

## ORDINANCE NO. 4409

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

WHEREAS, the applicant, PABLO ABULIAK AND ALICIA ABULIAK, filed an application for Rezone with the Mendocino County Department of Planning and Building Services to rezone 20± acres from Rural Residential (R-R:L-5) to Rural Residential (R-R:L-10). The subject parcel is located 1± mile east of Boonville via Ornbaun Road (CR 127), located at 13016 Ornbaun Rd., Boonville (APN: 029-370-11); Supervisorial District 5; (the "Project"); and

WHEREAS, on February 15, 2018, the Planning Commission held a noticed public hearing, received comments and recommended the Board of Supervisors approve R\_2017-0007; and

WHEREAS, the Project is Categorically 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 the General Plan, 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 April 24, 2018, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the Categorical Exemption and the Project. All interested persons were given an opportunity to hear and be heard regarding the Categorical 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 Categorically Exempt from CEQA pursuant to Section 15183 of the State CEQA Guidelines.

(b) The Project is located within a Rural Residential General Plan designation and the site size is consistent with the minimum parcel requirement of 10 acres in the Rural Residential (RR10) zoning district.

(c) The Project meets the stated intent and minimum lot size requirements of the Rural Residential (RR10) zoning district, as stated in Mendocino County Code Chapter

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 029-370-11 which is reclassified from Rural Residential (R-R:L-5) to Rural Residential (R-R:L-10) as shown on attached Exhibit A.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 24<sup>th</sup> day of April, 2018, by the following vote:

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

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

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

Karla Van Hagen  
Deputy

Dan Hamburg  
DAN HAMBURG, Chair  
Mendocino County Board of Supervisors

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

Kelliott  
Deputy

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