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**Coastal Permit Administrator  
STAFF REPORT- BLACOASTAL**

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**APRIL 13, 2017  
B\_2016-0043**

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**SUMMARY**

**OWNERS:** Irish Beach Water District  
Charles Acker, Manager  
PO Box 67  
Manchester, CA 95459

Gordon & Sandra Moores  
PO Box 206  
Manchester, CA 95459

**APPLICANT:** Irish Beach Water District

**AGENT:** Susan Ruschmeyer, Pacific Land Surveys

**REQUEST:** Coastal Development Boundary Line Adjustment to relocate a 200 square foot parcel owned by the Irish Beach Water District (APN 132-210-24) to a new well location within the Moores parcel. Both parcels will remain at current sizes. The project was previously approved as CDB 10-2012 but expired prior to final completion.

**LOCATION:** Within the Coastal Zone. Located in the community of Irish Beach approximately 3.70± miles north of the town of Manchester, the project area sits on both sides of Hillcrest Drive (private), approximately .40± miles east of its intersection with Pomo Lake Drive (CR 551). APNs: 132-210-21, 22, 24, 47.

**TOTAL ACREAGE:** 38.63±

**GENERAL PLAN:** FL 160

**ZONING:** TP 160

**SUPERVISORIAL DISTRICT:** 5

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt – Class: 5a (Minor lot line adjustments not resulting in the creation of any new parcel).

**RECOMMENDATION:** Approve Coastal Development Boundary Line Adjustment CDB 2016-0043 with Standard Conditions.

**STAFF PLANNER:** Russell Ford

## **BACKGROUND**

### **PROJECT DESCRIPTION:**

Coastal Development Boundary Line Adjustment to relocate a 200 square foot parcel owned by the Irish Beach Water District (APN 132-210-24) to a new well location within the Moores parcel. Both parcels will remain at current sizes. The project was previously approved as CDB 10-2012 but expired prior to final completion.

### **APPLICANT'S STATEMENT:**

The purpose of the Boundary Line Adjustment is to relocate APN 132-210-24 (within APN 132-210-22) to accommodate existing well.

### **RELATED APPLICATIONS:**

#### **On-Site**

- CDB 10-2012 was the same proposed project. It was tentatively approved, but expired prior to completion.
- B 34-80, B 6-81 and B 65-84 resulted in the creation of the legal lot that now includes APNs 132-210-05, 14, 21 and 22.

#### **Neighboring Property**

- Irish Beach Subdivision Unit 7

### **SITE CHARACTERISTICS:**

The site is located east of State Highway 1 in the Irish Beach area, approximately .70 miles east of the intersection of Highway 1 and Pomo Lake Drive (CR 551), though access to the site is provided by a private road named Hillcrest Drive that takes access from Pomo Lake Drive. The site is located on the northern bank of Irish Gulch with both south-facing slopes and ridge top areas, less than a ½ mile from the Pacific Ocean and densely moderately.

With the exception of the existing well housing and associated structure/s, all parcels are currently unimproved. Irish Gulch hosts existing Freshwater Forested Shrub Wetland along in its immediate riparian area which intersects the south boundary of APNs 132-210-22 and 132-210-47, but does not intrude into the project area. There is also an existing Riverine area along an unnamed water course at the northern part of 132-210-21 and 132-210-22, but is again clear of the proposed project.

### **SURROUNDING LAND USE AND ZONING:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LOT SIZES</b>	<b>USES</b>
<b>NORTH</b>	FL 160	TP 160	15±, 63.75±	Forestland
<b>EAST</b>	FL 160	TP 160	120±	Forestland
<b>SOUTH</b>	RL 160/FL 160	TP 160	10±, 160±	Forestland
<b>WEST</b>	FL 160	TP 160	17.5±, 3.8±	Forestland

**PUBLIC SERVICES:**

Access: Hillcrest Drive (private)  
Fire District: Redwood Coast Fire Protection District  
Water District: Irish Beach Water District  
Sewer District: None  
School District: Manchester Union Elementary

**AGENCY COMMENTS:**

On or around January 5<sup>th</sup>, 2017 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Mendocino County Planning (Fort Bragg)		No Comment	1/18/2017
Department of Transportation		N/A	-
Environmental Health (Fort Bragg)		N/A	-
Mendocino County Building (Fort Bragg)		N/A	-
CALFIRE		N/A	-
California Coastal Commission		N/A	-

**KEY ISSUES**

**1. General Plan and Zoning Consistency:**

Both parcels involved in the proposed lot adjustment are classified F-L:160 (Forestland, 160 acre minimum).

The T-P (Timberland Production) zoning of the parcels is consistent with the General Plan Land Use Designation. Mendocino County Coastal Zoning Code Section 20.364.005 establishes the intent of the T-P zoning to “encompass lands within the Coastal Zone which because of their soil types and timber growing capabilities are suited for and should be devoted to the growing, harvesting, and production of timber and timber related products and are taxed as such.” Currently, none of the parcels are being used for timber production, but Sec. 20-364-010 (C) allows for *Passive Recreation* as an allowed use, which is consistent. The proposed adjustment will only serve to re-locate the boundary of the well parcel in alignment with the existing well, and will cause no impact to other existing uses. There is no conflict with the Land Use Designation and the project.

**2. Division of Land Regulations:**

This project is scheduled to be reviewed by the County Subdivision Committee on April 13<sup>th</sup>, 2017 at which time the Subdivision Committee will make recommendations concerning approval to the Coastal Permit Administrator per the required findings in Section 17-17.5 of the Mendocino County Code. No conflicts with the County Division of Land Regulations were identified.

**3. Environmental Protection:**

As identified by the National Wetlands Inventory Data, APNs 132-210-21 and 22 intersect a narrow *Riverine* corridor along an unnamed watercourse at their north part. APNs 132-210-22 and 47 intersect a corridor of *Freshwater Forested/Shrub Wetland* approximately congruent with the course of Irish Gulch along their southern borders. The proposed adjustment occurs along the ridgetop between the two

stream drainages and should have no effect on either. No development is proposed at this time, and any future development would require a Coastal Development Permit.

**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 of density. The proposed adjustment does not provide for future divisions beyond that which currently exist;
2. The boundary line adjustment will not create any new parcels;
3. No environmentally sensitive habitat areas have been identified on the parcels by the California Natural Diversity Database;
3. No substandard lot will result from the adjustment. Both existing lots are considered legal, non-conforming;
4. The property subject to the adjustment is in an area designated CWRbr (Critical Water Resources, bedrock) identified in the Mendocino County Groundwater Study, which states in part:

“Areas designated CWRb (Critical Water Resources, bedrock) shall have a minimum lot size of 20 ac. Smaller lots, to a minimum size of 2 ac may be developed with “proof of water” on each lot created.

The larger, undeveloped lot is consisted with the groundwater study at 38.63 acres. The smaller parcel is solely for the location of an existing water well to supply the Irish Beach Water District. No development is proposed at this time and no additional impact to the ground water reservoir can be expected from this adjustment.

5. The project is not located on property containing pygmy vegetation.
6. The project is not located within a designated “Highly Scenic” area.
7. Those portions of APNs 132-210-21, 22 and 47 that are within distance of the existing watercourses are within an appealable area.

**ENVIRONMENTAL RECOMMENDATION:** The application is Categorically Exempt – Class 5a. Therefore, no further environmental review is required.

**COASTAL ELEMENT CONSISTENCY RECOMMENDATION:** The proposed project is consistent with applicable goals and policies of the General Plan and Coastal Element.

**RECOMMENDED MOTION:** The Coastal Permit Administrator approves Coastal Development Boundary Line Adjustment B 2016-0043, 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 development will be provided with adequate utilities, access roads, drainage, and other necessary facilities;
3. 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,
4. 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);



5. The proposed boundary line adjustment will not have any adverse impacts on any known archaeological or paleontological resource;
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development;
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan.
8. The proposed use is compatible with the long-term protection of resource lands.

**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 2016-0043 and is intended to create no new parcel."**

4. Per Mendocino County Code Section 17-17.5(l) (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 receipt 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 have been satisfied.
7. 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."

8. A note shall be placed on the deeds and/or legal descriptions stating, "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."
9. All structures must maintain fifty (50) foot setbacks from property lines as required by Mendocino County Code Section 20.356.030. A sitemap with this requirement shown shall be submitted to the Department of Planning and Building Services.

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 correct and 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.

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DATE

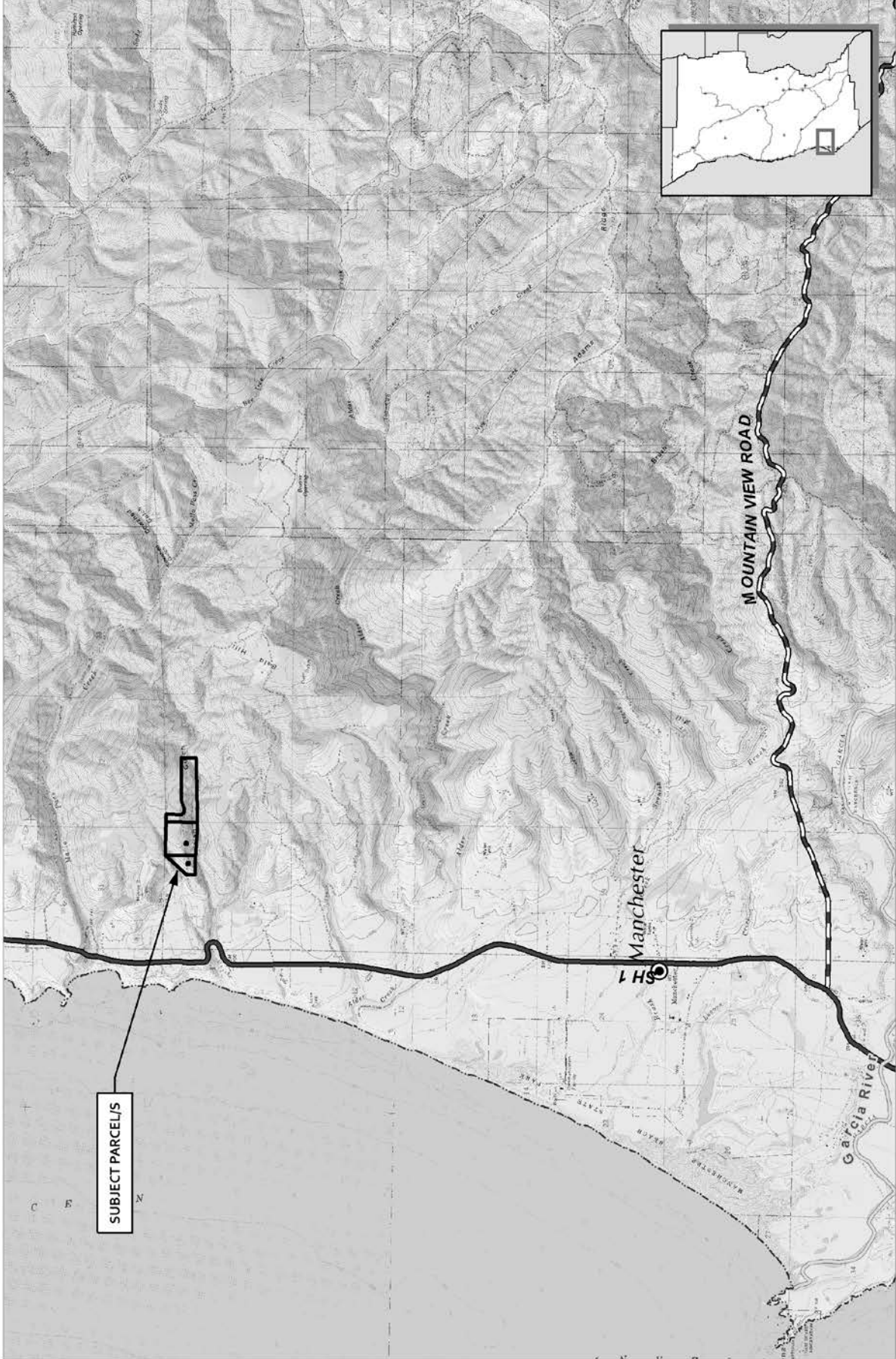
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RUSSELL FORD

Appeal Period: 10 Days  
Appeal Fee: \$910.00

**ATTACHMENTS:**

- A. Location Map
- B. Aerial
- C. Tentative Map
- D. Zoning Map
- E. General Plan Classifications
- F. LCP Land Use Map
- G. LCP Land Capabilities & Natural Hazards
- H. LCP Habitats & Resource
- I. Appealable Areas
- J. Fire Hazards Map
- K. Water Districts
- L. Coastal Ground Water Resources
- M. Classified Wetlands



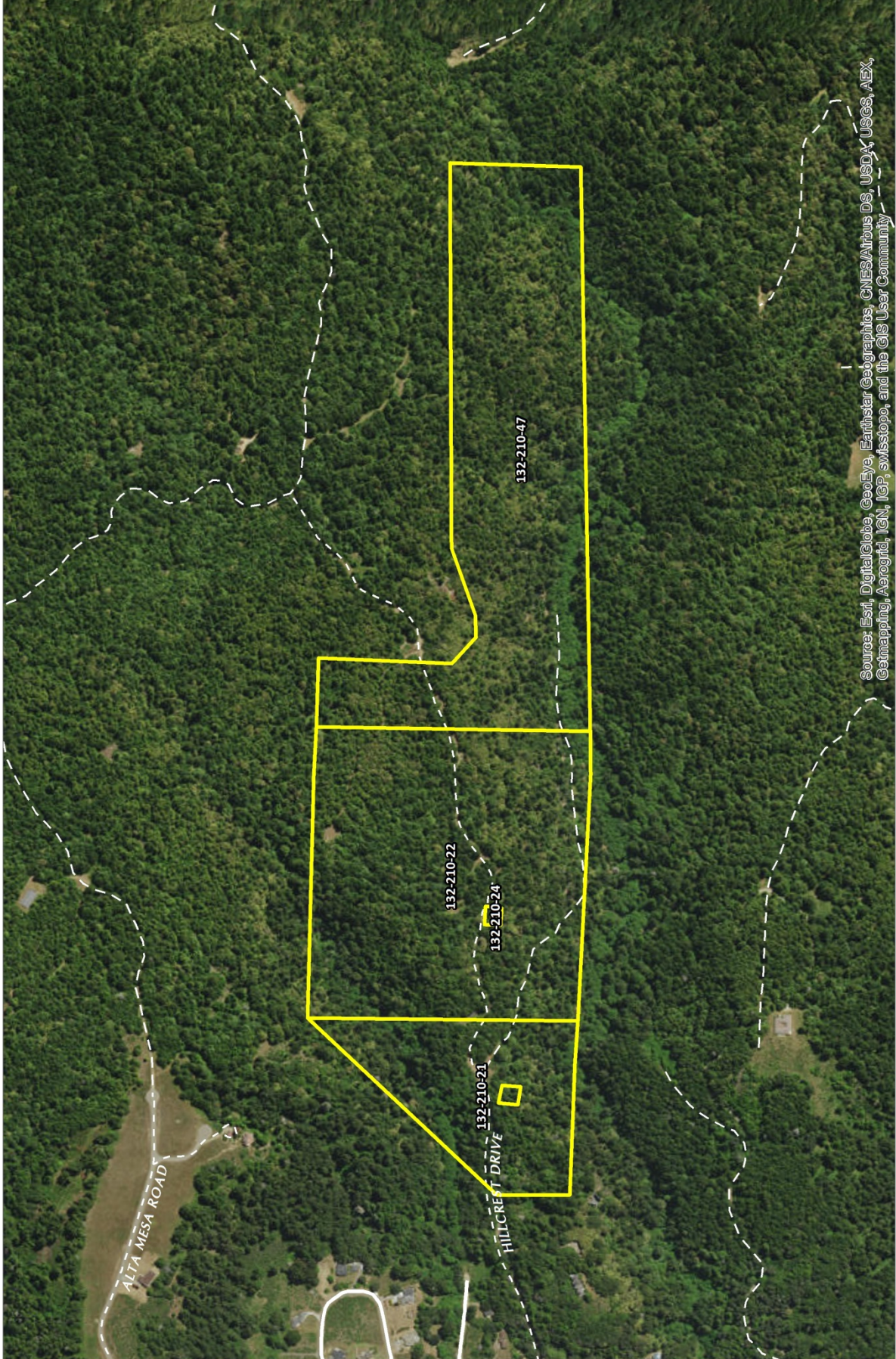
LOCATION MAP

- Major Towns & Places
- Major Roads
- Major Rivers
- Highways

CASE: CDB 2016-0043  
OWNER: Irish Beach Water Dist, MOORES  
APN: 132-210-22, 24  
APLCT: Irish Beach Water District  
AGENT: Susan Ruschmeyer  
ADDRESS: 42600 Hillcrest Drive, Manchester

Map produced by the Mercedino County Planning & Building Services, December, 2006  
All spatial data is approximate. Map provided without warranty of any kind.





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, GeoMapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

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0 0.05 0.1 Miles  
1:7,200

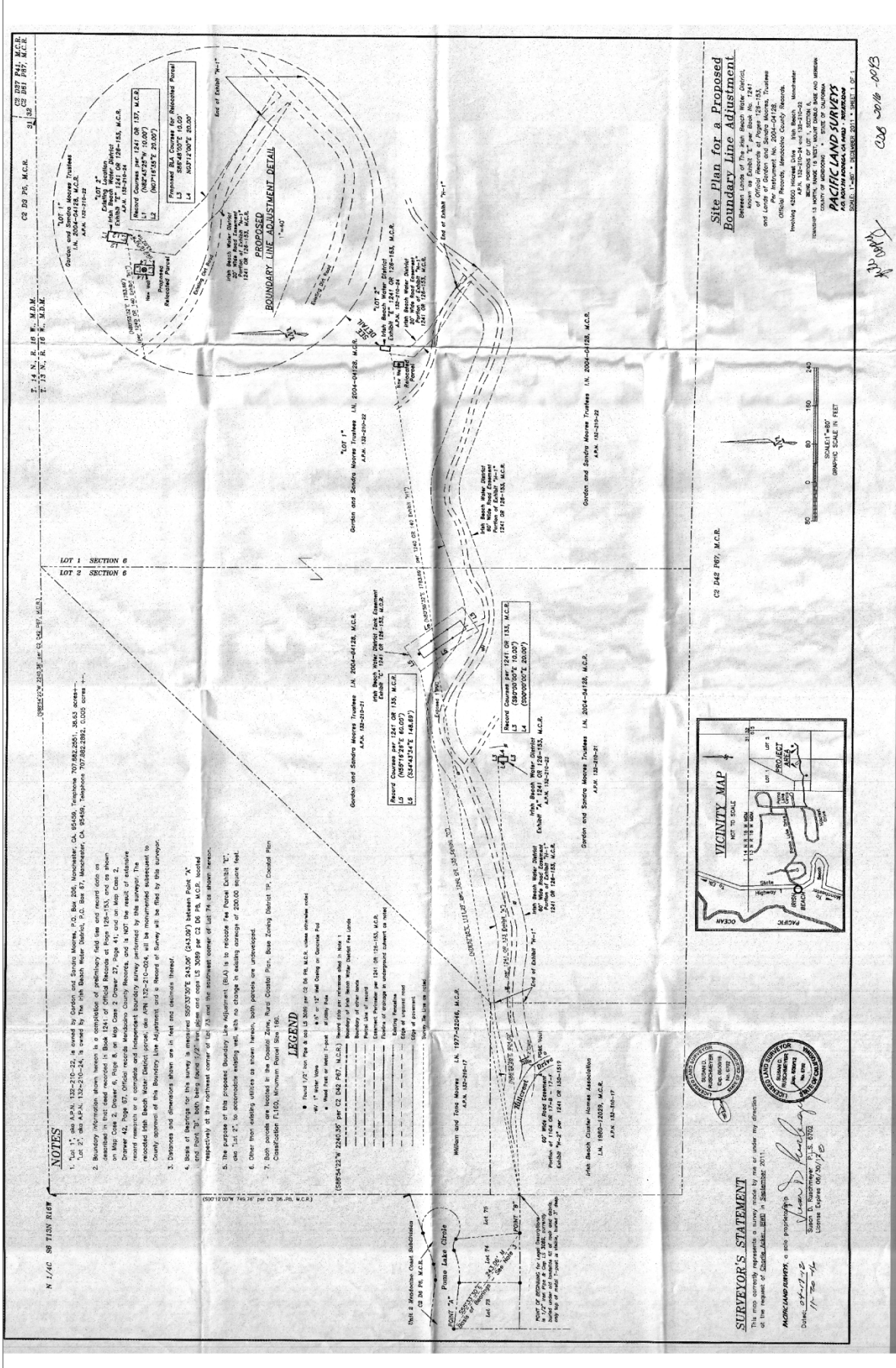
Public Roads  
Private Roads  
Driveways/Unnamed Roads

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ESRI IMAGERY





**NOTES**

1. "Lot 1", also A.P.N. 132-210-22, is owned by Gordon and Sandra Moore Trusts, P.O. Box 206, Manchester, CA 95456, Telephone 707-862-2201, 36.63 acres. "Lot 2", also A.P.N. 132-210-24, is owned by The Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres.
2. Boundary information shown herein is a compilation of preliminary field data and record data as recorded in the deed recorded in Book 1241 of Official Records of Placer County, California, and as shown on the map of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres.
3. The purpose of this proposed boundary line adjustment (BLA) is to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres, and to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres, and to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres.
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**LEGEND**

- 1. Found 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 2. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 3. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 4. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 5. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 6. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 7. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 8. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 9. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.
- 10. 1/2" iron pipe & cap 13.500' per C2 16, M.C.R. unless otherwise noted.

**SURVEYOR'S STATEMENT**

This map represents a survey made by me or under my direction of the property of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres, and to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres, and to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres.

*Surveyor's Signature*  
Date: 01/12/12  
License Expires 06/30/12

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APN: 132-210-22, 24  
APLC: Irish Beach Water District  
AGENT: Susan Ruschmeyer  
ADDRESS: 42600 Hillcrest Drive, Manchester

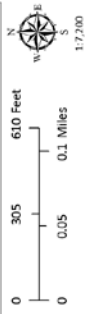
Map produced by the Mendocino County Planning & Building Services, December, 2016  
All spatial data is approximate. Map provided without warranty of any kind.

**Site Plan for a Proposed Boundary Line Adjustment**

Between Lots of The Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres, and to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres, and to relocate the corner of the Irish Beach Water District, P.O. Box 87, Manchester, CA 95456, Telephone 707-862-2862, 1.000 acres.

NO SCALE

TENTATIVE MAP



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Zoning Districts

ZONING DISPLAY MAP

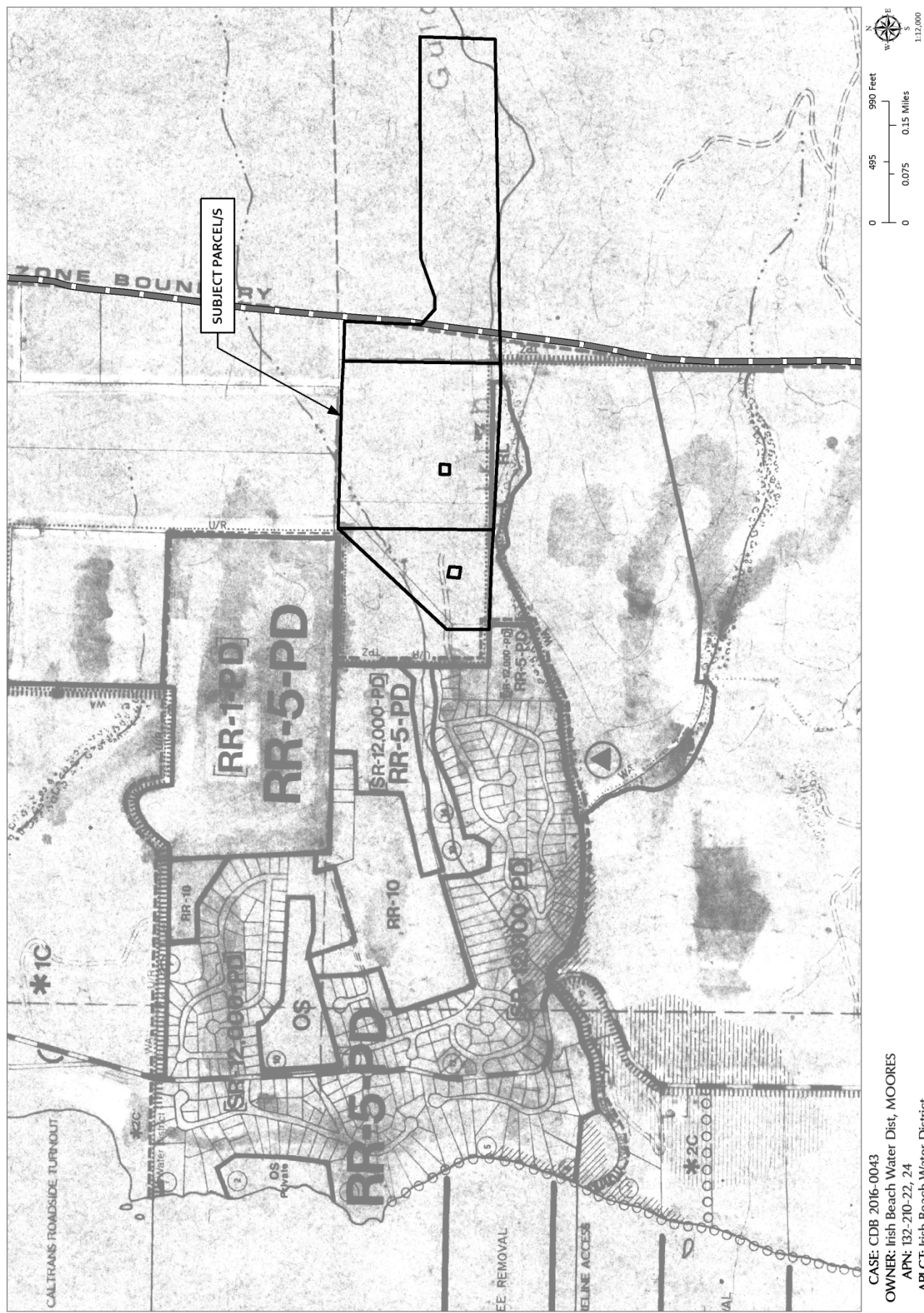
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Coastal Zone Boundary  
 General Plan Classes

# GENERAL PLAN CLASSIFICATIONS

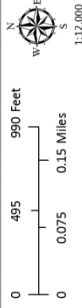
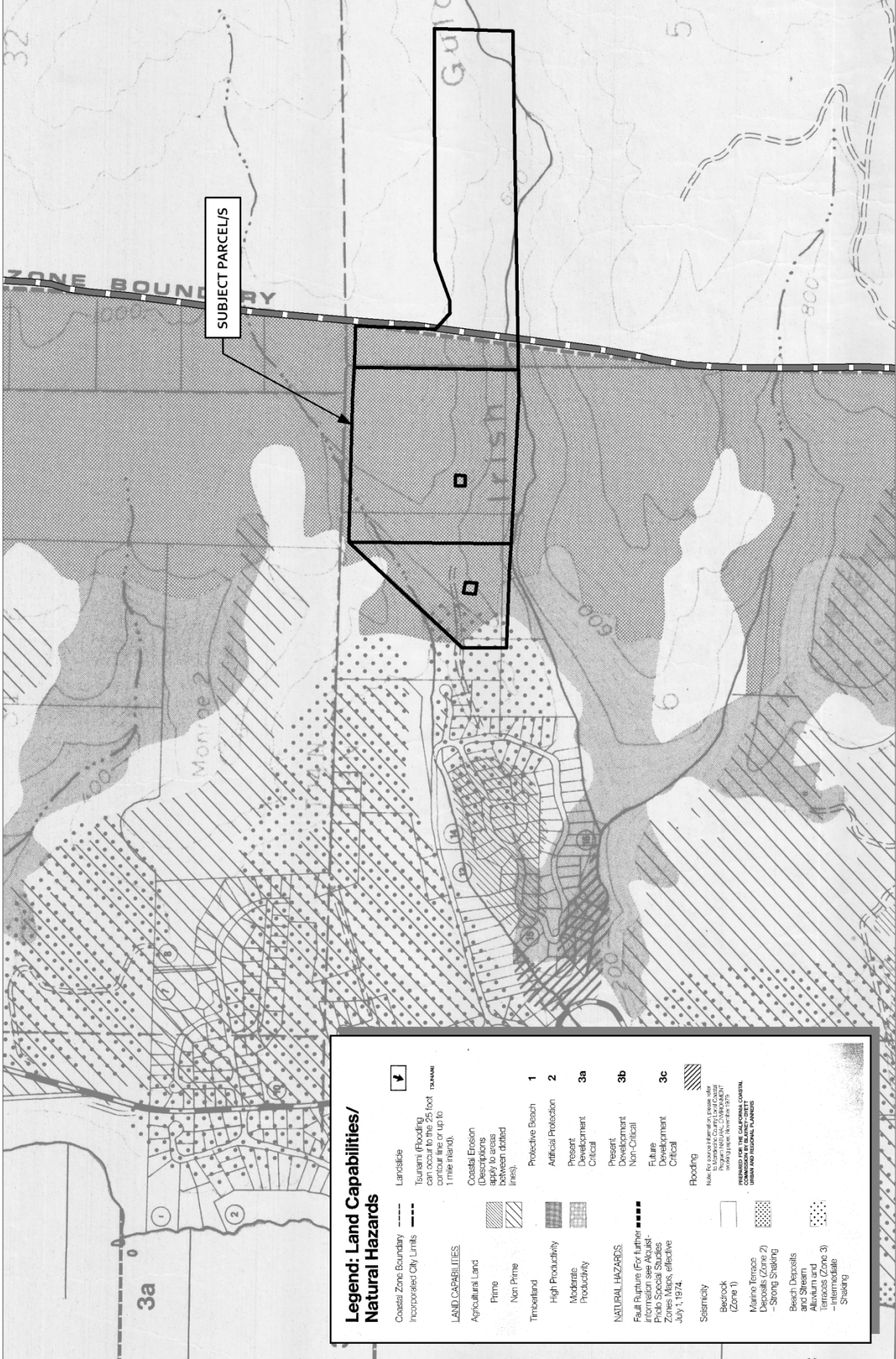


## Coastal Zone Boundary

LCP LAND USE MAP 22: MALLO PASS CREEK

Map produced by the Mendocino County Planning & Building Services, December, 2016



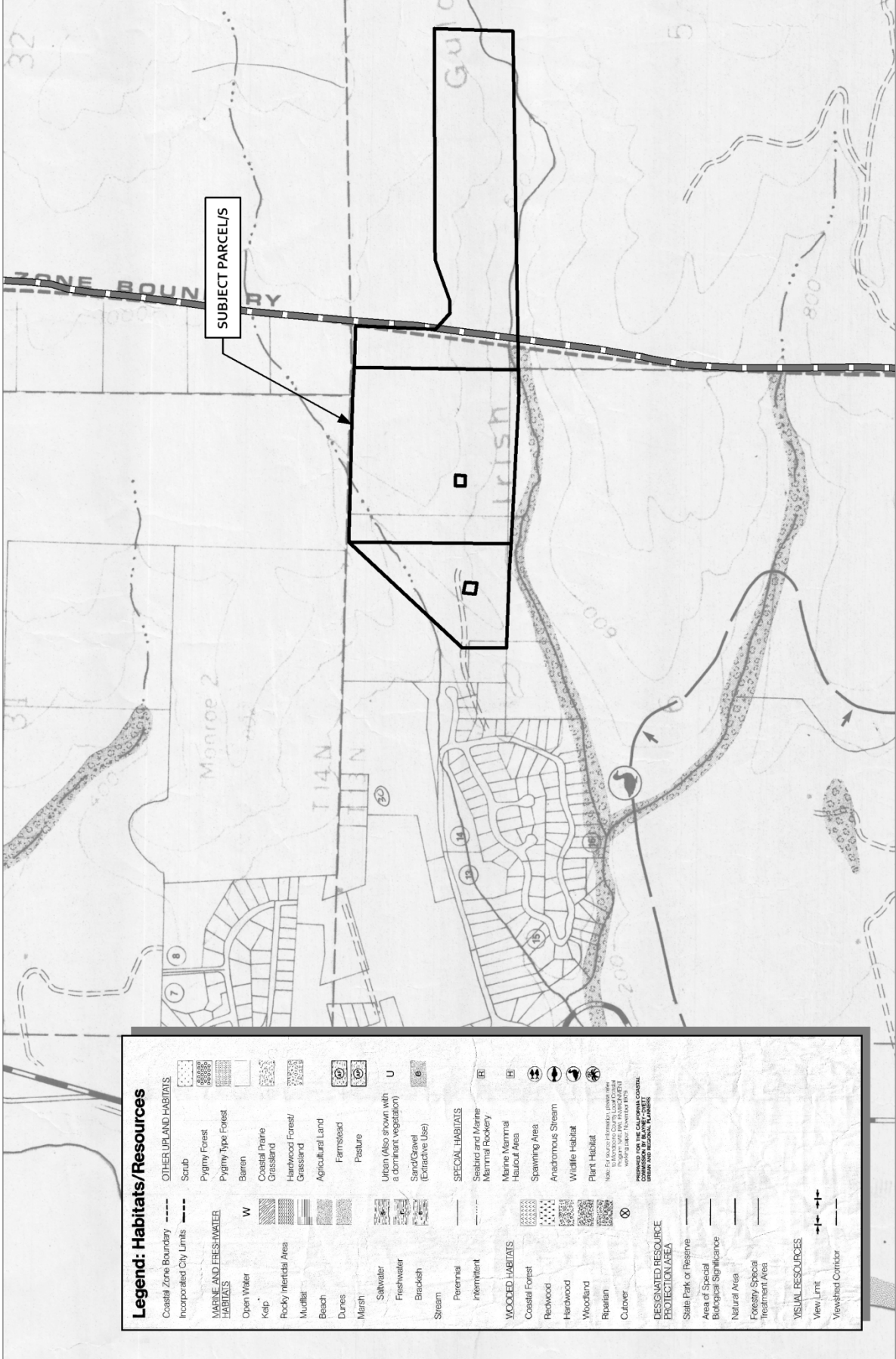


LCP LAND CAPABILITIES & NATURAL HAZARDS

Coastal Zone Boundary

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0 495 990 Feet  
0 0.075 0.15 Miles  
1:12,000

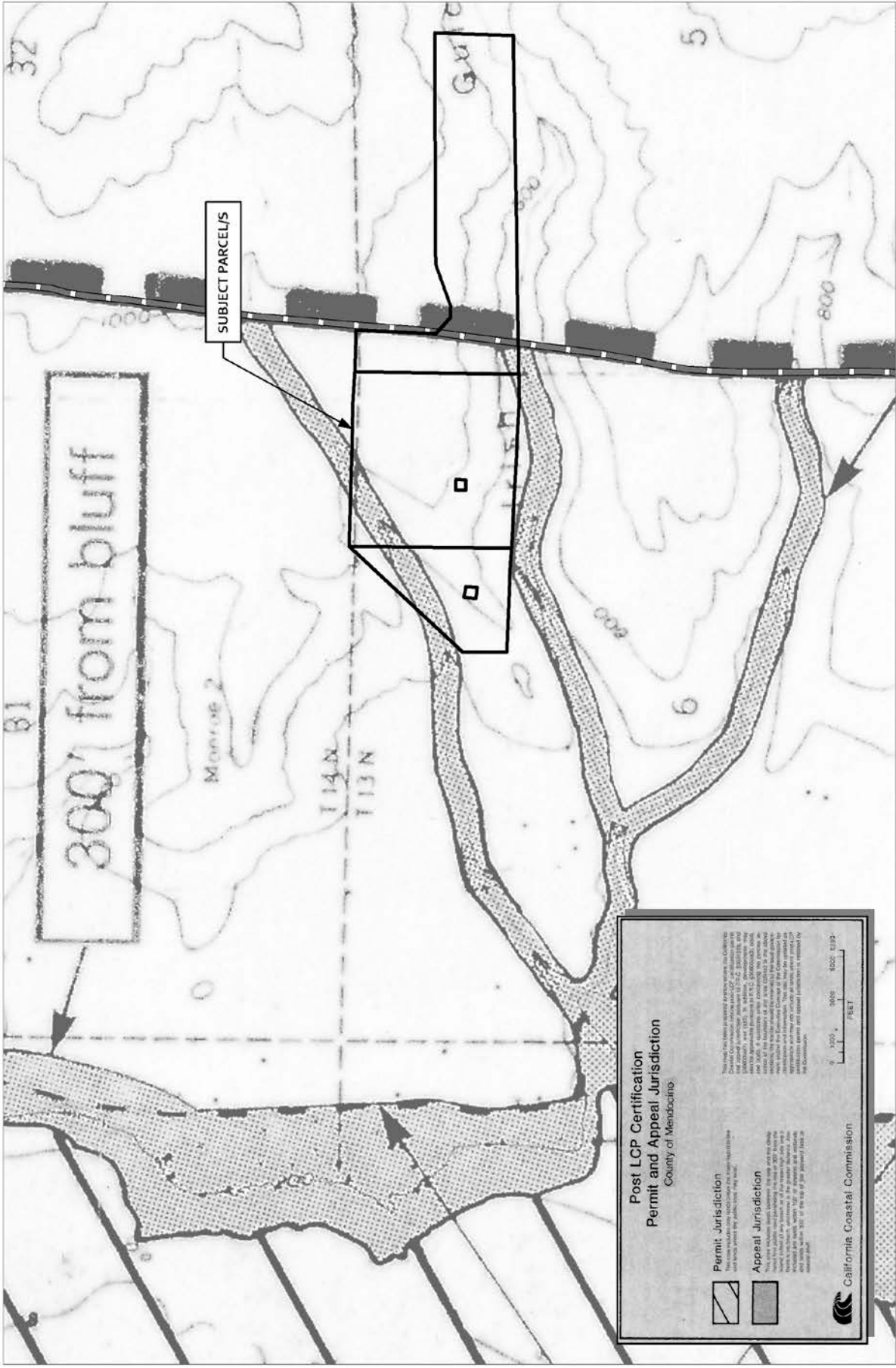


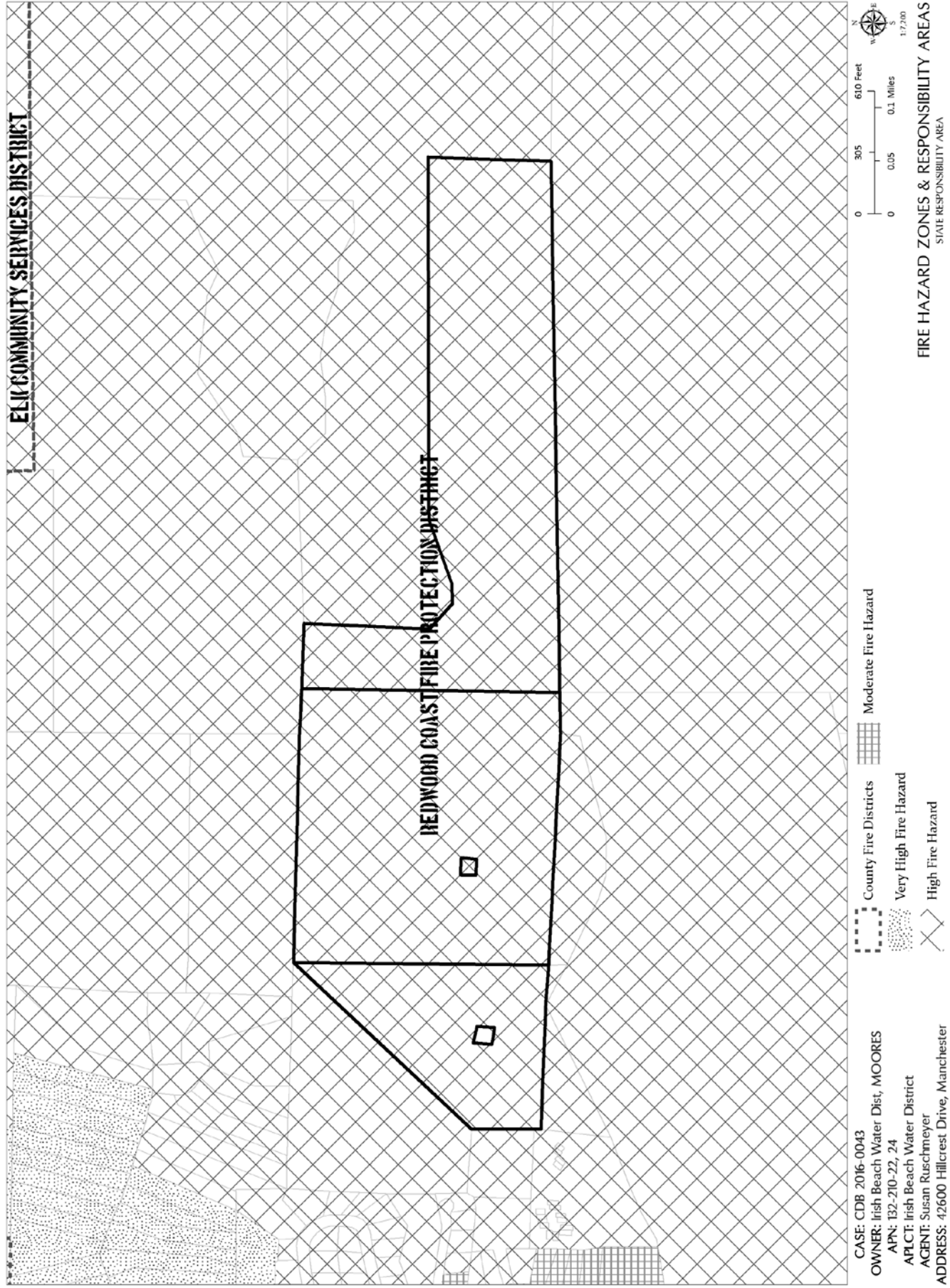
LCP HABITATS & RESOURCES

Coastal Zone Boundary

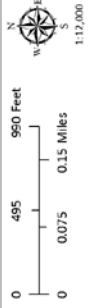
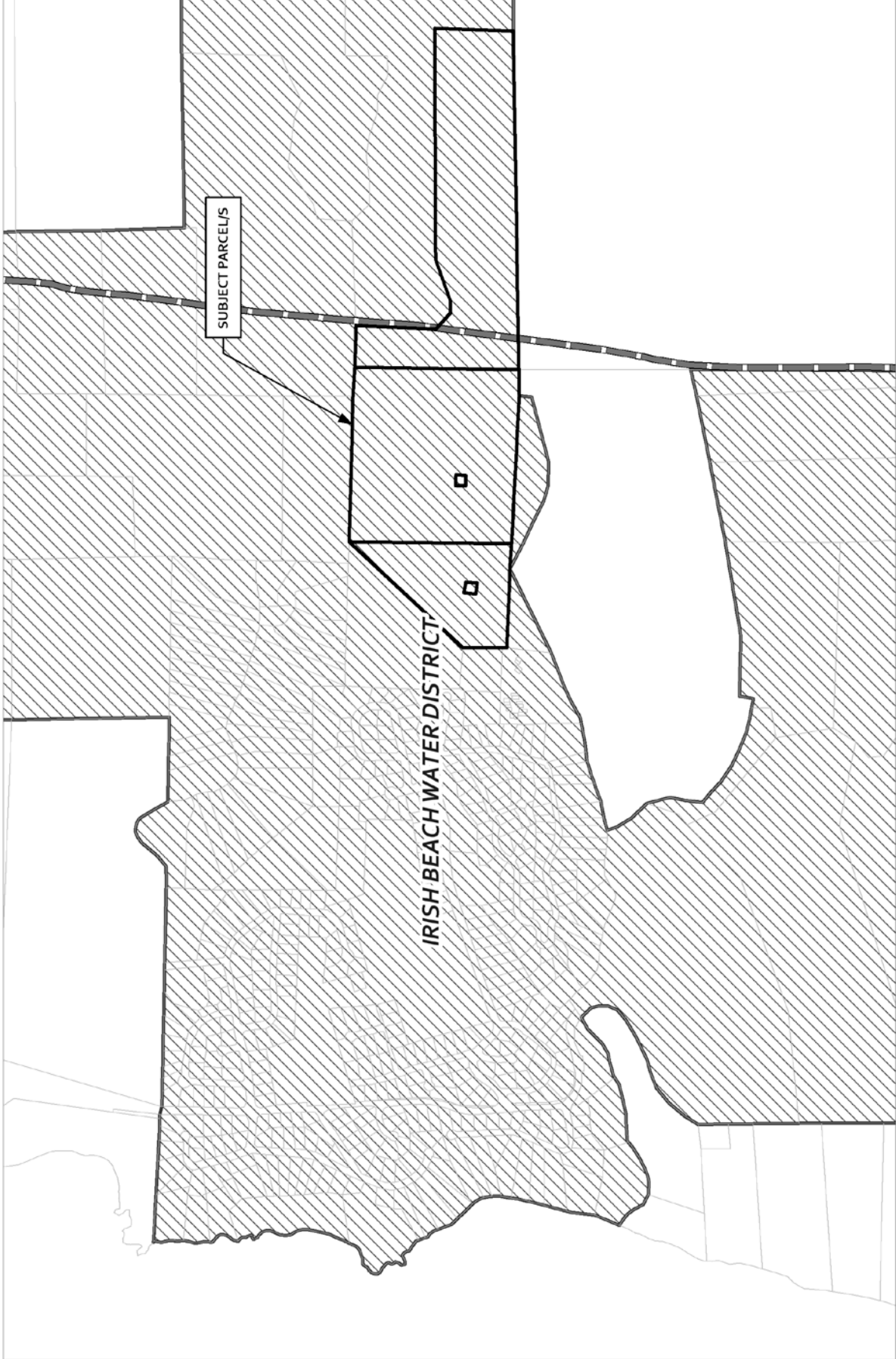
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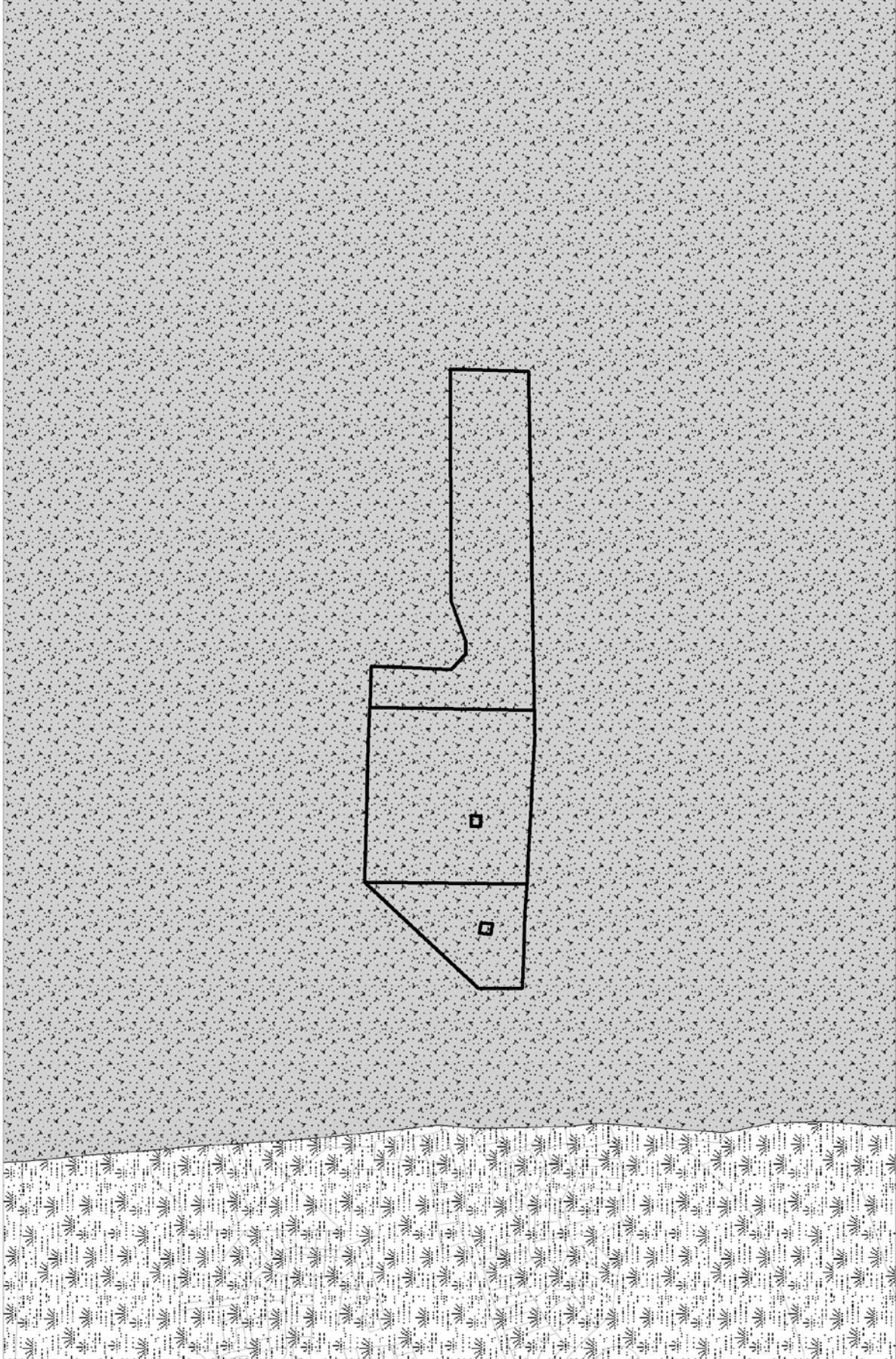


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Coastal Zone Boundary  
County Water Districts

WATER DISTRICTS

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0 495 990 Feet  
0 0.075 0.15 Miles  
1:12,000



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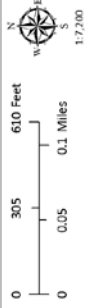
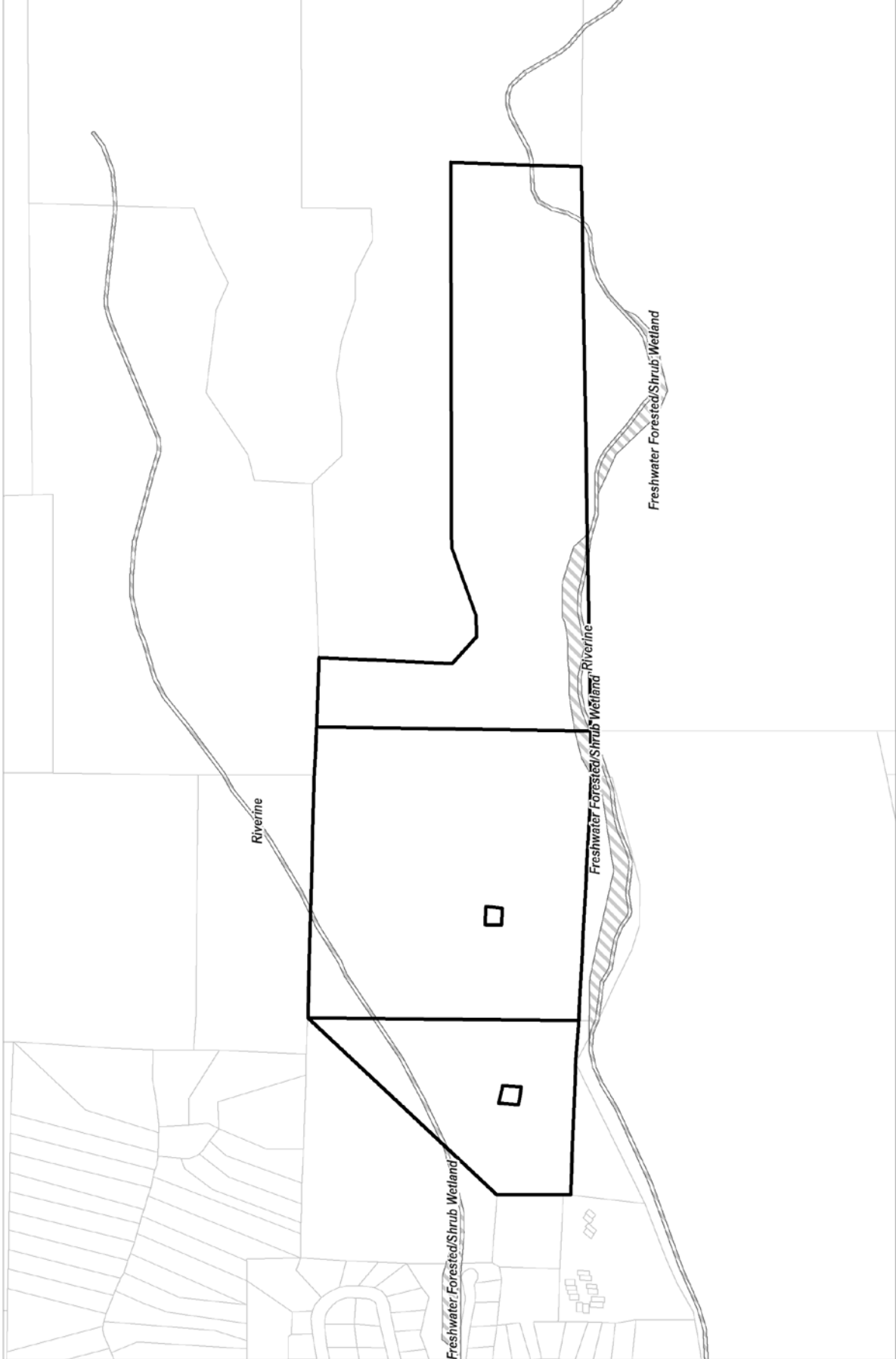
Marginal Water Resources

Critical Water Resources Bedrock



GROUND WATER RESOURCES

Map produced by the Mendocino County Planning & Building Services, December, 2006  
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CLASSIFIED WETLANDS

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