

Resolution Number _____

County of Mendocino
Ukiah, California
March 1, 2018

OA_2018-0003

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING (1) A PROPOSED AMENDMENT TO THE MENDOCINO COUNTY CODE SECTION 20.243.070 CANNABIS FACILITIES - EXCEPTIONS AS IT RELATES TO MANUFACTURING WITHIN AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS AND (2) A PROPOSED AMENDMENT TO THE MENDOCINO COUNTY POLICIES AND PROCEDURES FOR AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS

WHEREAS, the County of Mendocino desires to make certain amendments to the Section 20.243.070 – Exceptions, of Mendocino County Zoning Code Chapter 20.243 – Cannabis Facilities, and the Mendocino County Policies and Procedures for Agricultural Preserve and Williamson Act Contracts within the unincorporated areas of Inland Mendocino County;

WHEREAS, County Staff has, pursuant to the direction of the Board of Supervisors of Mendocino County, prepared an amendment to Mendocino County Code Section 20.243.070 Cannabis Facilities, specifically 20.243.070 (A)(5) a form of which is attached to this Resolution as Exhibit A and incorporated herein by this reference (the “Project”); and

WHEREAS, in the process of preparing said ordinance amendment, County staff believes an additional amendment to the Mendocino County Policies and Procedures for Agricultural Preserves and Williamson Act Contracts is prudent and has prepared an amendment to said Policies and Procedures, which is attached to this Resolution as Exhibit B and incorporated herein by this reference and included as part of the Project, and

WHEREAS, section 15061(b)(3) of the California Environmental Quality Act Guidelines (Title 14, Cal. Code Regs., section 15000 *et seq*; “CEQA Guidelines”) allows a General Rule Exemption to this action because, for the reasons set forth in the staff memorandum accompanying this resolution, the Project does not have the potential to cause a significant effect on the environment and is therefore not subject to CEQA, as the Project only applies to areas that have been previously been disturbed; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, March 1, 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 for the intentions of the Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based on the evidence in the record, hereby recommends that the Board of Supervisors approve the Project by adopting an ordinance amending Mendocino County Code Section 20.243.070 in the form attached to this Resolution as Exhibit A and by adopting by resolution amendments to the Mendocino County Policies and Procedures for Agricultural Preserve and Williamson Act Contracts in the form attached to this Resolution as Exhibit B, and find that the Project is not subject to CEQA pursuant to CEQA Guidelines section 15061(b)(3).

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitutes the record of proceedings upon which the Planning Commission 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: IGNACIO GONZALEZ
"Interim" Director

MADELIN HOLTKAMP, Chair
Mendocino County Planning Commission
