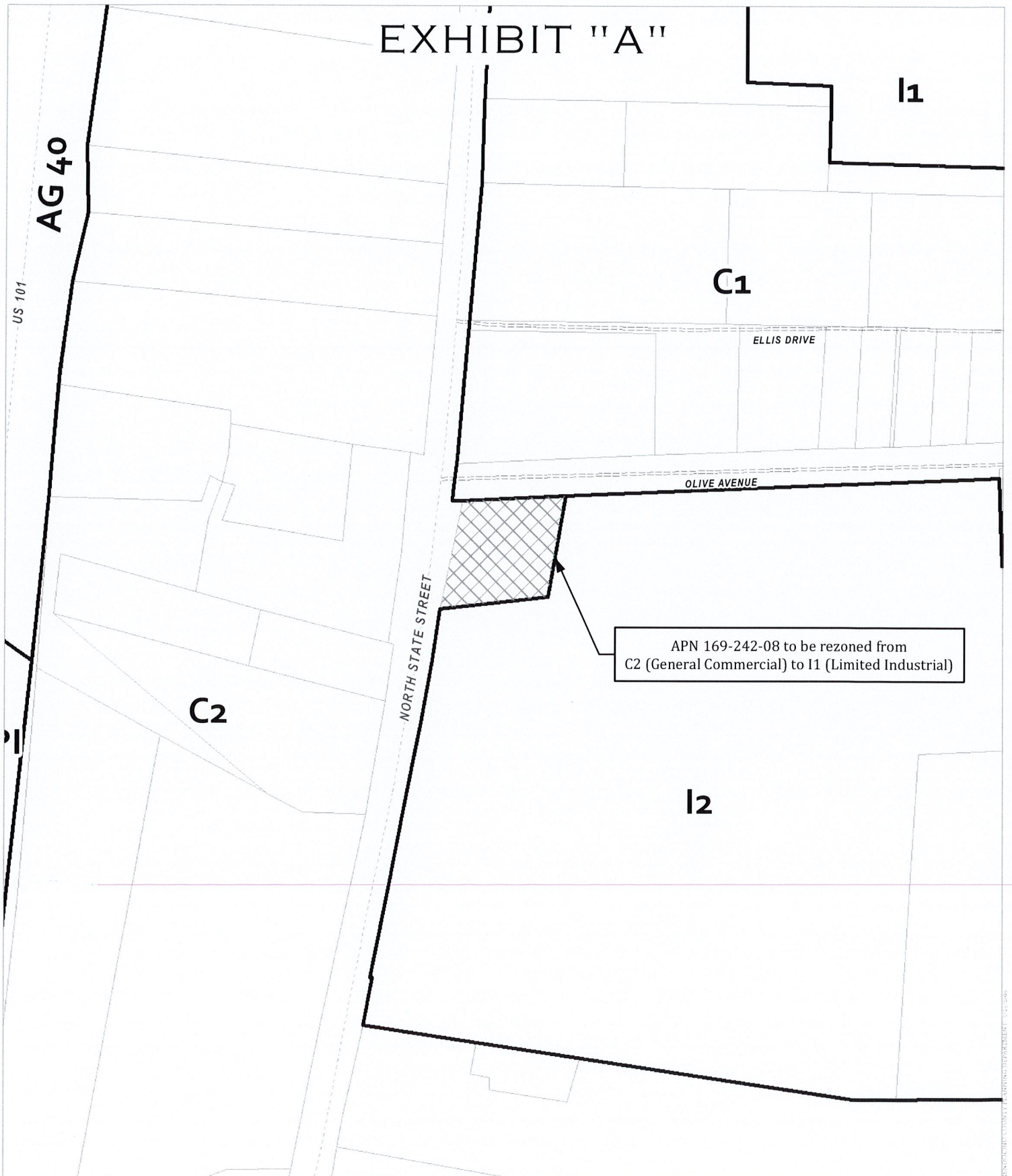



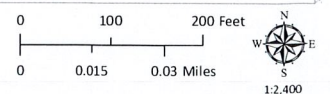

Deputy

EXHIBIT "A"



CASE: R 2019-0005 / U 2019-0008
OWNER: Mendorica, LLC
APN: 169-242-08-01
APLCT: Mendorica, LLC
AGENT: Nick Caston
ADDRESS: 2397 N. State Street, Ukiah

 REZONE FROM: C-2 (General Commercial)
TO: I-2 (General Industrial)
 Zoning Districts
 Public Roads



REZONE EXHIBIT