



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

May 26, 2020

AMENDED
PUBLIC NOTICE OF PENDING ACTION
STANDARD COASTAL DEVELOPMENT PERMIT

NOTICE IS HEREBY GIVEN THAT the Mendocino County Permit Administrator at its regular meeting on Thursday, June 11, 2020 at 1:00 p.m. will conduct a public hearing on the following project at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally or via telecomment, in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: B_2019-0054

DATE FILED: 11/21/2019

OWNER/APPLICANT: WILLIAM & TONA MOORES

REQUEST: Boundary Line Adjustment to reconfigure the boundaries between three (3) existing parcels and merge a fourth (4th) parcel. Parcel 1 (APN: 132-210-37) will merge with Parcel 3 (APN: 132-210-39) and increase to 35± acres, Parcel 2 (APN: 132-210-38) will increase to 29± acres, and Parcel 4 (APN: 132-210-61) will decrease to 16± acres.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 3.2± miles north of Manchester town center, located 0.8± miles east of State Route 1 (SR 1) on an unnamed access easement. Addresses not yet assigned. (APN's: 132-210-37, 38, 39, 61).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: DIRK LARSON

The staff report and notice will be available 10 days before hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah or 120 W. Fir Street, Fort Bragg, California.

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by **June 10, 2020** or orally via telecomment in lieu of personal attendance. All public comment will be made immediately available to the Coastal Permit Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator>

To submit public comments via telecomment, a request form must be received by 8:00 a.m. the morning of the meeting. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project.

If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

Additional information regarding the above noted case may be obtained by calling the Planning and Building Services Department at 964-5379, Monday through Friday.

BRENT SCHULTZ, Director of Planning and Building Services



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www.mendocinocounty.org/pbs

MEMORANDUM

DATE: April 30th, 2020

TO: Coastal Permit Administrator

FROM: Dirk Larson, Project Planner

SUBJECT: Boundary Line Adjustment **B_2019-0054**

The Boundary Line Adjustment referenced above involves a portion of land that was part of previous Boundary Line Adjustment project that has recently been approved. The approved project, B_2018-0068, has satisfied all conditions of approval and was given final certification on November 21, 2019. The project involved Assessor's Parcel Numbers (APNs) 132-210-40 and 132-210-41. Both parcels have since been retired and new APNs have been assigned to represent the new parcel boundaries created from the project.

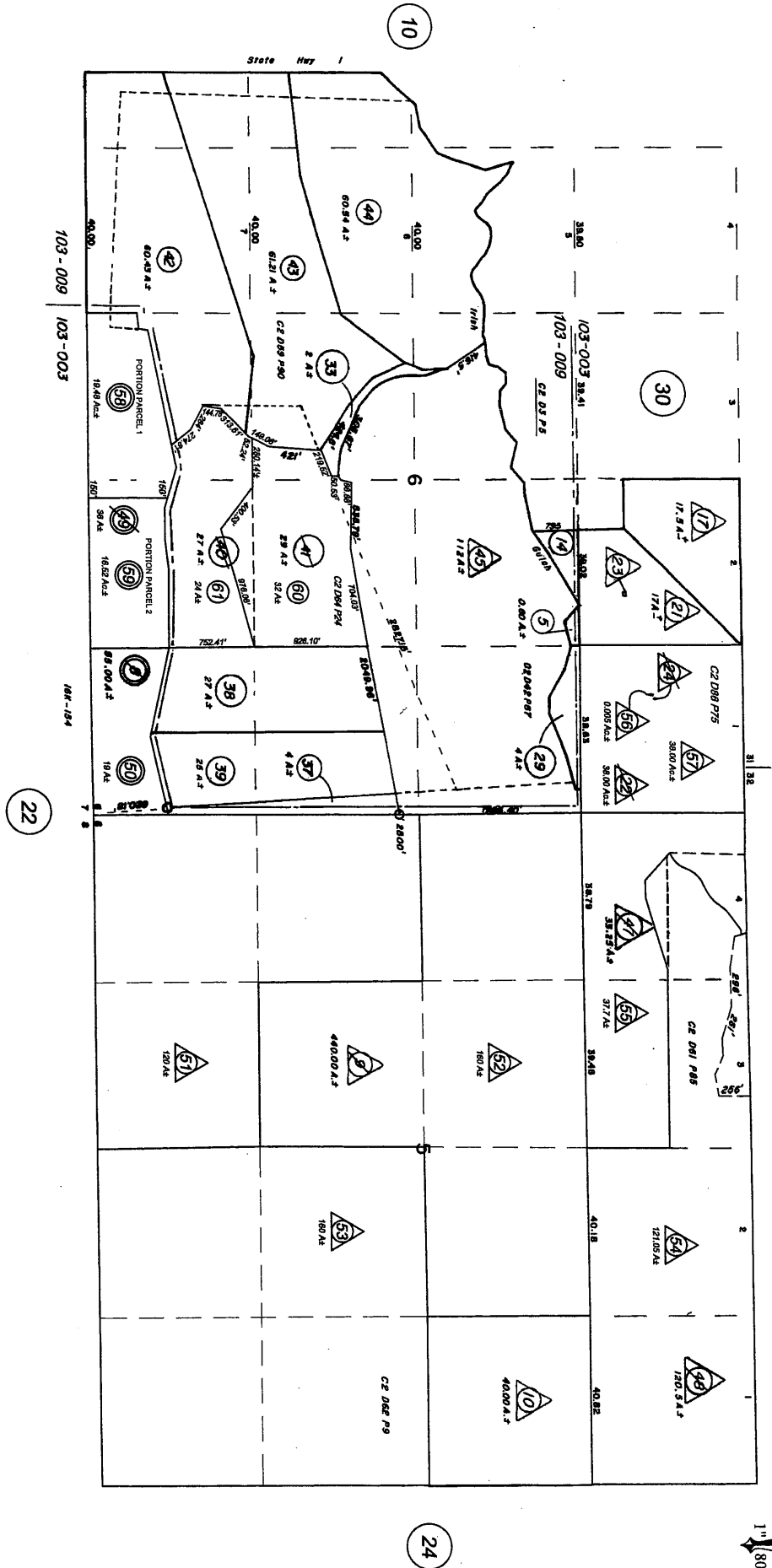
The newly created parcel(s) resulting from the approval of project B_2018-0068 have new APNs of 132-210-60 and 132-210-61. Parcel -61, that was once part of APN 132-210-40, is included in this current proposed BLA project. The Assessor's Parcel Map reflecting these new changes noted above is attached.

If additional information is required, or you have additional questions, please do not hesitate to contact me.

Dirk Larson
Planner II

/attachments
-parcel map

Bk
137
11



NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated hereon.

Assessor's Map
County of Mendocino, Calif.
March 17, 2020



**COASTAL PERMIT ADMINISTRATOR
STAFF REPORT- BOUNDARY LINE ADJUSTMENT**

**JUNE 11, 2020
B_2019-0054**

SUMMARY

OWNER/APPLICANT: WILLIAM & TONA MOORES
3880 SLEEPY HOLLOW DR
SANTA ROSA, CA 95404

REQUEST: Boundary Line Adjustment to reconfigure the boundaries between three (3) existing parcels and merge a fourth (4th) parcel. Parcel 1 (APN: 132-210-37) will merge with Parcel 3 (APN: 132-210-39) and increase to 35± acres, Parcel 2 (APN: 132-210-38) will increase to 29± acres, and Parcel 4 (APN: 132-210-61) will decrease to 16± acres.

LOCATION: In the Coastal Zone, 3.2± miles north of Manchester town center, located 0.8± miles east of State Route 1 (SR 1) on an unnamed access easement. Addresses not yet assigned, (APN's: 132-210-37, 38, 39, and 61).

TOTAL ACREAGE: Parcel 1: APN: 132-210-37 (4± Acres→ 0 Acres);
Parcel 2: APN: 132-210-38 (27.33± Acres→33.13± Acres);
Parcel 3: APN: 132-210-39 (28.85± Acres → 33.13± Acres);
Parcel 4: APN: 132-210-61 (24± Acres → 19± Acres)

GENERAL PLAN: Coastal Element, Rangeland-160 acre minimum- (RL160): R*

ZONING: Rangeland-160 acre minimum - (RL: 160)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Categorically Exempt-Class 5a (Minor Boundary Line adjustment not resulting in the creation of any new parcel).

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: DIRK LARSON

BACKGROUND

PROJECT DESCRIPTION: A Boundary Line Adjustment to reconfigure the boundaries between three (3) existing parcels and a merger of a fourth (4th) parcel. Parcel 1 (APN 132-210-37) will merge with Parcel 3 (APN 132-210-39) and increase to 35± acres, Parcel 2 (APN 132-210-38) will increase to 29± acres, and Parcel 4 (APN 132-210-61) will decrease to 16± acres.

RELATED APPLICATIONS: **B_2018-0068**, an approved Boundary Line Adjustment to accommodate the setback requirements for development of a Cellular Site; **U_2018-0028**-Use Permit for AT&T Mobility 130 ft. tower, currently in progress and located on adjacent property under the same ownership.

SITE CHARACTERISTICS: The subject parcels are located in the Coastal Zone, 3.2± miles north of Manchester town center, located 0.8± miles east of State Route 1 (SR 1) on an unnamed access

easement. No addresses have yet been assigned to the subject parcels (APN's: 132-210-37, 132-210-38, 132-210-39, & 132-210-61).

All parcels maintain a High Fire Hazard designation within a State Responsibility Area and the nearest Local Response Agency is the Redwood Coast Fire Protection District. The project is not located in an area designated as Highly Scenic (See Fire Hazard Zones & Responsibility Areas Maps). The immediate area is predominately rangeland with forestland to the north and a parcel zoned Timberland Production Zone abutting the eastern boundary of the subject property (See Farmland & Adjacent Parcels Maps).

The topography of the subject area is moderate to mostly steep, densely forested with open, grassy slopes present in the southern portion of the ownership. There is an existing access easement to a potential home-site on one of the parcels, but is currently void of any structures or utilities.

The northern section of the subject area has Freshwater Forested/Shrub Wetland (See Wetlands Map) running from north to south that is a tributary of Irish Gulch to the north.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	FL160	FL:160	112 ± Acres	Residential
EAST	TP160	TP:160	120 ± Acres	Vacant
SOUTH	RL160	RL:160	19 ± Acres; 16.5 ± Acres	Vacant
WEST	RL160	RL:160	2 ± Acres; 61 ± Acres; 60± Acres	Vacant

PUBLIC SERVICES:

Access: Private Easement
Fire District: CalFire
Water District: Irish Beach
Sewer District: None

AGENCY COMMENTS: On March 19th, 2020 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

REFERRAL AGENCIES	COMMENT
Planning Division (FB)	No Comment
Assessor's Office	No Response
Environmental Health (FB)	No Response
County Addressor	No Comment
Department of Transportation (DOT)	No Comment
CalFire (Land Use)	No Comment
California Coastal Commission	No Response
Calif. Dept. of Fish & Wildlife	No Response
Cloverdale Rancheria	No Response
Manchester Band of Pomo	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo	No Comment

KEY ISSUES

- 1. General Plan and Zoning Consistency:** The four parcels involved in the proposed Boundary Line Adjustment are classified as Rangeland (RL:160). All subject parcels included are considered legal

non-conforming, due to their present acreages. Based on the tentative map, the proposed parcels will remain legal non-conforming. Per Mendocino County Code Section 20.484.010(A):

“When any lot has been legally created and which has not merged and is zoned to a minimum parcel size larger than the existing parcel size, said lot(s) shall be found to be legally nonconforming and shall not be subject to requirements for variance to minimum lot size.”

The proposed boundary line adjustment is consistent with the purpose and intent of the zoning district applicable to the property, as well the provisions of the Coastal Zoning Code and preserves the integrity of the zoning district;

2. Division of Land Regulations: This project is scheduled to be reviewed by the County Subdivision Committee on **June 11, 2020** at which time the Subdivision Committee will make recommendations concerning approval to the Coastal Permit Administrator per required findings in Section 17-17.5 of the Mendocino County Code. No conflicts with the County Division of Land Regulations have been identified.

3. Natural Resources: After review of the LCP land use maps, the county's Biological Resources Map and the State of California's Natural Diversity Database, no sensitive species have been identified via the California Natural Diversity Database, and no impacts are anticipated from this Boundary Line Adjustment. As a Boundary Line Adjustment, no development or site disturbance is requested or condoned by this request. Any further development may require a Coastal Development Permit and will be further reviewed at that time.

COASTAL POLICY CONSISTENCY REVIEW: Staff reviewed the project relative to coastal issues and determined the following:

1. The Boundary Line Adjustment will not result in a change in density. The proposed adjustment does not provide for future divisions beyond that which currently exists.
2. The Boundary Line Adjustment will not create any new parcels.
3. No substandard lot will result from the adjustment. All parcels are currently substandard in size and are consistent with Section 20.484.010 of the Mendocino County Coastal Zoning Ordinance.
4. The properties subject to the adjustment are in an area designated Critical Water Resources as identified in the Mendocino County Groundwater Study.
5. The project is not located on property containing Pygmy vegetation.
6. The project is not located within a designated “Highly Scenic Area”.
7. An identified riparian area is located within the project boundary. No impacts to any riparian area are anticipated as a result of the this Boundary Line Adjustment.
8. The project is an appealable project, as it is a boundary line adjustment.

RECOMMENDED MOTION

The Coastal Permit Administrator approves Boundary Line Adjustment B_2019-0054, subject to the following conditions of approval, finding that the application and supporting documents and exhibits contain sufficient information and conditions to establish, as required by the Coastal Zoning Code, that:

1. The proposed boundary line adjustment is in conformance with the Coastal Element; and,
2. The proposed boundary line adjustment is consistent with the purpose and intent of the zoning district

applicable to the property, as well as the provisions of the Coastal Zoning Code and preserves the integrity of the zoning district; and

3. The proposed boundary line adjustment will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act (CEQA);
4. The proposed boundary line adjustment will not have any adverse impacts on any known Archaeological or paleontological resource;
5. The proposed use is compatible with the long term protection of resource lands.
6. The project is an appealable project, as it is a boundary line adjustment.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. This application is valid for 24 months from the effective date. No extensions can be granted.
2. That for each proposed adjusted parcel provides one perimeter description of each parcel. The new deed description submitted shall be prepared by, and bear the seal of, a Licensed Land Surveyor.
3. That each transfer of real property be by means of a quit claim deed containing the following wording to be contained within the legal description:

"Any and all lands and any and all interest thereto lying within the following described real property perimeter description of the adjusted parcel(s)."

And,

"This deed is given pursuant to Mendocino County Coastal Development Boundary Line Adjustment B_2019-0054 and is intended to create no new parcel."

4. Per Mendocino County Code Section 17-17.5(I)(2):

"That the Treasurer-Tax Collector certifies that all taxes and assessments due on each parcel affected by the adjustment have been paid or cleared, and that a deposit to secure payment of the taxes and assessments which are due but not yet payable have been made."

The enclosed **Certificate of the Official Redeeming Officer Form** must be certified by the Treasurer-Tax Collector and a copy returned to the Department of Planning and Building Services.

5. After you have been given clearance to record the new documents, you must send a copy of the recorded deed(s) to the Department of Planning and Building Services. Upon review and approval of this information, you will receive a Completion Certificate.
6. In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries has been satisfied.
7. A note shall be placed on the deeds and/or legal descriptions stating that *"The Boundary Line Adjustment shall not relinquish, remise, release or terminate any prior right, interest in rights-of-way, easements, or other rights which may be appurtenant to and/or an encumbrance to the subject properties."*

8. A note shall be placed on the deeds and/or legal descriptions stating that, *"Future development may require additional studies and/or may be subject to restrictions" and that "Future development shall be in conformance with the criteria for development within the Environmentally Sensitive Habitat and Special Treatment Areas as set forth in the Coastal Plan and Coastal Zoning Code."*
9. All structures within the Rangleland zoning district must maintain fifty (50) foot setback from property lines, per Mendocino County Code Section 20.368.030.

Once the deed(s) and/or instrument(s) have been prepared, please send a copy to the Department of Planning and Building Services. After we have reviewed the documents and accepted them as corrected all conditions of approval have been met, we will notify you. **DO NOT RECORD ANY DOCUMENTS UNTIL YOU HAVE RECEIVED APPROVAL OF THE DEED(S).**

PLEASE NOTE: Title must be transferred identical to the title now being held (all owners with their exact names).

NOTE: APPLICANTS OR OTHER PERSONS WHO ARE DISSATISFIED WITH A DECISION OF THE COASTAL PERMIT ADMINISTRATOR FOR A COASTAL DEVELOPMENT PERMIT FOR A BOUNDARY LINE ADJUSTMENT MAY APPEAL THE ACTION TO THE BOARD OF SUPERVISORS. AN APPEAL MUST BE MADE IN WRITING ALONG WITH THE APPLICABLE FEE TO THE CLERK OF THE BOARD OF SUPERVISORS WITHIN TEN (10) DAYS OF THE COASTAL PERMIT ADMINISTRATOR'S DECISION. THE APPEAL ISSUE WILL BE PLACED ON THE NEXT AVAILABLE BOARD OF SUPERVISOR'S AGENDA FOR CONSIDERATION, AND THE APPELLANT WILL BE NOTIFIED OF THE TIME AND DATE. APPEALS TO THE BOARD OF SUPERVISORS DO NOT NECESSARILY GUARANTEE THAT THE COASTAL PERMIT ADMINISTRATOR'S DECISION WILL BE OVERTURNED. IN SOME CASES, THE BOARD OF SUPERVISORS MAY NOT HAVE THE LEGAL AUTHORITY TO OVERTURN THE DECISION OF THE ADMINISTRATOR.

5/1/2020
DATE


DIRK LARSON
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1616.00

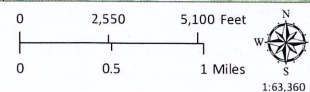
ATTACHMENTS:

- | | |
|--|---------------------------------------|
| A. Location Map | I. LCP Habitats & Resources Map |
| B. Aerial Vicinity Map | J. Appealable Areas Map |
| C. Aerial Imagery | K. Adjacent Parcels Map |
| D. Topographic Map | L. Fire Hazard & Responsibilities Map |
| E.1 Existing Lots Maps | M. Farmland Classifications Map |
| E.2 Proposed Lots Maps | N. Ground Water Resources Map |
| E. Zoning Map | O. Estimated Slope Map |
| F. General Plan Classification Map | P. Soils Map |
| G. LCP Land Use Map | Q. Wetlands Map |
| H. LCP Land Capabilities & Natural Hazards Map | |

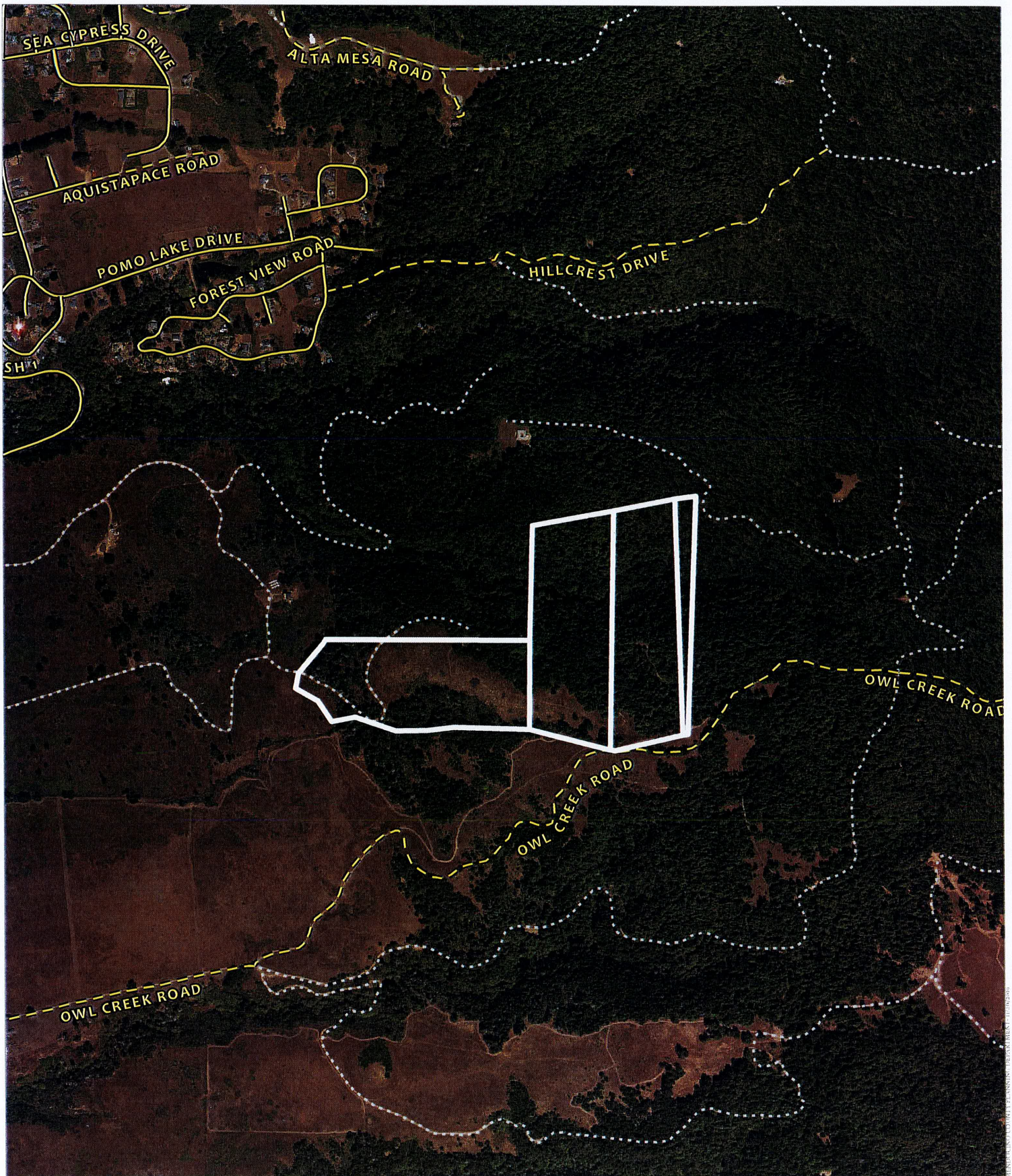


CASE: B 2019-0054
 OWNER: MOORES, Bill & Tona
 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

- Major Towns & Places
- Major Roads
- Coastal Zone Boundary
- Highways

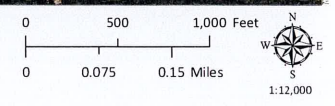


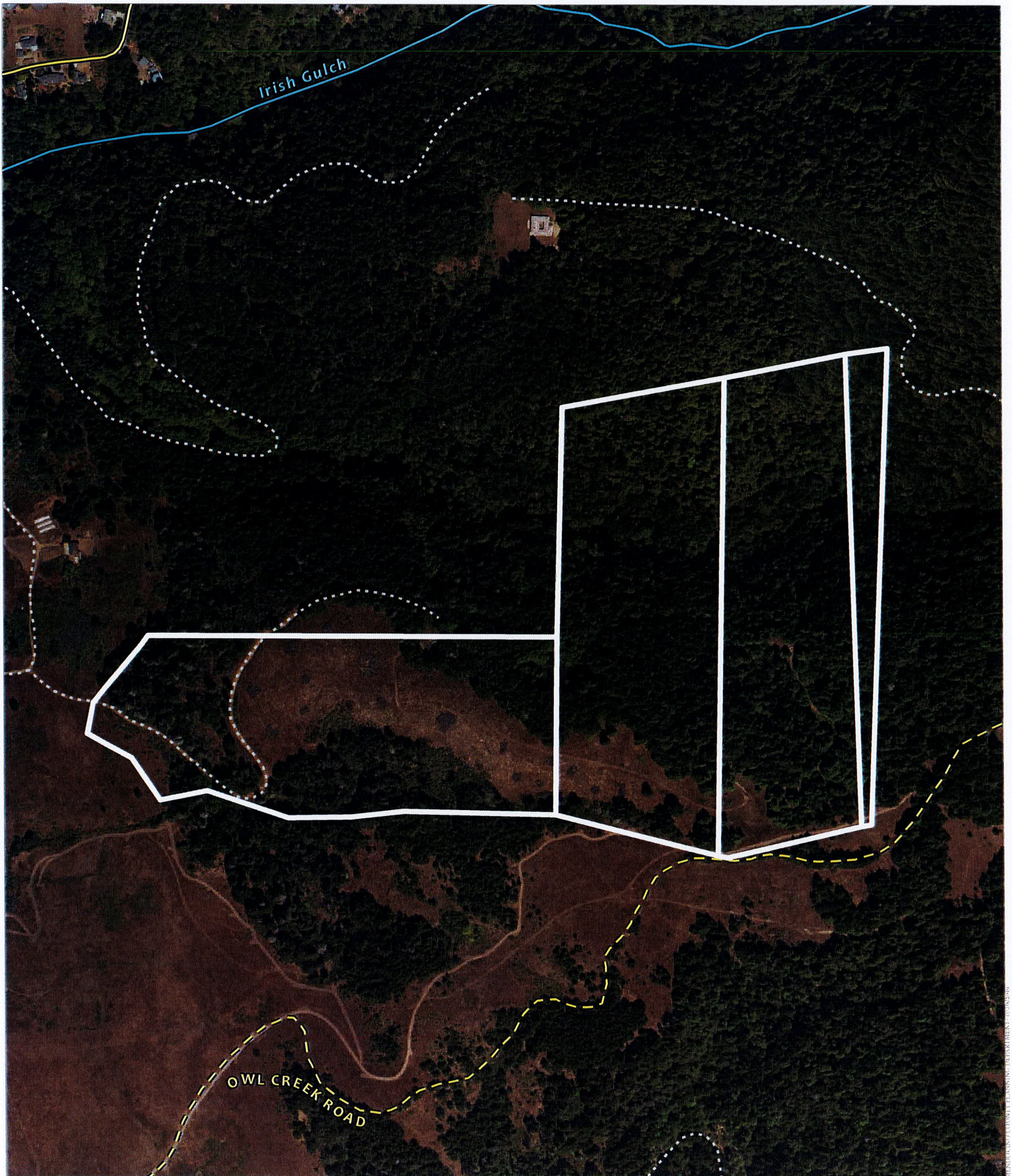
LOCATION MAP
 ATTACHMENT A



CASE: B 2019-0054
OWNER: MOORES, Bill & Tona
APN: 132-210-37, 38, 40
APLCT: William & Tona Moores
AGENT:
ADDRESS: None Assigned, Manchester

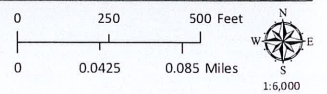
- Public Roads
- Private Roads
- Driveways/Unnamed Roads

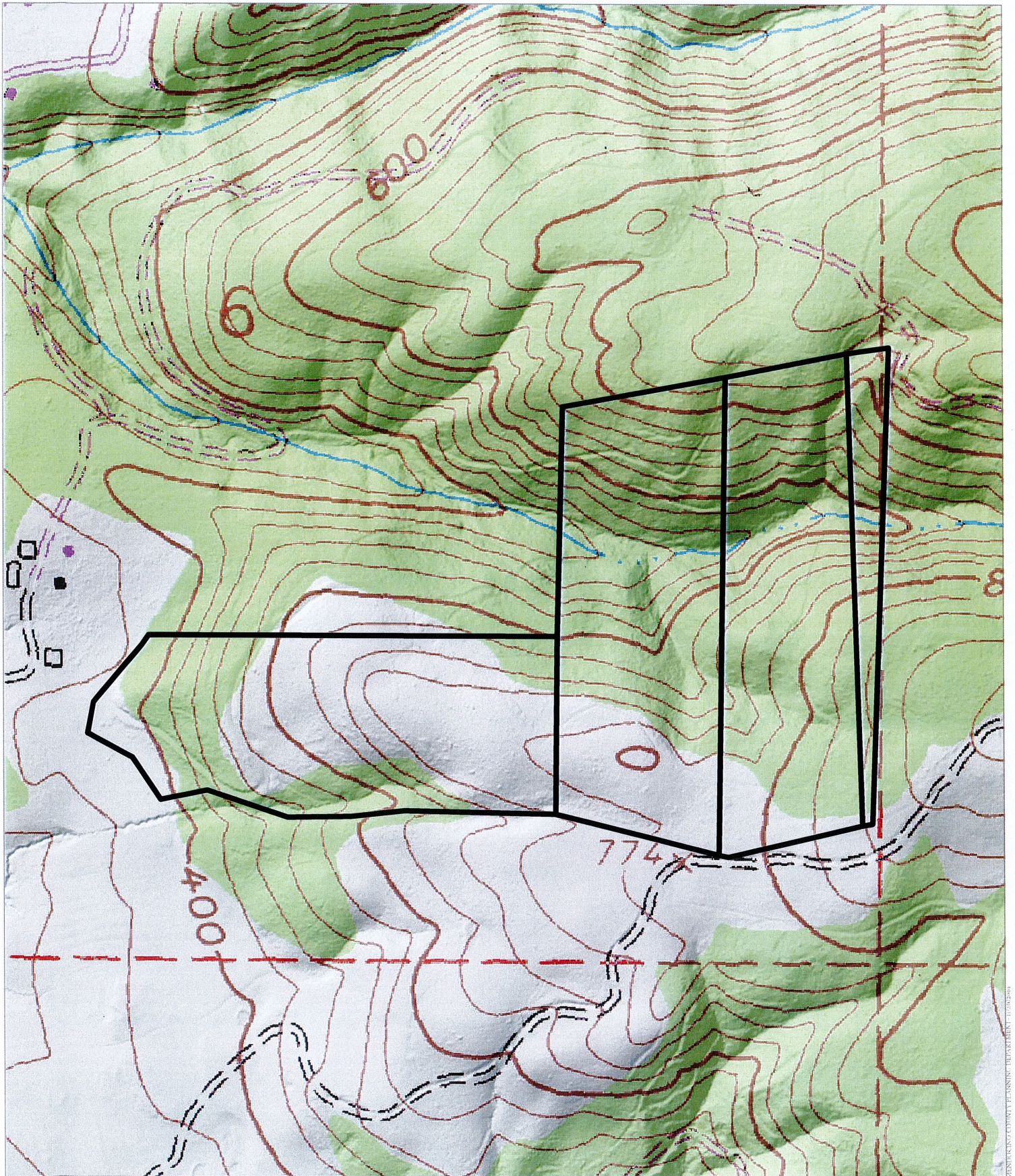




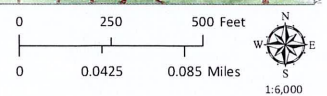
CASE: B 2019-0054
 OWNER: MOORES, Bill & Tona
 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

Named Rivers
 Public Roads
 Private Roads
 Driveways/Unnamed Roads



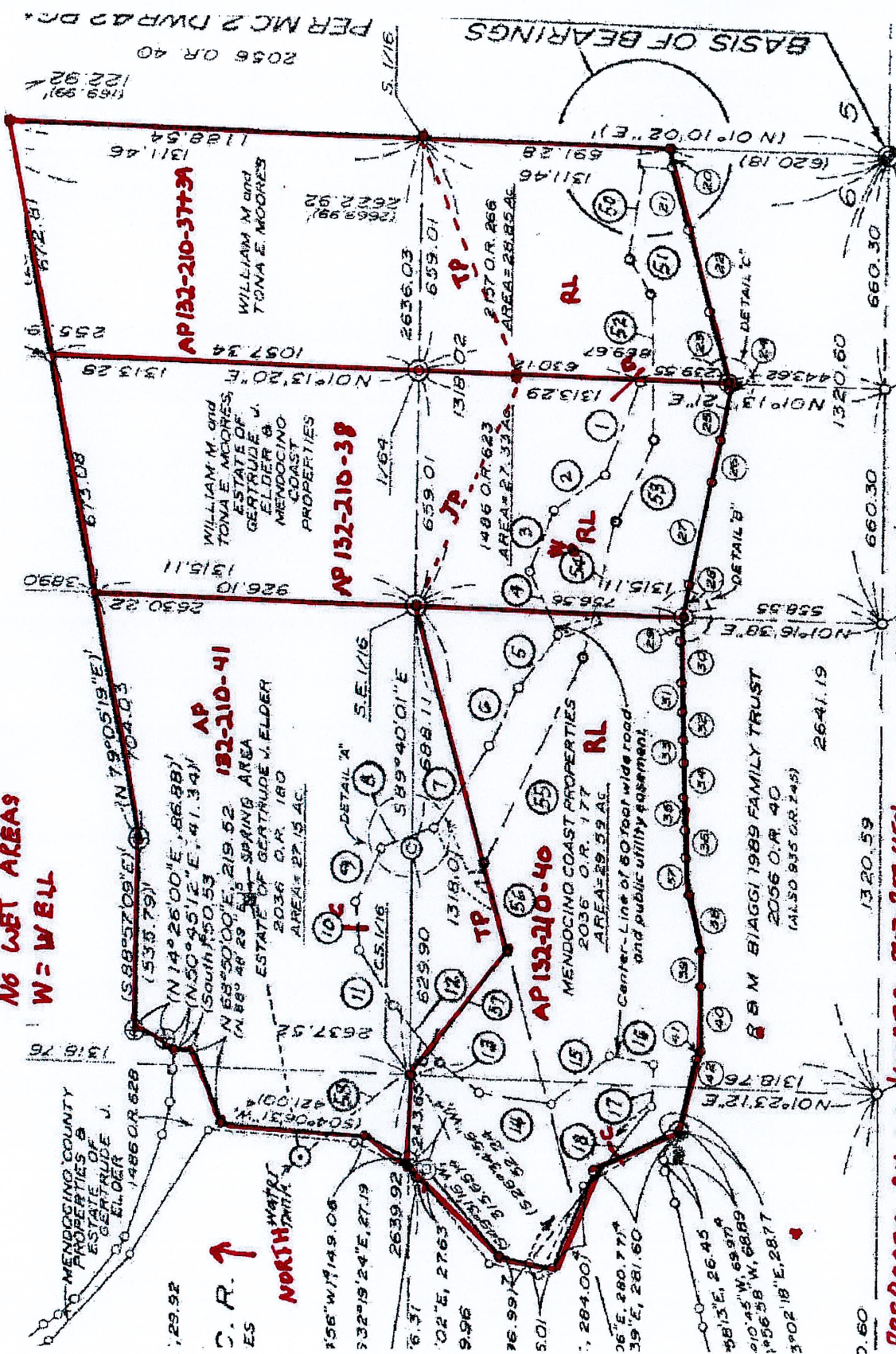


CASE: B 2019-0054
OWNER: MOORES, Bill & Tona
APN: 132-210-37, 38, 40
APLCT: William & Tona Moores
AGENT:
ADDRESS: None Assigned, Manchester



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET
ATTACHMENT D

C = COLVERTS 354M
 M6 WET AREAS
 W = WELL



SCALE 1" = 330'

EXHIBIT A EXISTING

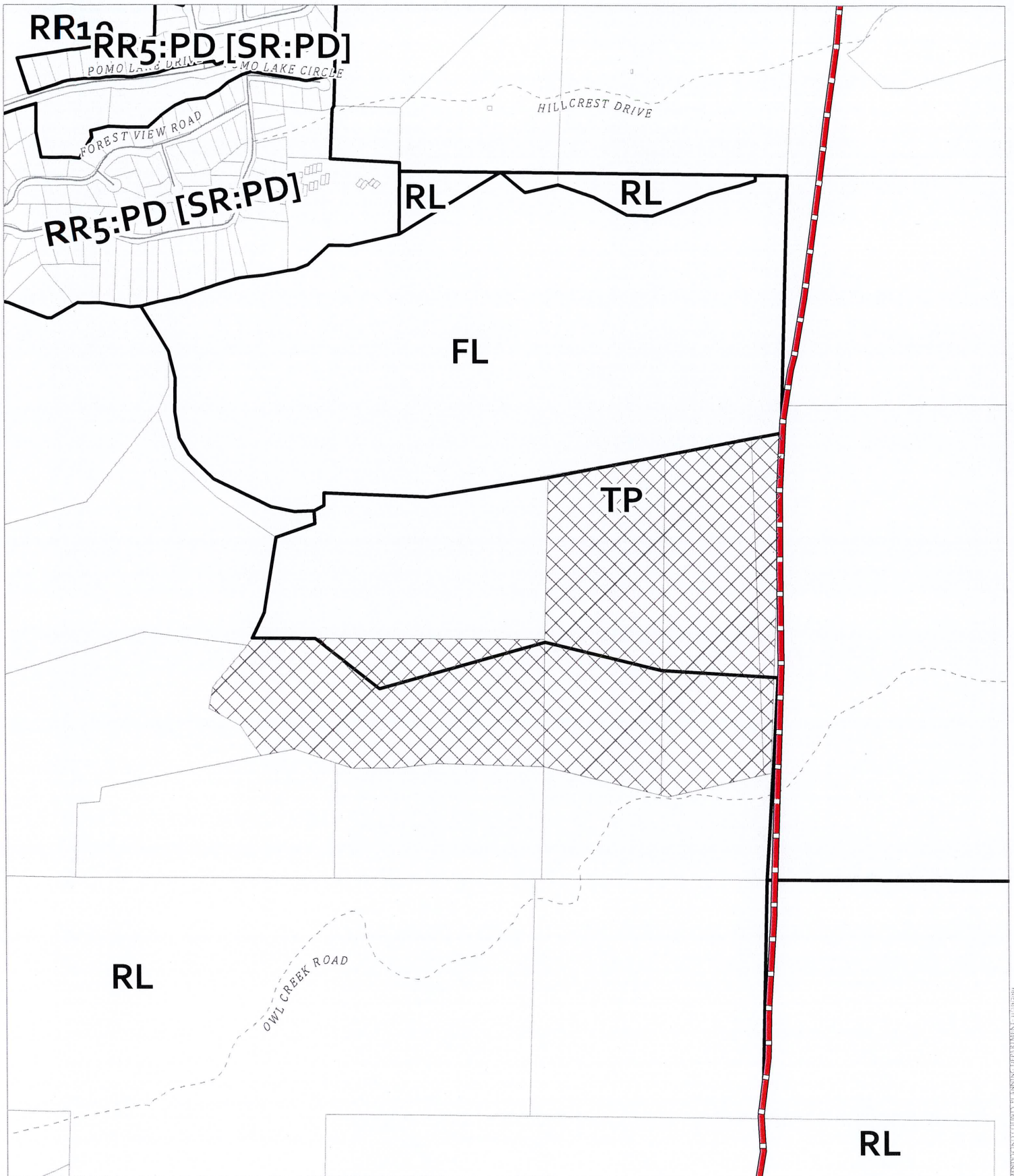
PREPARED BY W. MOORES 207-257-4501

OWNER: WM & TONA MOORES




9/6/19

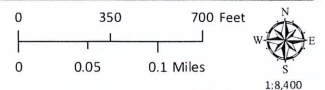
CASE: B 2019-0054
 OWNER: MOORES, Bill & Tona
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 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

NO SCALE

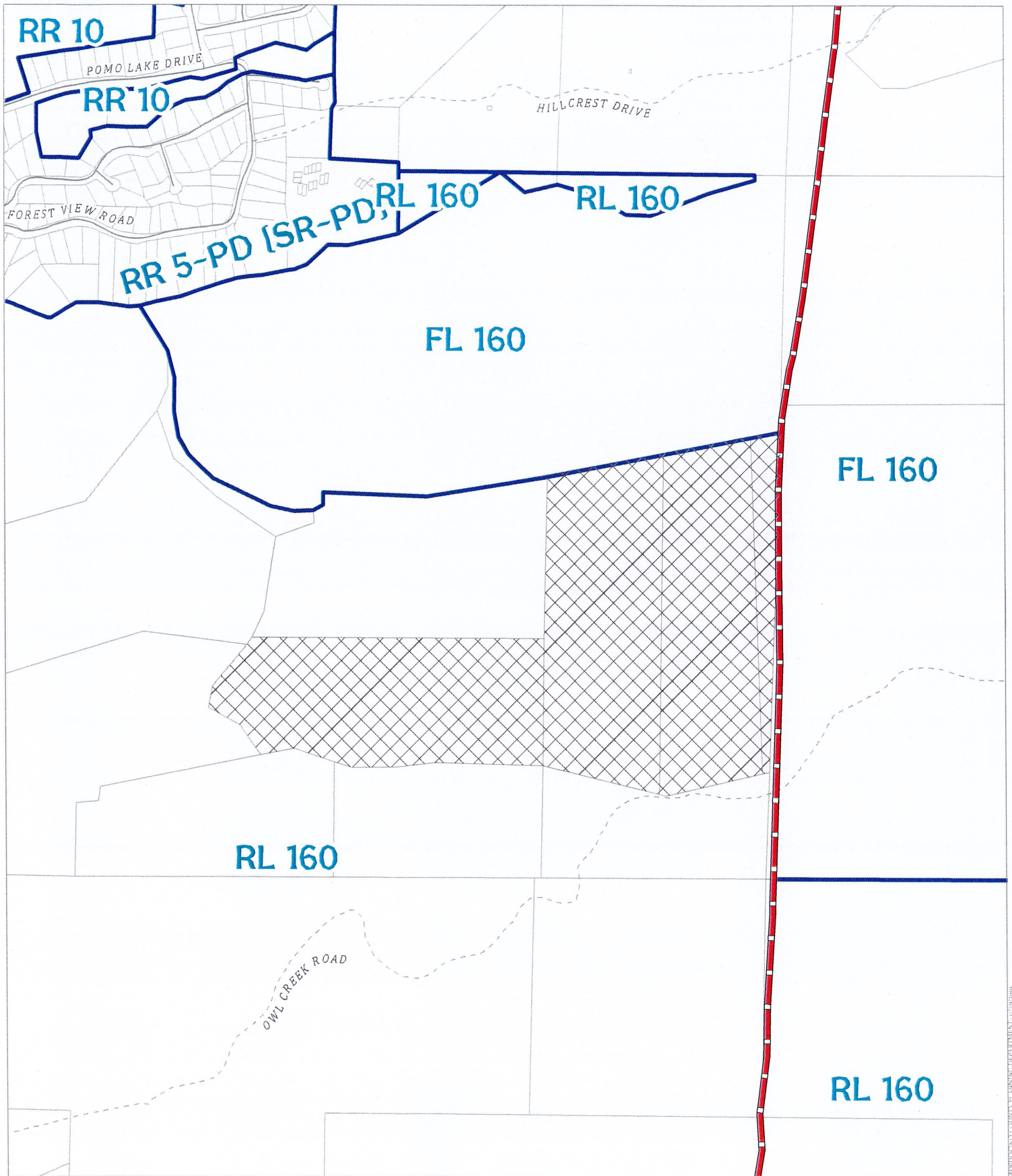


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 OWNER: MOORES, Bill & Tona
 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

 Coastal Zone Boundary
 Zoning Districts
 Public Roads

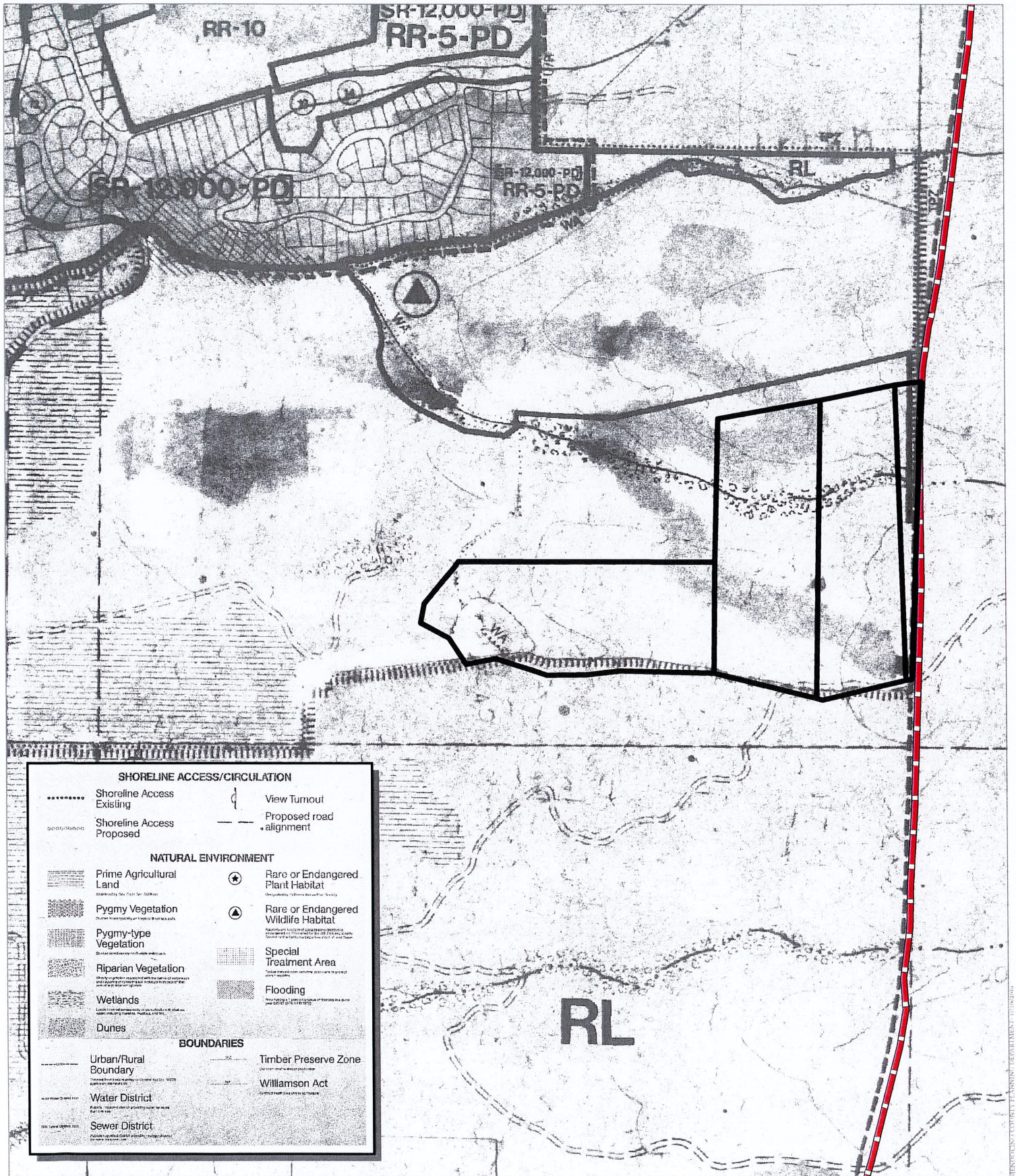


ZONING DISPLAY MAP
 ATTACHMENT F

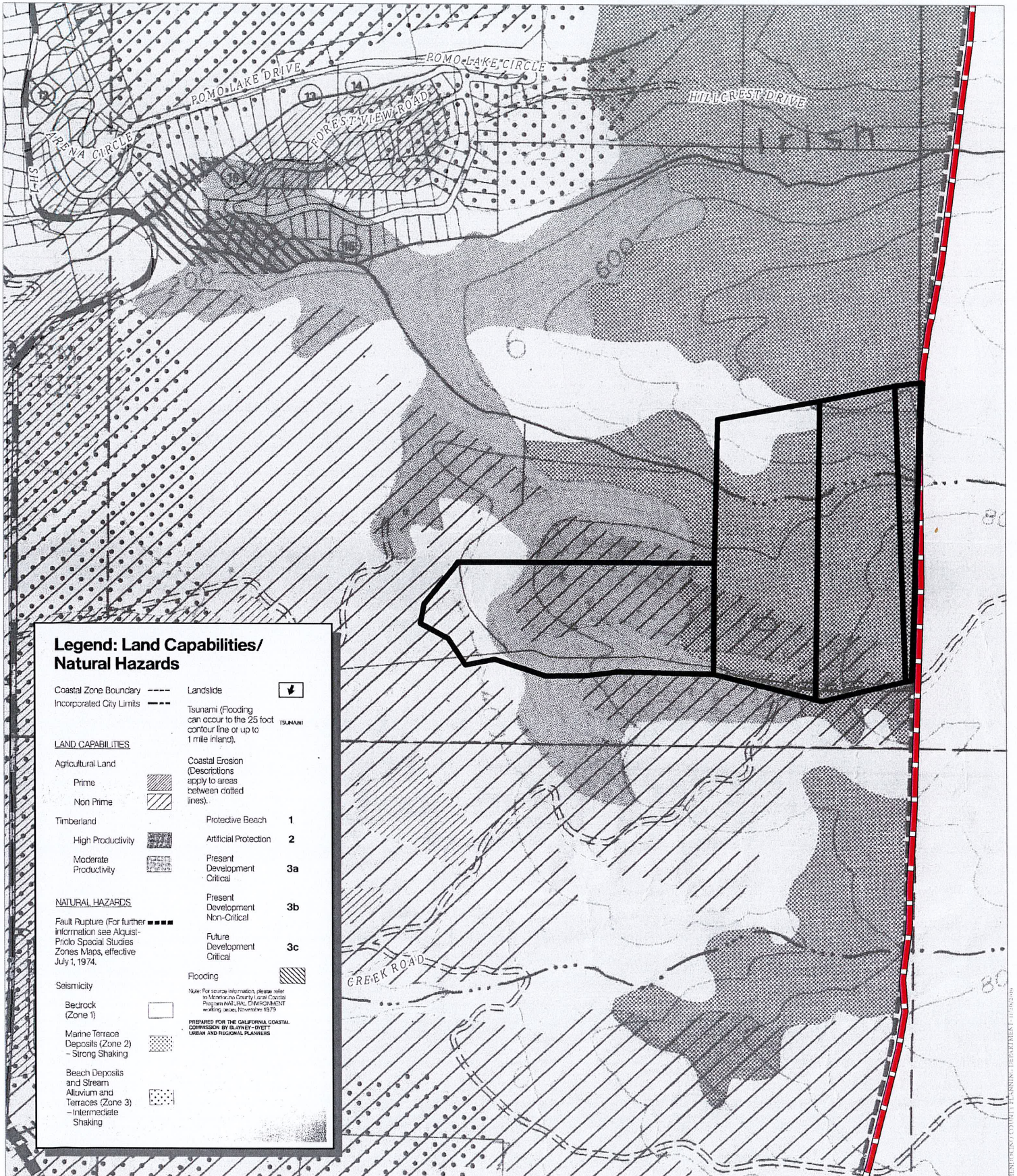


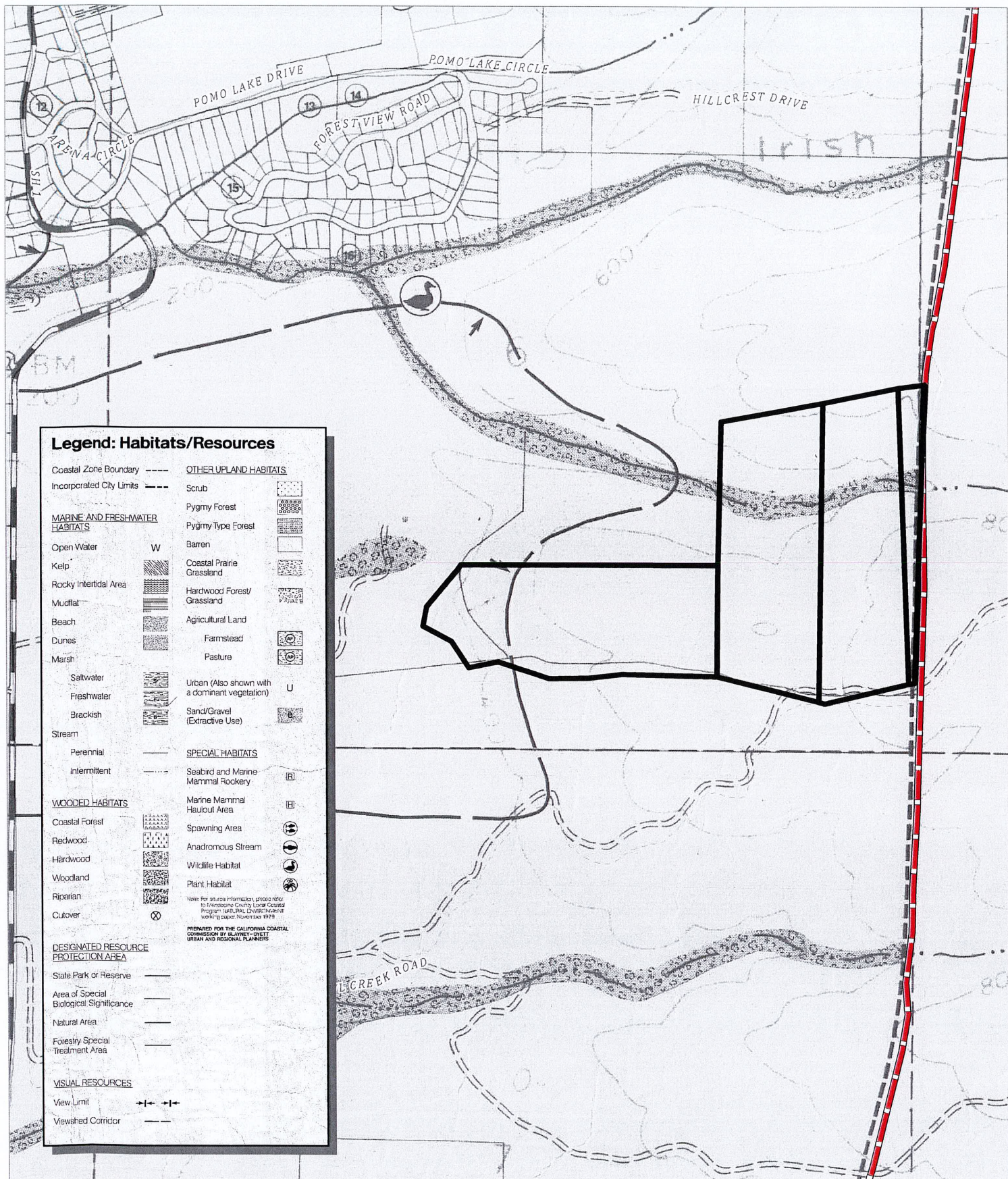
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 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

- Coastal Zone Boundary
- General Plan Classes
- Public Roads



CASE: B 2019-0054
 OWNER: MOORES, Bill & Tona
 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

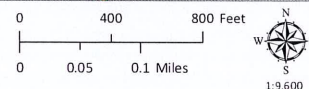




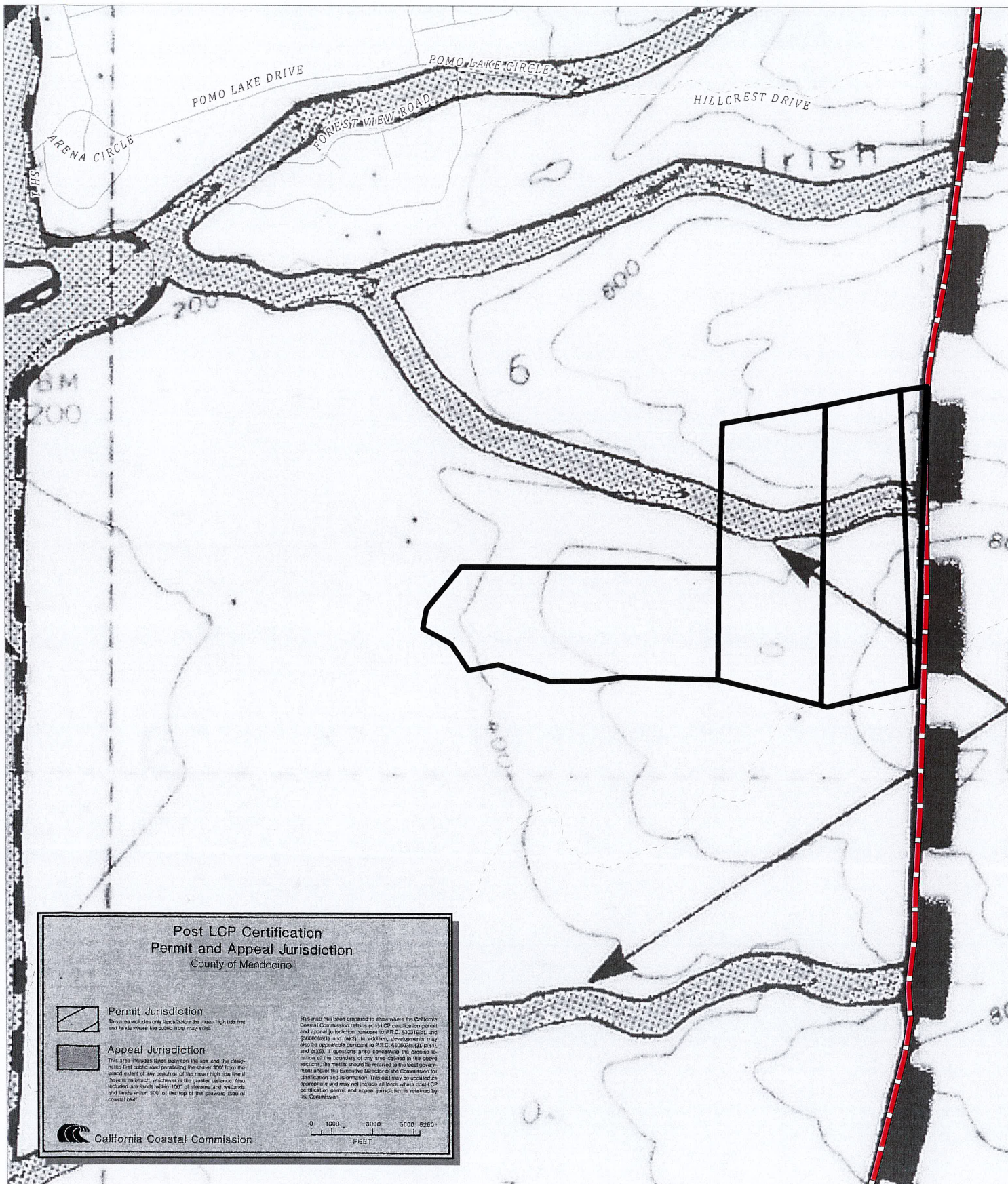
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 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

Coastal Zone Boundary

Public Roads



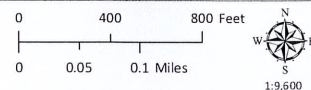
LCP HABITATS & RESOURCES
 ATTACHMENT J



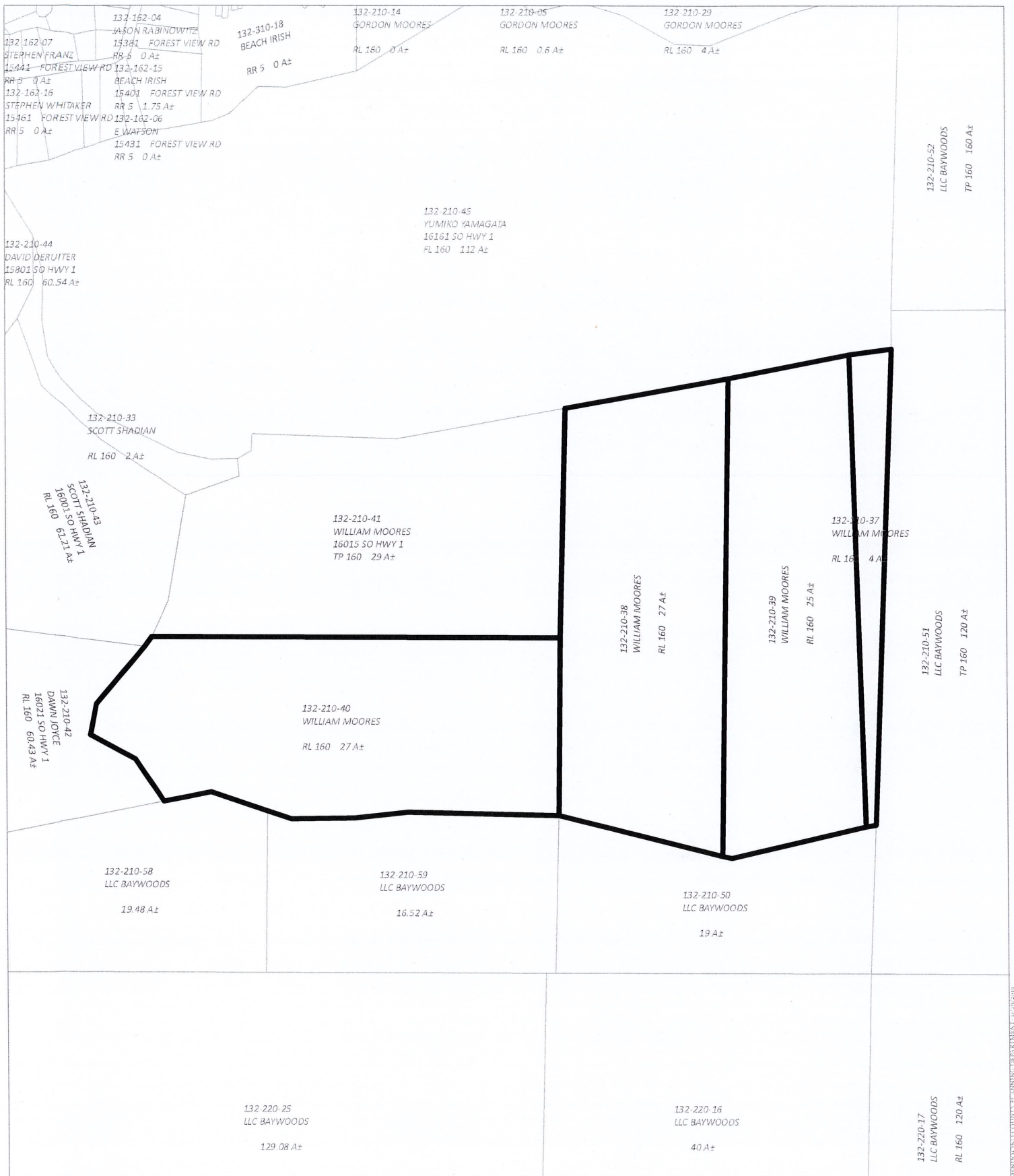
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 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

Coastal Zone Boundary

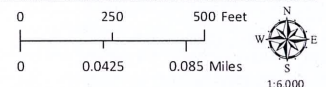
Public Roads



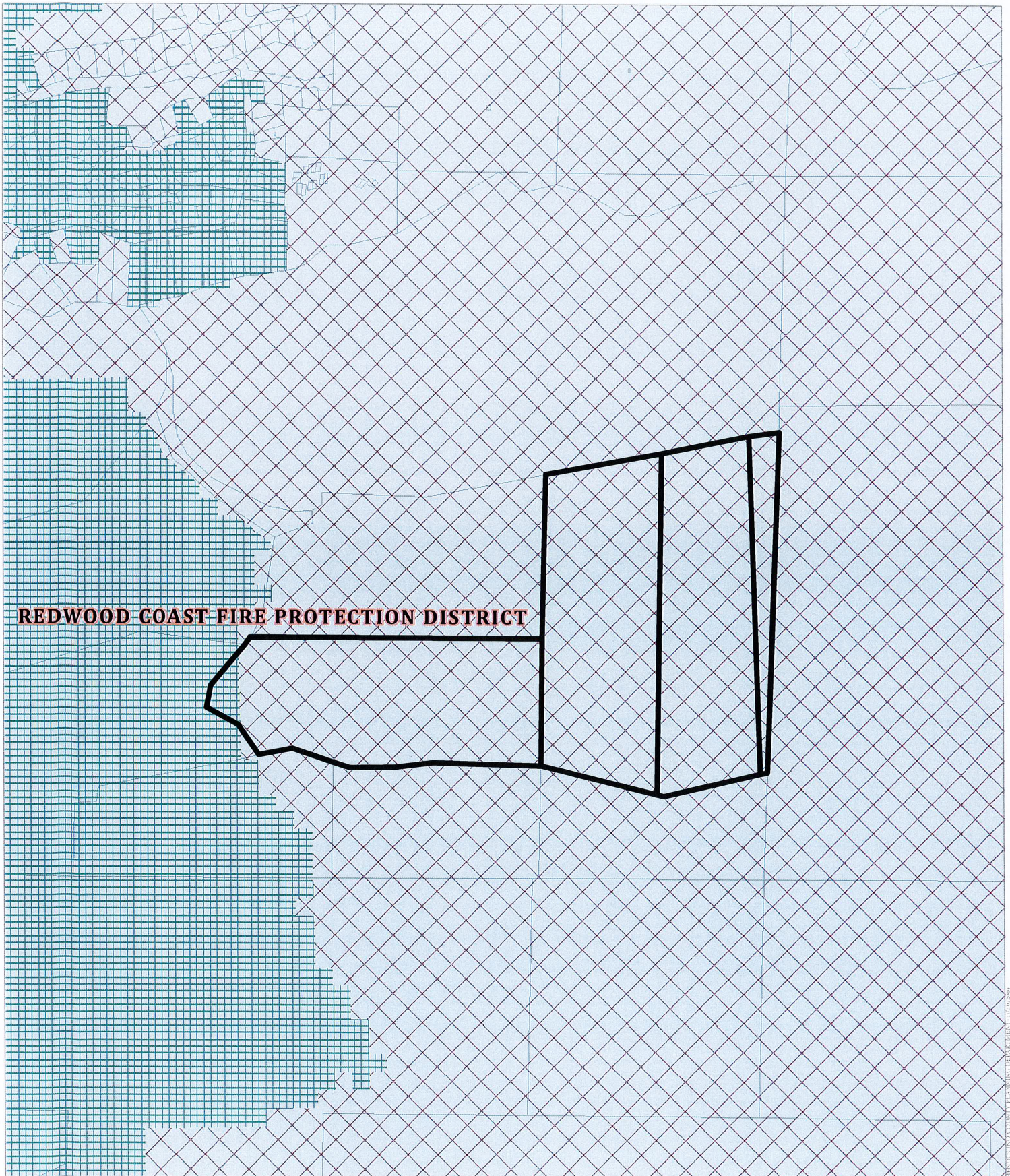
APPEALABLE AREAS
 ATTACHMENT K



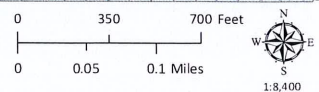
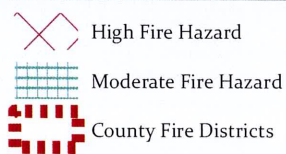
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 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester



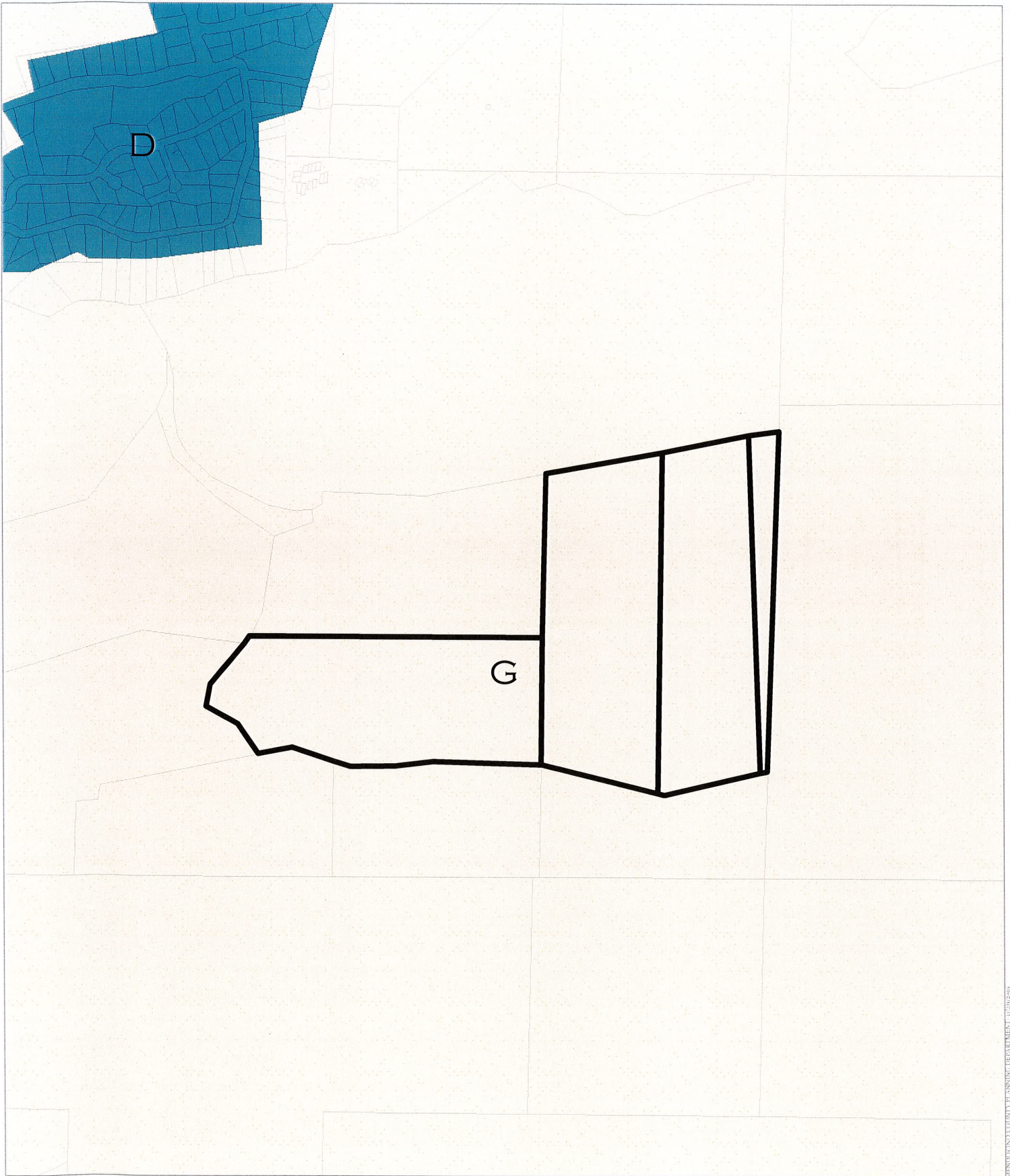
ADJACENT PARCELS
 ATTACHMENT L



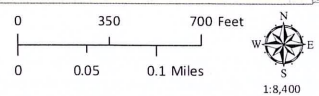
CASE: B 2019-0054
OWNER: MOORES, Bill & Tona
APN: 132-210-37, 38, 40
APLCT: William & Tona Moores
AGENT:
ADDRESS: None Assigned, Manchester

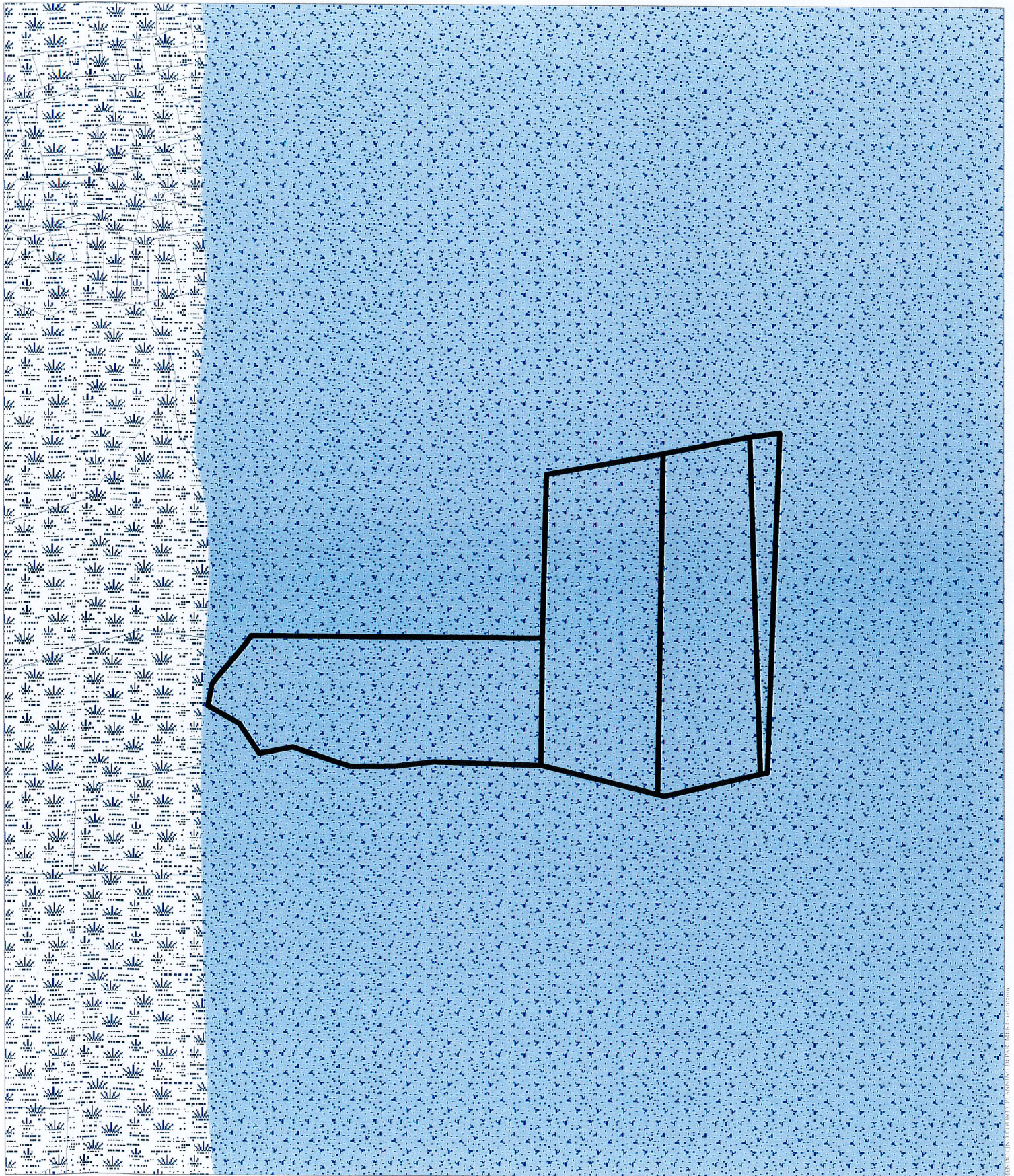


FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA





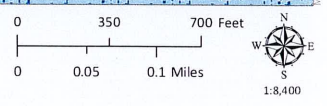
CASE: B 2019-0054
OWNER: MOORES, Bill & Tona
APN: 132-210-37, 38, 40
APLCT: William & Tona Moores
AGENT:
ADDRESS: None Assigned, Manchester





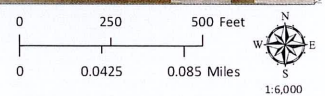
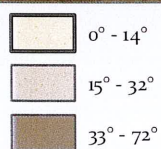
CASE: B 2019-0054
OWNER: MOORES, Bill & Tona
APN: 132-210-37, 38, 40
APLCT: William & Tona Moores
AGENT:
ADDRESS: None Assigned, Manchester

 Marginal Water Resources
 Critical Water Resources Bedrock

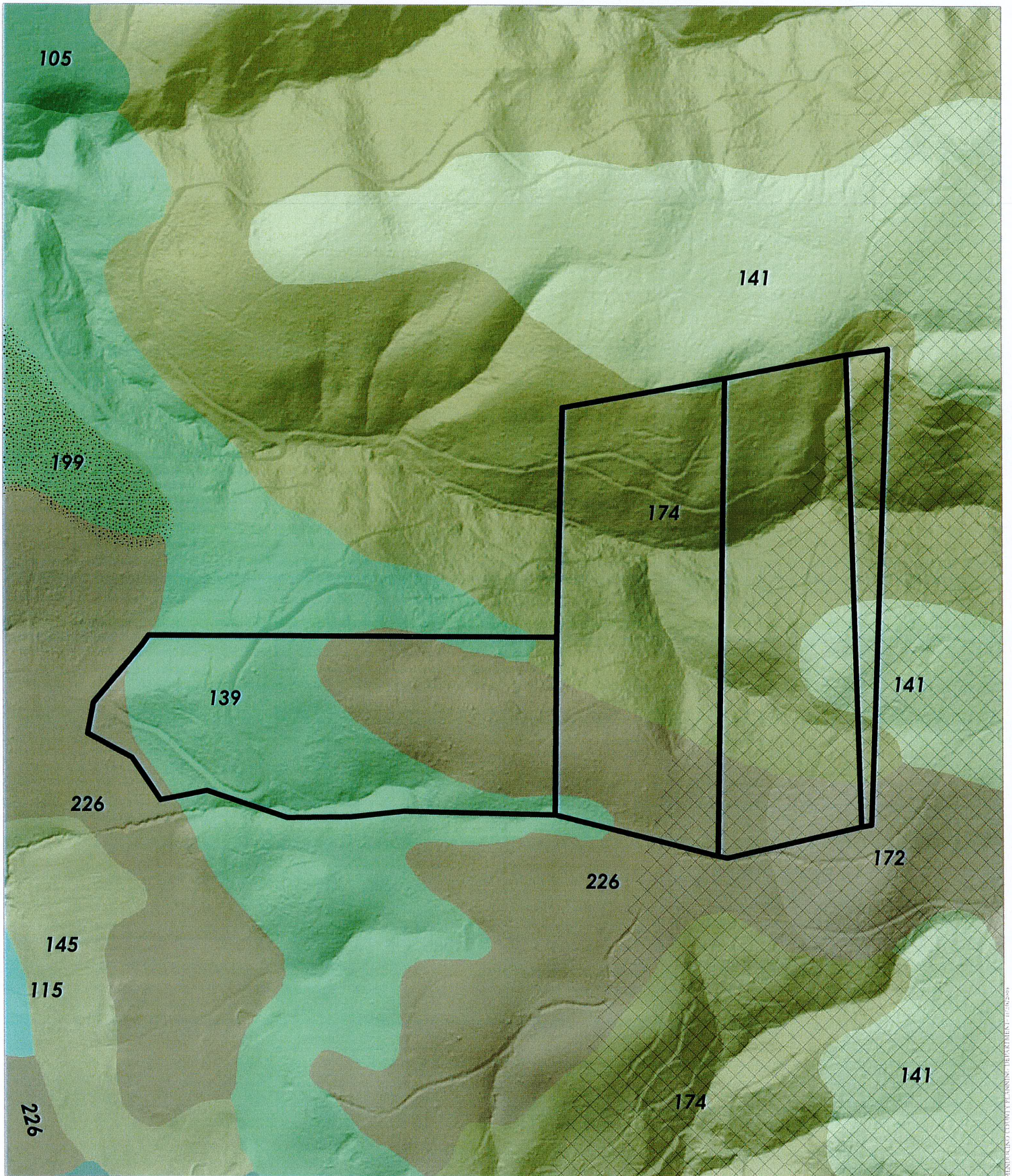






CASE: B 2019-0054
 OWNER: MOORES, Bill & Tona
 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

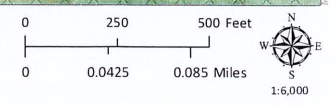


ESTIMATED SLOPE
 ATTACHMENT P

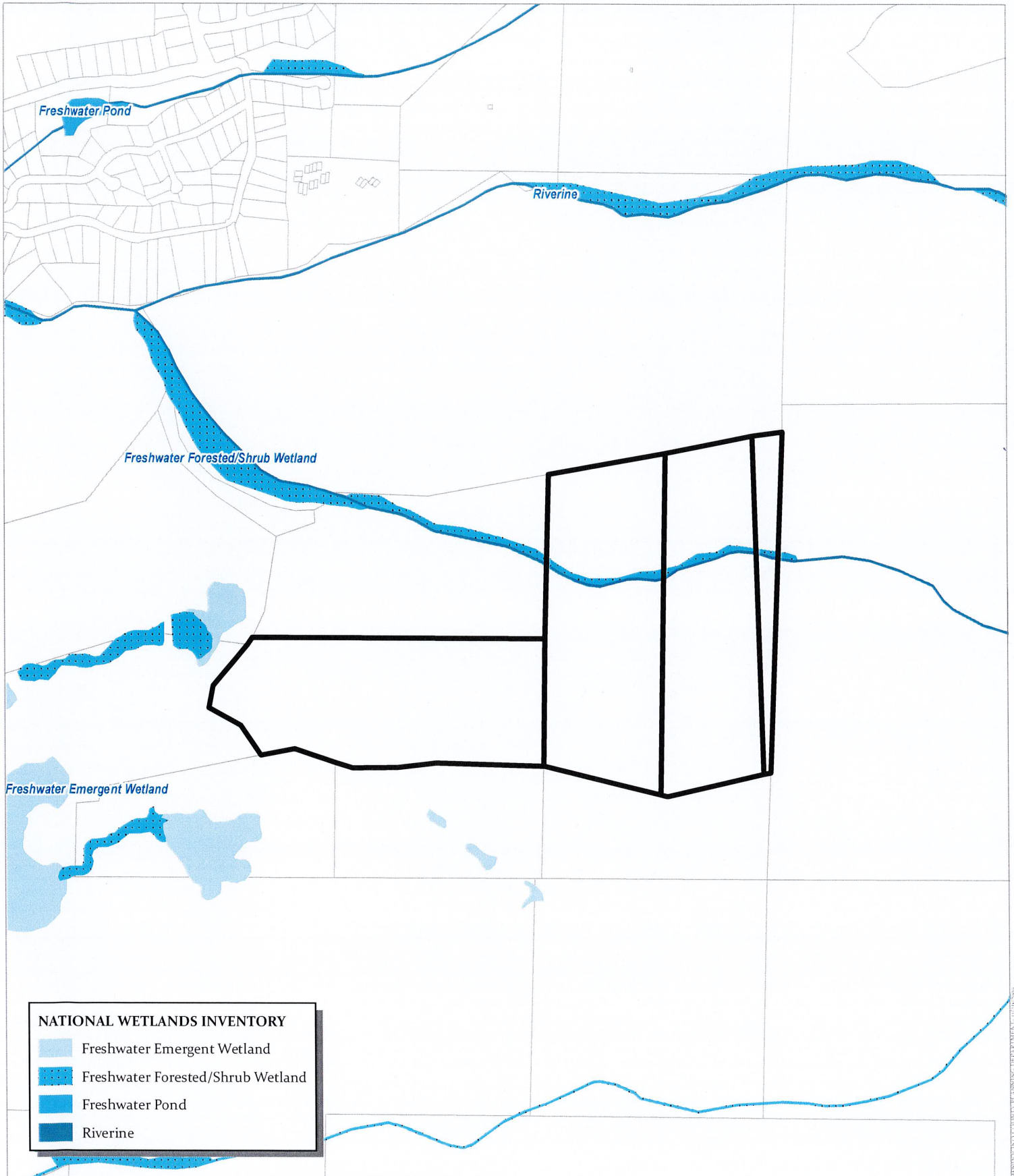


CASE: B 2019-0054
 OWNER: MOORES, Bill & Tona
 APN: 132-210-37, 38, 40
 APLCT: William & Tona Moores
 AGENT:
 ADDRESS: None Assigned, Manchester

 Shinglemill-Gibney Complex
 Bishop Pine



WESTERN SOIL CLASSIFICATIONS
 ATTACHMENT Q



CASE: B 2019-0054
OWNER: MOORES, Bill & Tona
APN: 132-210-37, 38, 40
APLCT: William & Tona Moores
AGENT:
ADDRESS: None Assigned, Manchester

