

Resolution Number _____

County of Mendocino
Ukiah, California
April 15, 2021

GP_2021-0001 COUNTY OF MENDOCINO

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING A GENERAL PLAN AMENDMENT TO UPDATE THE SAFETY ELEMENT CONTAINED WITHIN THE DEVELOPMENT AND RESOURCE MANAGEMENT ELEMENTS FOR THE COUNTY OF MENDOCINO AS REQUIRED BY STATE LAW (SECTION 65302(g), OF THE CALIFORNIA GOVERNMENT CODE).

WHEREAS, the County of Mendocino desires to amend its General Plan to update the Safety Element for the County of Mendocino as required by State law (Section 65302(g) of the California Government Code); and

WHEREAS, pursuant to correspondence from FEMA to the County of Mendocino, dated February 4, 2021, FEMA completed its final review of the County's Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) 2020 update, which was officially adopted by the Mendocino County Board of Supervisors on December 8, 2020 and was found to be in conformance with Code of Federal Regulations, Title 44, Part 201, Section 6 (44 CFR 201.6); and

WHEREAS, the 2021 Safety Element Update contains new and expanded policies and implementation actions surrounding evacuation and wildfire, based on the results of the Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) and the Fire Vulnerability Assessment and Evacuation Plan prepared by the Mendocino Council of Governments (MCOG), the Safety Element addresses a wide range of natural and human-caused hazards and consists of goals and policies aimed to reduce the risk associated with these hazards, such as loss of life, injuries, property damage, and economic and social dislocation. The update consists of a comprehensive update to the existing element, which was adopted on August 17, 2009. Since 2009, a number of revisions to the California Government Code have been enacted, which require an update of the Safety Element to be in compliance with SB 1241, SB 379 and SB 99 defined under State law (Section 65302(g) of the California Government Code); and

WHEREAS, the Safety Element and its applicable goals and policies are embedded within the Development and Resource Management Elements of the Mendocino County General Plan; and

WHEREAS, California Government Code Section 65302(g) requires an update to the Safety Element of the General Plan; and

WHEREAS, as part of the Development and Resource Management Elements update, a Climate Adaptation Vulnerability Assessment (CAVA) that ensures consistency with California Government Code Section 65302(g)(4) (Senate Bill 379) has been prepared and incorporated into the update of the Safety Element, recognizing that existing policies and implementation strategies in the Development Element and Resource Management Element address some of the vulnerabilities, and incorporated revisions to the existing policies and added new policies where needed to address the critical vulnerabilities of each population or asset categories identified in the CAVA; and

WHEREAS, pursuant to Government Code Section 65354, the Planning Commission is to provide its report and recommendation to the Board of Supervisors on general plan amendments; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.; "CEQA") and the CEQA Guidelines (Title 14 California Code of

Regulations section 15000 et seq.), an Environmental Impact Report was prepared for the 2009 Mendocino County General Plan Update, which determined adoption of said General Plan Update may have potentially significant impacts to the environment that can be mitigated to less than significant levels or which cannot be mitigated to less than significant levels and which are thus significant and unavoidable; and

WHEREAS, on August 17, 2009, the County of Mendocino Board of Supervisors adopted Resolution #09-182 certifying the Final Environmental Impact Report (State Clearinghouse No. 2008062074) including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the 2009 Mendocino County General Plan Update and adopted the updated Mendocino County General Plan; and

WHEREAS, the Mendocino County Department of Planning and Building Services has prepared an Addendum to the General Plan Environmental Impact Report related to the proposed Safety Element update, which is attached to this resolution as Exhibit A and incorporated herein by this reference ("Addendum"), and which determines that none of the conditions described in CEQA Guidelines section 15162 will occur; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on April 15, 2021, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Addendum and the Safety Element update. All interested persons were given an opportunity to hear and be heard regarding the Addendum and the Safety Element update; 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 Addendum and the Safety Element update.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based on the evidence in the record before it, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding General Plan Amendment GP_2021-0001 and the Addendum:

1. The Planning Commission recommends that the Board of Supervisors review and consider approval of the Addendum prepared for General Plan Amendment GP_2021-0001 and make the findings required by CEQA Guidelines section 15164.
2. The Planning Commission recommends that the Board of Supervisors find the updated Safety Element consisting of the updated Development and Resource Elements, and which incorporate the Multi-Jurisdictional Hazard Mitigation Plan, the Fire Vulnerability Assessment and Evacuation Plan, and the Climate Adaptation was prepared in accordance with the California Planning and Zoning laws and complies with all applicable provisions of California Government Code Section 65302(g).
3. The Planning Commission recommends that the Board of Supervisors find the update to the Development and Resource Elements (Safety Element) is consistent with the other elements of the County's General Plan.
4. The Planning Commission recommends that the Board of Supervisors adopt General Plan Amendment GP_2021-0001, making the amendment to the Mendocino County General Plan, including changes to the Development Element and Resource Management Element as part of the Update to the County's Safety Element.

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 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: JAMES F. FEENAN
Commission Services Supervisor

By: _____

BY: IGNACIO GONZALEZ
Interim Director

ALISON PERNELL, CHAIR
Mendocino County Planning Commission
