

RESOLUTION NO. 19-

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING A NEGATIVE DECLARATION FOR THE GENERAL PLAN AMENDMENT AND REZONE (GP_2019-0002/R_2019-0003) OF THE PROPERTY LOCATED AT 1251 SANFORD RANCH ROAD, TALMAGE (APNS: 181-050-30 AND 181-050-31X)

WHEREAS, the applicant, DONALD LUCCHESI, filed an application for Rezone and General Plan Amendment with the Mendocino County Department of Planning and Building Services to change the general plan land use designation of 10.7± acres (7.42± acres of APN 181-050-30, and 3.28± acres (a portion) of APN 181-050-31) from Agricultural - 40 acre minimum parcel size (AG40) to Suburban Residential – 12,000 square feet minimum parcel size (SR-12K), and Rezone 10.7± acres (7.42± acres of APN 181-050-30, and 3.28± acres (a portion) of APN 181-050-31) from Agricultural – 40 acres minimum parcel size (AG:40) to Suburban Residential – 12,000 square feet minimum parcel size (SR:12K), 3± miles south of Ukiah city center, on the north side of Talmage Road (State Highway 222), to the south and east of Sanford Ranch Road (CR 200), 0.4+ miles north of its; intersection with Talmage Road, located at 1251 Sanford Ranch Road; Talmage (APNs: 181-050-30 and 181-050-31X), (the “Project”); and

WHEREAS, a Negative Declaration was prepared for the Project and noticed and made publicly available for agency and public review on September 26, 2019 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on December 16, 2019, to solicit public comments on the proposed Negative Declaration and the Project, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally and in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project; and

WHEREAS, on October 17, 2019, the Planning Commission was not able to make a recommendation to the Board of Supervisors regarding the Project or the adoption of a Negative Declaration. There was not a majority of the Planning Commission to recommend approval or denial of the Project. The Planning Commission voted to send the Project to the Board of Supervisors without a recommendation; and

WHEREAS, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on December 16, 2019, to solicit public comments on the proposed Negative Declaration and the Project, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally and in writing regarding the Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, based upon the evidence in the record before it, that the Mendocino County Board of Supervisors makes the following determinations and findings:

1. The recitals set forth in the above resolution are true and correct and incorporated herein by this reference.
2. The Negative Declaration for the Project was prepared pursuant to CEQA and the

State and County CEQA Guidelines.

3. The Board of Supervisors hereby certifies that the Negative Declaration has been completed, reviewed and considered, together with the comments received during the public review process, in compliance with CEQA and the State and County CEQA Guidelines, and finds that the Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors.

4. The Board of Supervisors hereby finds and determines, on the basis of the whole record before it, that there is no substantial evidence in the record that there is any significant environmental impact that might arguably be anticipated to occur as a result of the Project; therefore a Negative Declaration is adopted.

5. The Board of Supervisors hereby adopts the Negative Declaration attached to this resolution as Exhibit A and incorporated herein by this reference.

6. The Board of Supervisors designates the Clerk of the Board of Supervisors as the custodian of the documents and other materials, 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 Office of the Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, Ukiah, CA 95482.

7. The Board of Supervisors hereby directs the Department of Planning and Building Services to file a notice of determination following the adoption of the Project in accordance with CEQA and the CEQA Guidelines.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this 16th day of December, 2019, by the following vote:

AYES:
NOES:
ABSENT:

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

ATTEST: CARMEL J. ANGELO
Clerk of the Board

CARRE BROWN, Chair
Mendocino County Board of Supervisors

Deputy

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

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

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy

