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**COASTAL PERMIT ADMINISTRATOR  
STAFF REPORT – COASTAL BLA**

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**APRIL 12, 2018  
B\_2017-0054**

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**SUMMARY**

**OWNERS/APPLICANTS:** PABLO ROMANO  
MARISA GUARDADO  
3680 17<sup>TH</sup> ST. APT. 4  
SAN FRANCISCO, CA 94114

**AGENT:** None

**REQUEST:** Coastal Development Boundary Line Adjustment request to merge Lot 1 (APN: 132-130-08) and Lot 2 (APN: 132-130-09) to create a single lot of .59± acres.

**LOCATION:** In the Coastal Zone, within the community of Irish Beach. Parcels are on the north side of Forest View Road (CR 551-A), .20± miles west of its intersection with Pomo Lake Drive (CR 551). Located at 15761 Forest View Rd., Manchester (APNs: 132-130-08 & 09).

**TOTAL ACREAGE:** .59±

**GENERAL PLAN:** Rural Residential 5 acre minimum (RR-5-PD [SR-PD])

**ZONING:** Rural Residential 5 acre minimum (RR-5-PD [SR-PD])

**SUPERVISORIAL DISTRICT:** 5

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

**RECOMMENDATION:** Approve Boundary Line Adjustment B\_2017-0054 with Special Conditions.

**STAFF PLANNER:** Russell Ford

**BACKGROUND**

**PROJECT DESCRIPTION:** The applicants own two adjacent lots created by Unit 4, Mendocino Coast Subdivision (better known as Irish Beach) in 1968. Both lots are currently vacant and undeveloped; however the department is concurrently processing a CDP application for the construction of a new Single Family Residence and garage on the lots (CDP\_2017-0003). The applicants wish to merge the two existing lots to remove any potential setback or boundary issues that may affect permitting of the SFR.

**APPLICANT'S STATEMENT:** "Proposed is the merger of APN 132-130-08 parcel and 132-130-09 parcel into a single parcel with an area of 0.59 acres."

**RELATED APPLICATIONS ON-SITE:**

- Tract 113, Unit Four, Mendocino Coast Subdivision (Irish Beach) [5-15-1968]
- CDP\_2017-0003 to create a new 1236 square foot Single Family Residence with attached garage. [Pending].

**Neighboring Property:**

- Tract 113, Unit Four, Mendocino Coast Subdivision (Irish Beach) [5-15-1968]

**SITE CHARACTERISTICS:** The project site is on the north side of Forest View Road (CR 551-A), .2± miles west of its intersection with Pomo Lake Drive (CR 551) within the community of Irish Beach. Along with most of the subdivision, these parcels are situated on a mostly flat terrace with gentle slopes punctuated by relatively steep drainages. The most significant drainage related to the project site is approximately 100 feet to the northwest, however no impacts are expected from this. The slopes along the drainage are heavily forested, along with the perimeter of the project site, although the majority of the parcel area is inhabited only by grass and shrubs, and the area as a whole is heavily residential.

**SURROUNDING LAND USE AND ZONING:**

	GENERAL PLAN	ZONING	LOT SIZES	USES
<b>NORTH</b>	RR10	RR10	2.88±	Open Space
<b>EAST</b>	RR5-PD [SR-PD]	RR5-PD [SR-PD]	0.30±	Residential
<b>SOUTH</b>	RR5-PD [SR-PD]	RR5-PD [SR-PD]	0.40±	Residential
<b>WEST</b>	RR5-PD [SR-PD]	RR5-PD [SR-PD]	0.40±	Residential

**PUBLIC SERVICES:**

Access: Forest View Road (CR 551-A)  
 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 November 22nd, 2017 project referrals were sent to responsible or trustee agencies with jurisdiction over the project. 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	COMMENT
Mendocino County Planning (Fort Bragg)	No Comment
Department of Transportation	No Comment
Environmental Health (Fort Bragg)	No Comment
Mendocino County Building (Fort Bragg)	N/A
CALFIRE	N/A
California Coastal Commission	N/A

**KEY ISSUES**

**1. General Plan and Zoning Consistency:** The two lots involved in the proposed lot adjustment are classified RR5-PD [SR-PD]. At .3± acres each, the lots were previously developed to the higher density standard and are within a Planned Development combining district. The applicants propose merging the two subdivision lots to create a single lot of approximately .59± acres. The proposal is consistent with the existing General Plan and Zoning classifications on the site.

**2. Division of Land Regulations:** This project is scheduled to be reviewed by the County Subdivision Committee on April 12<sup>th</sup>, 2018 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:** The project site is within the extreme southern range of the Southern Torrent Salamander (*Rhyacotriton variegats*), which is currently classified as 'SSC' (California Species of Special Concern) by the California Department of Fish and Wildlife. The primary identified threat to the salamander is habitat loss due to clear-cutting of old-growth forests near drainages. The greater region is also within the estimated habitat zone of the Point Arena Mountain Beaver (*Aplodontia rufa nigra*), and beaver burrows have been previously identified on lots within 500 feet of the project site.

Potential environmental impact will be discussed more completely by the pending Coastal Development Permit. However, the proposed merge of the two lots would serve to eliminate the center boundary and its associated setbacks. This would allow the potential location of a homesite in an already cleared area and reduce or eliminate the need to remove more vegetation prior to development. Staff has determined that a Biological Scoping Survey would not be necessary for the purpose of this project due to the fact that any future development will require additional review by Planning Staff.

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

1. The boundary line adjustment will result in a net loss of density by reducing the number of potentially developable sites by one. 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. The parcels subject to the adjustment are situated within an environmentally sensitive habitat area. Specifically, the California Natural Diversity Database (CNDDDB) found the parcels to lie within the range of the **Southern Torrent Salamander** (*Rhyacotriton variegats*). No impacts to listed fauna are expected from this project, and staff does not feel that Biological Scoping Survey is warranted for this project. Any future development will be subject to the Coastal Development Permit regulations identified in Coastal Zoning Code Chapter 20.532.
4. No substandard lot will result from the adjustment. Two conforming lots will be combined into one larger lot.
5. The property subject to the adjustment is in an area designated MWR (Marginal Water Resources) identified in the Mendocino County Groundwater Study, and is consistent with the study.
6. The project is not located on property containing pygmy vegetation.
7. The project is not located within a designated "Highly Scenic" area.
8. A portion of the project site is within 100 feet of the nearest drainage and is therefore located in 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\_2017-0054, 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 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 adjustment;
7. The proposed adjustment 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.

**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 provide 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 2017-0054 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 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 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. A statement shall appear on the deed(s) indicating that this is a voluntary merger of parcels.

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

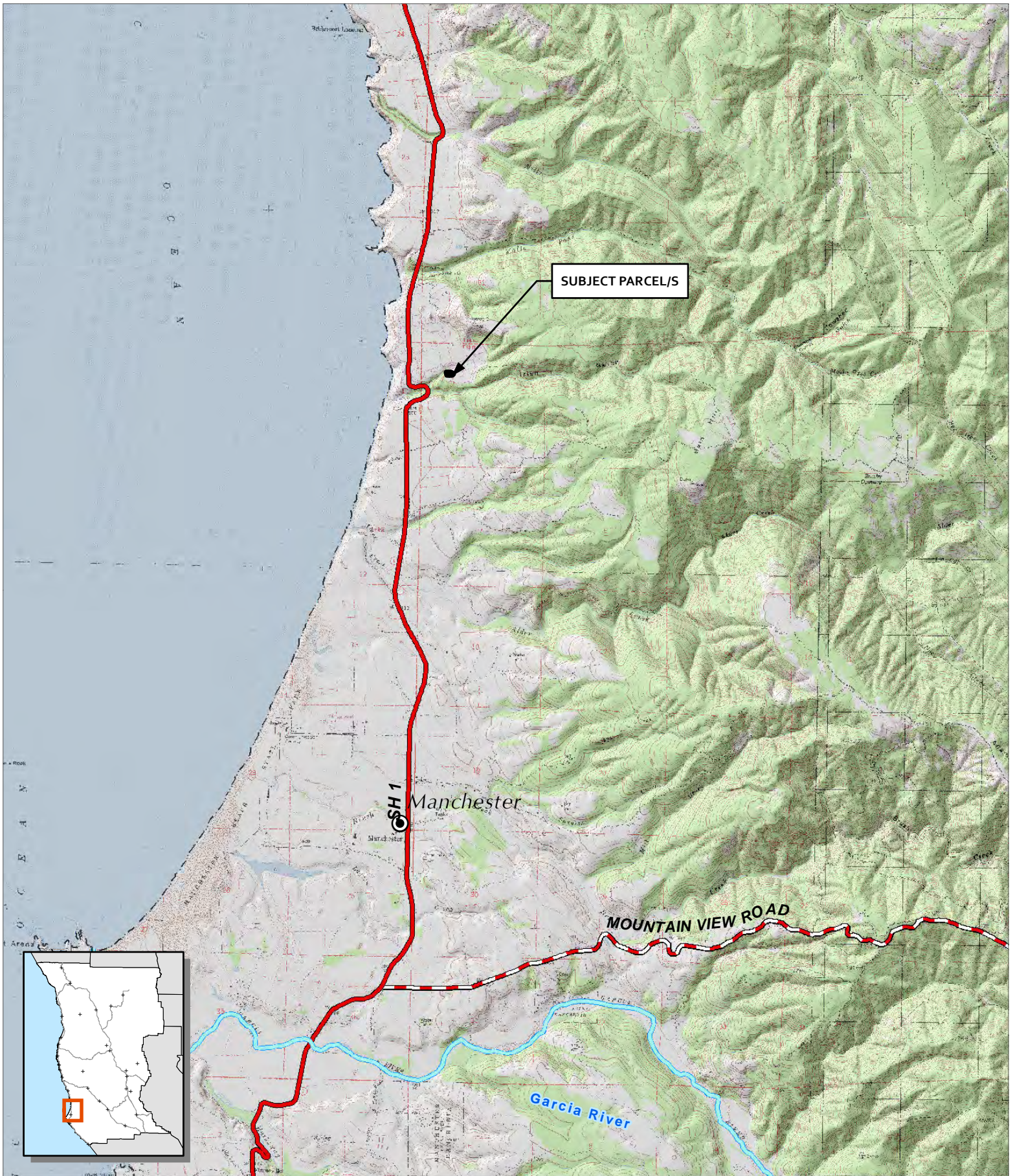
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RUSSELL FORD  
PLANNER III





Appeal Period: 10 Days  
Appeal Fee: \$1616.00

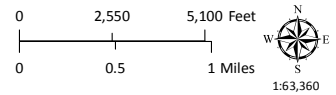
**ATTACHMENTS:**

- A. Location Map
- B. Topographic Map
- C. Aerial Imagery
- D. Existing Configuration
- E. Proposed Configuration
- F. Zoning Map
- G. General Plan Classifications
- H. LCP Land Use Map
- I. LCP Land Capabilities & Natural Hazards
- J. LCP Habitats & Resource
- K. Appealable Areas
- L. Adjacent Parcels
- M. Fire Hazard Zones
- N. Important Farmland
- O. Wildland-Urban Interface Zones
- P. Coastal Ground Water Resources
- Q. Soils
- R. Water Districts
- S. Wetlands



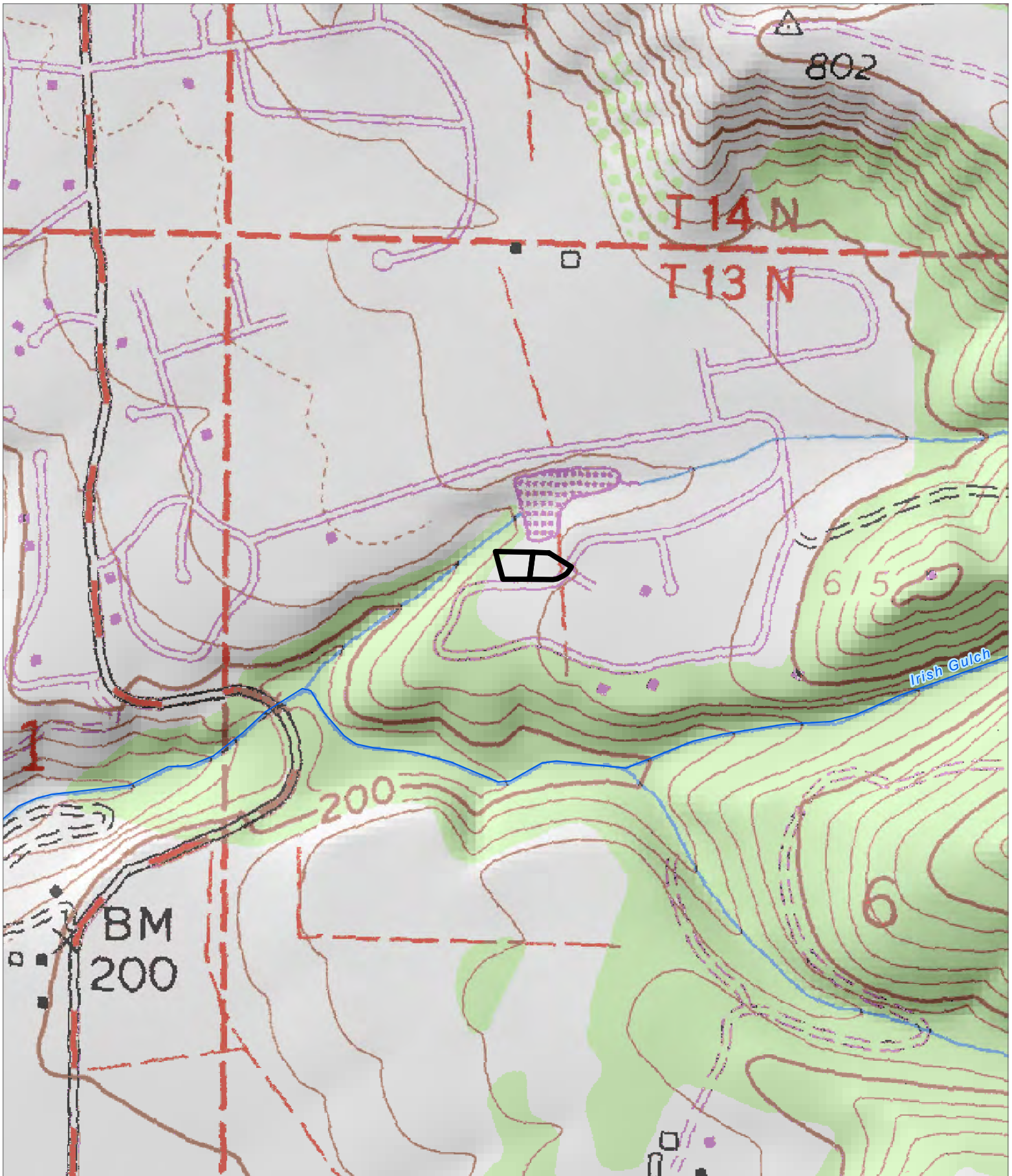
CASE: B 2017-0054  
 OWNER: ROMANO, Pablo  
 APN: 132-130-08, 09  
 APLCT: Pablo Romano  
 AGENT:  
 ADDRESS: 15761 Forest View Road, Manchester

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




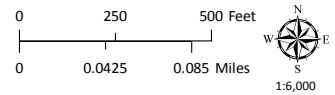
LOCATION MAP

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 Named Rivers



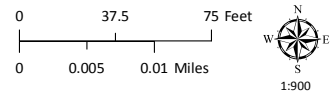
TOPOGRAPHIC MAP  
 CONTOUR INTERVAL IS 40 FEET

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

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Public Roads

AERIAL IMAGERY

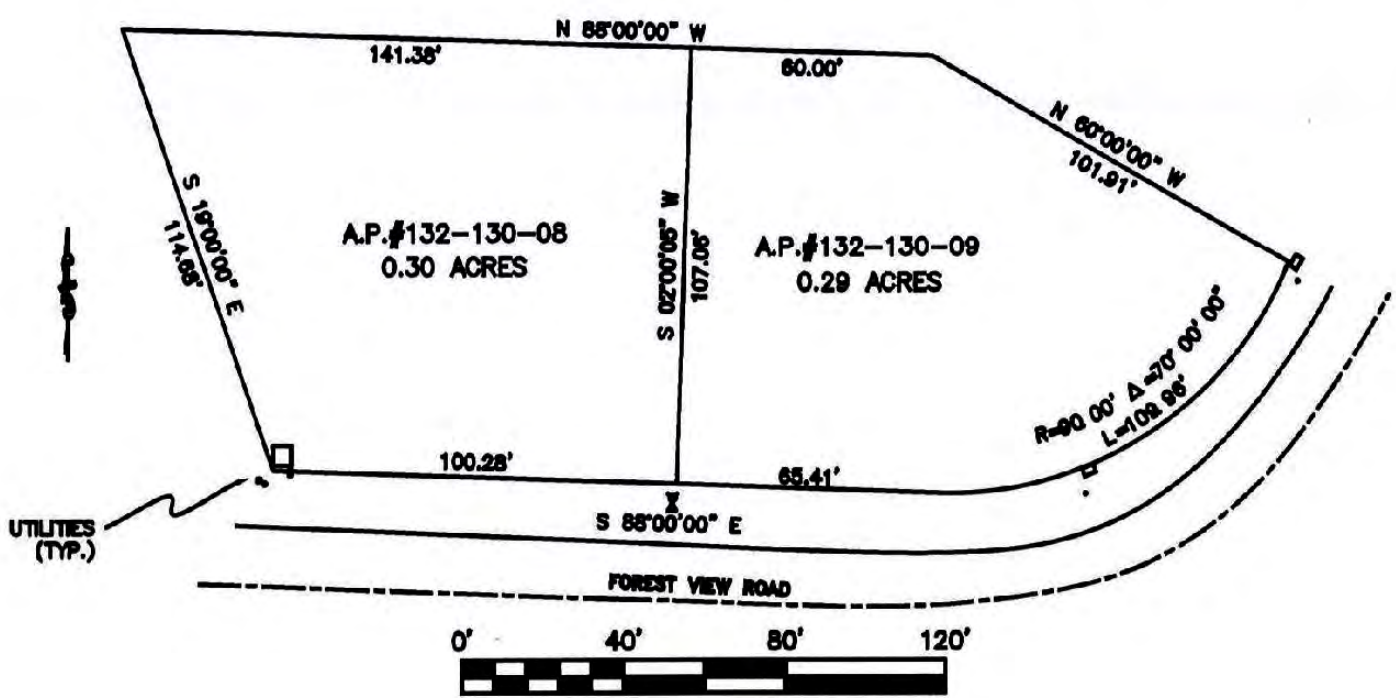
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OF PROPOSED  
OF A.P. M  
BEING A  
TOV  
RANGE

MENDOCIN



OWNERS

MAP PREPARED BY:

EXISTING

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NO SCALE

EXISTING CONFIGURATION

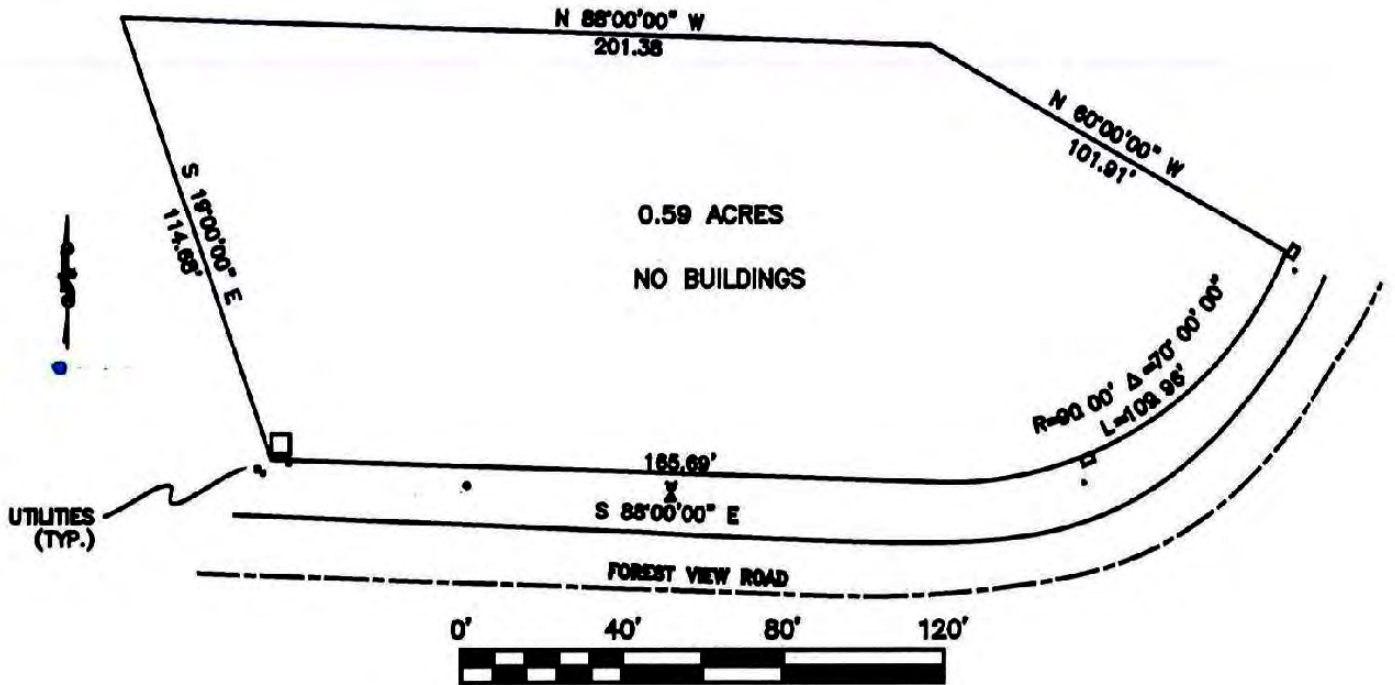
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# Map

LINE ADJUSTMENT  
0-08 & 09  
SECTION 6  
ORTH,  
M.D.B.&M.

CALIFORNIA

17



MANO

T 4  
4114

ID SURVEYOR



**PROPOSED**

CASE: B 2017-0054

OWNER: ROMANO, Pablo

APN: 132-130-08, 09

APLCT: Pablo Romano

AGENT:

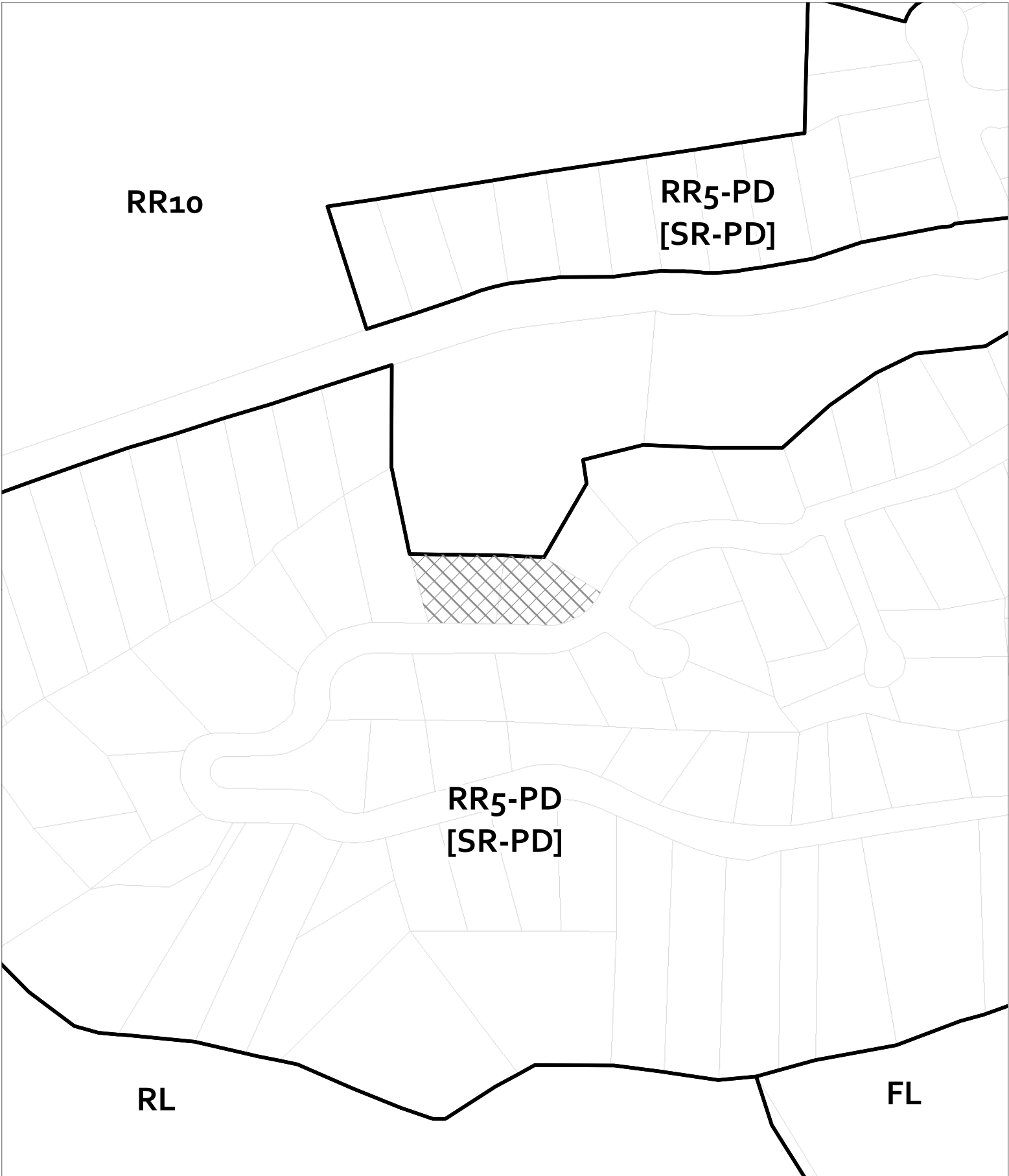
ADDRESS: 15761 Forest View Road, Manchester

NO SCALE


PROPOSED CONFIGURATION

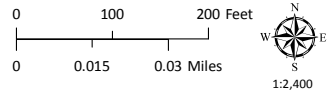
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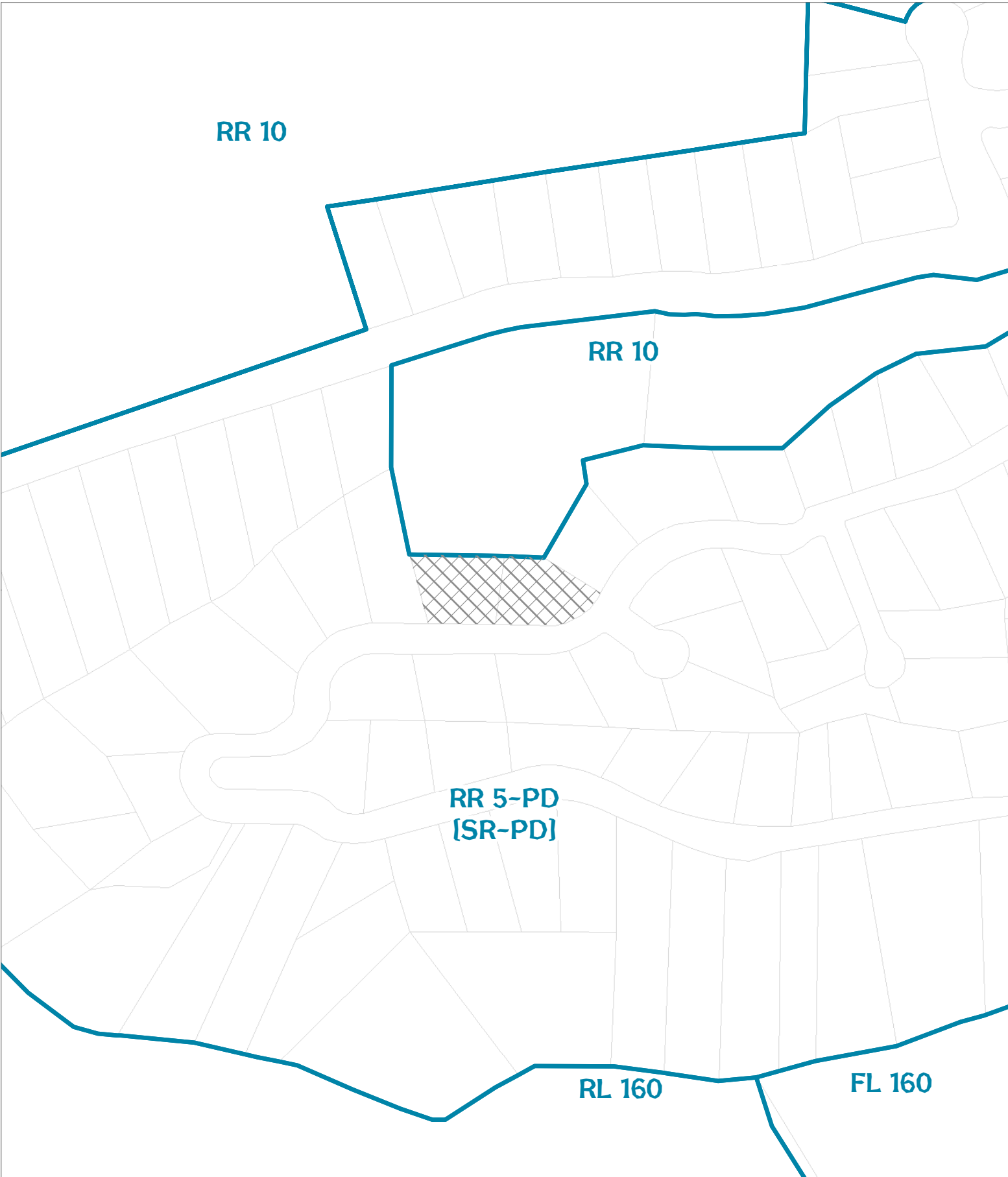
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 Zoning Districts




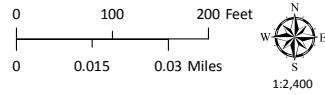
ZONING DISPLAY MAP

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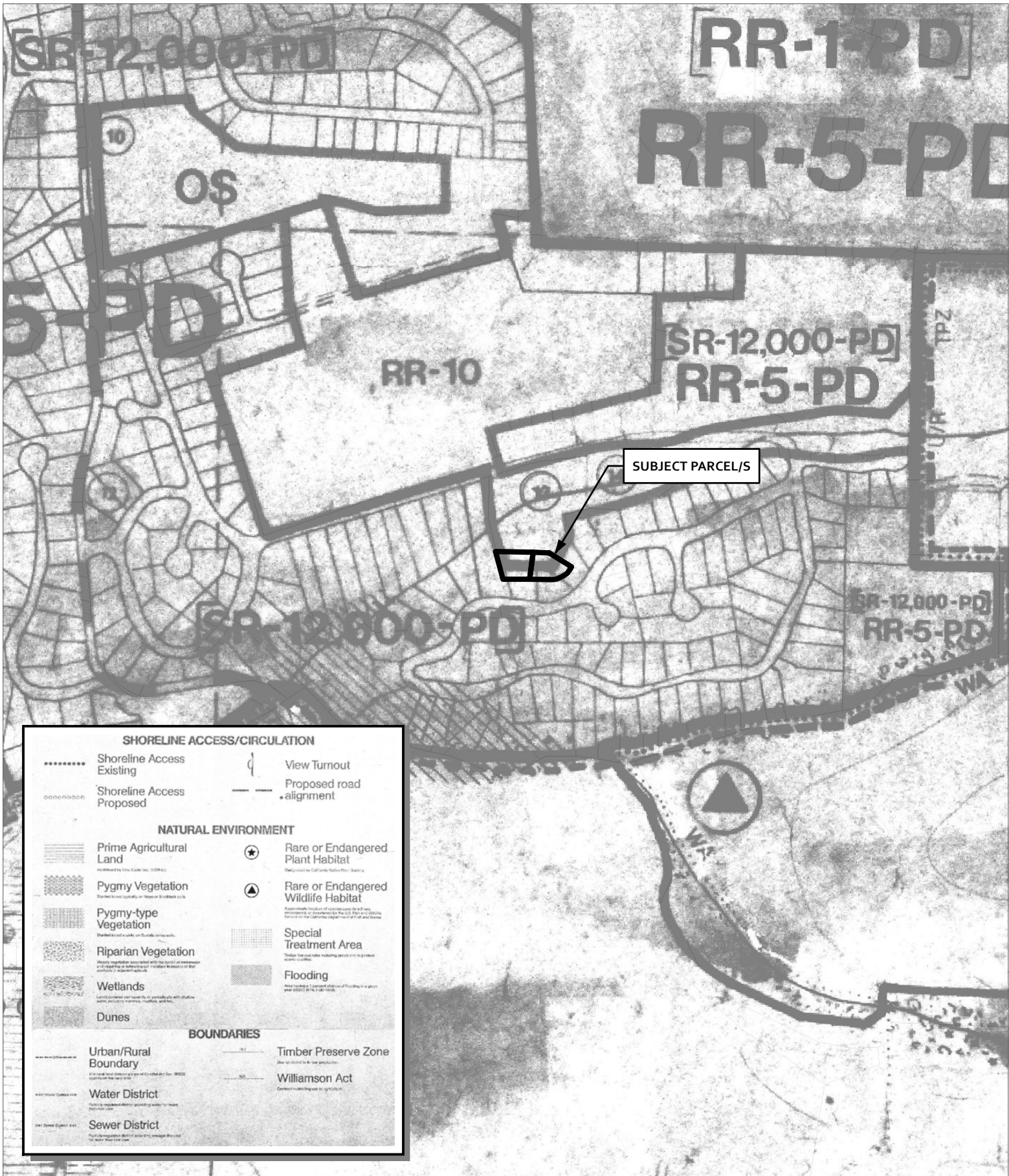
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 General Plan Classes

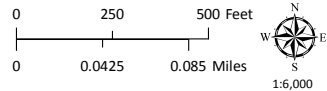


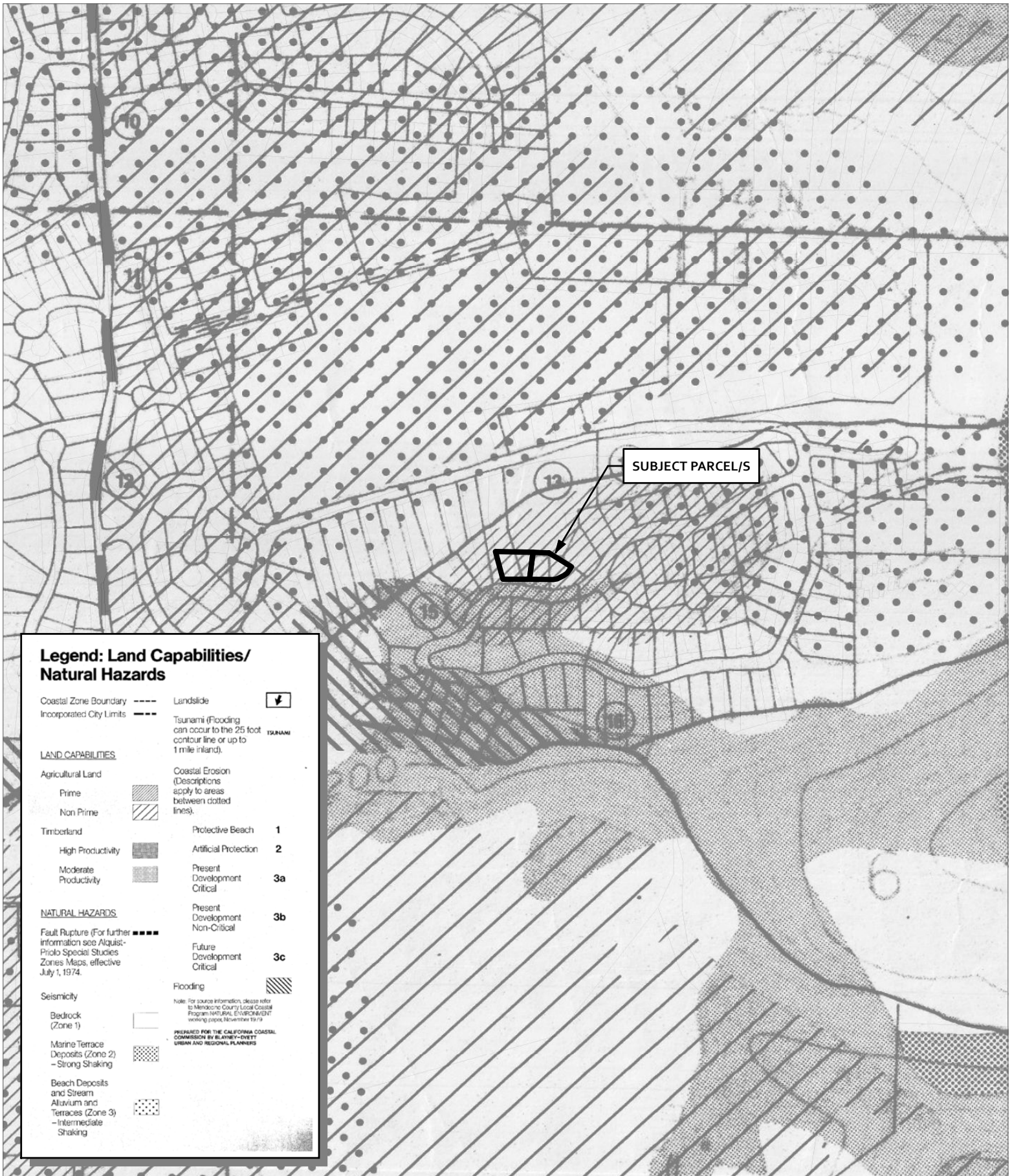
GENERAL PLAN CLASSIFICATIONS

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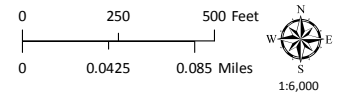


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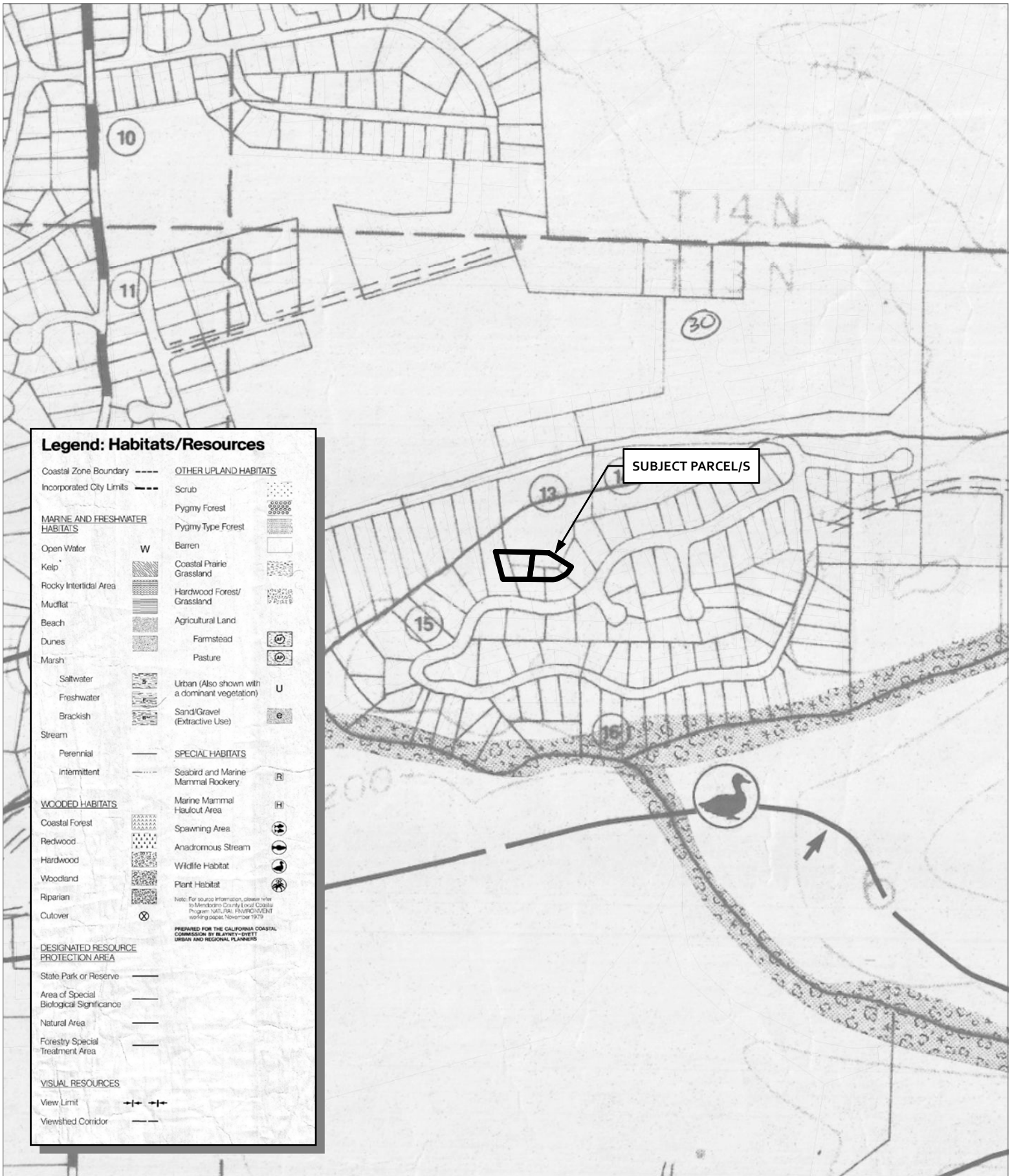


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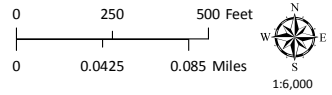


LCP LAND CAPABILITIES & NATURAL HAZARDS

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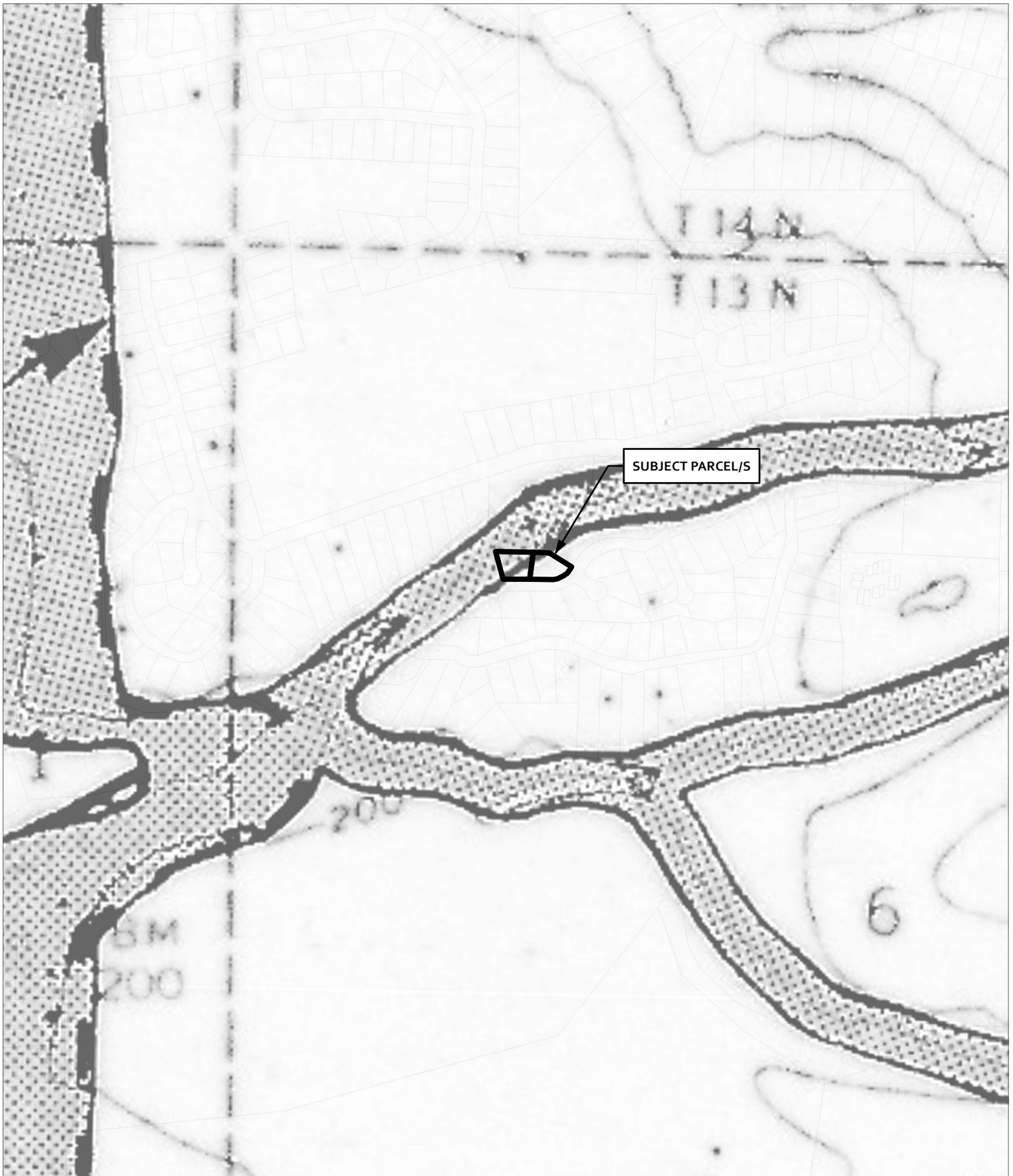


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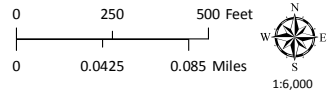


LCP HABITATS & RESOURCES

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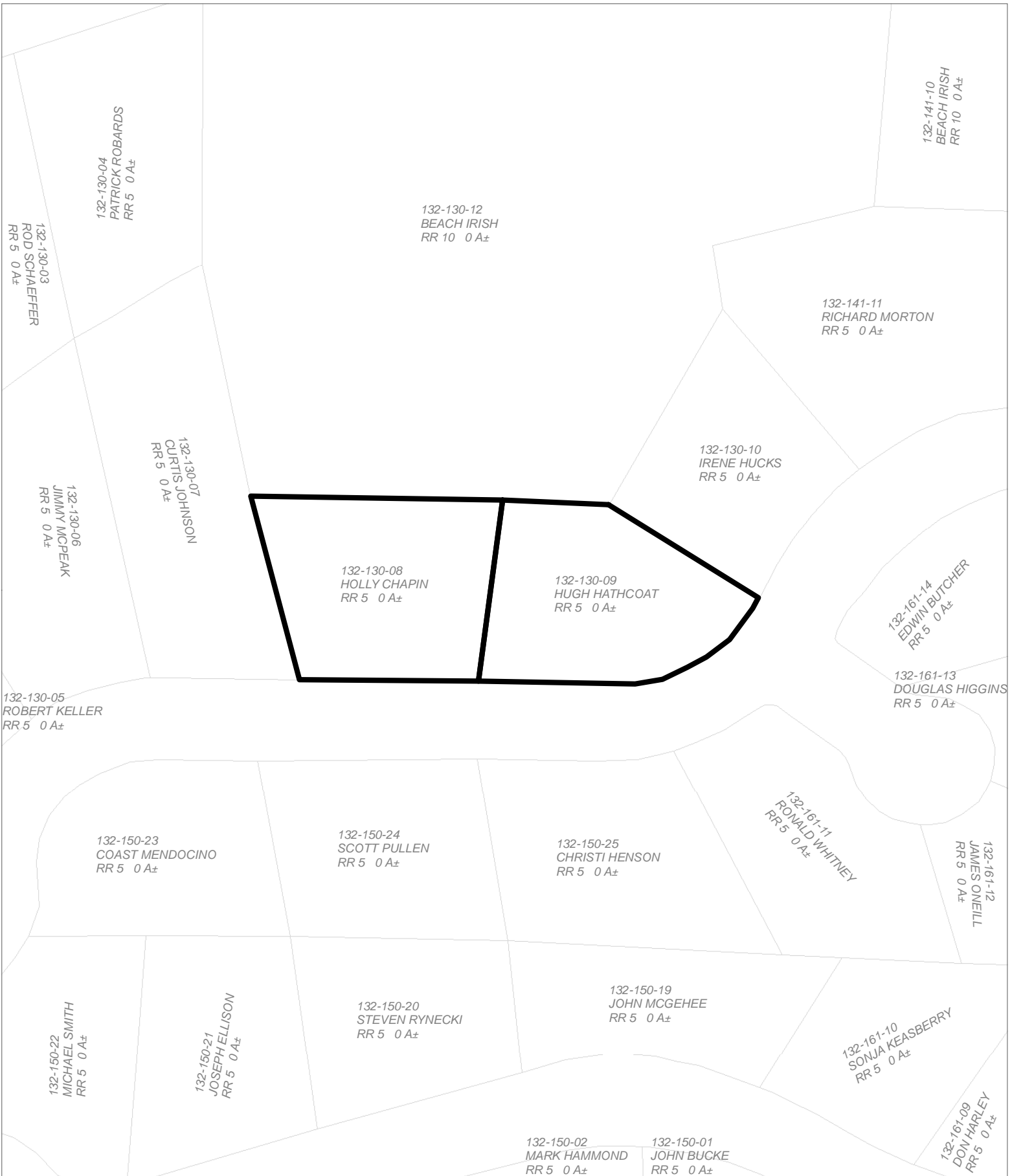
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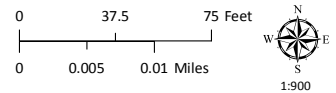
APPEALABLE AREAS

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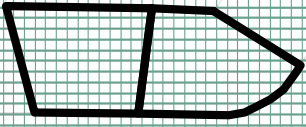
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ADJACENT PARCELS

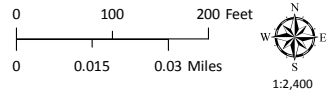
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**REDWOOD COAST FIRE PROTECTION DISTRICT**



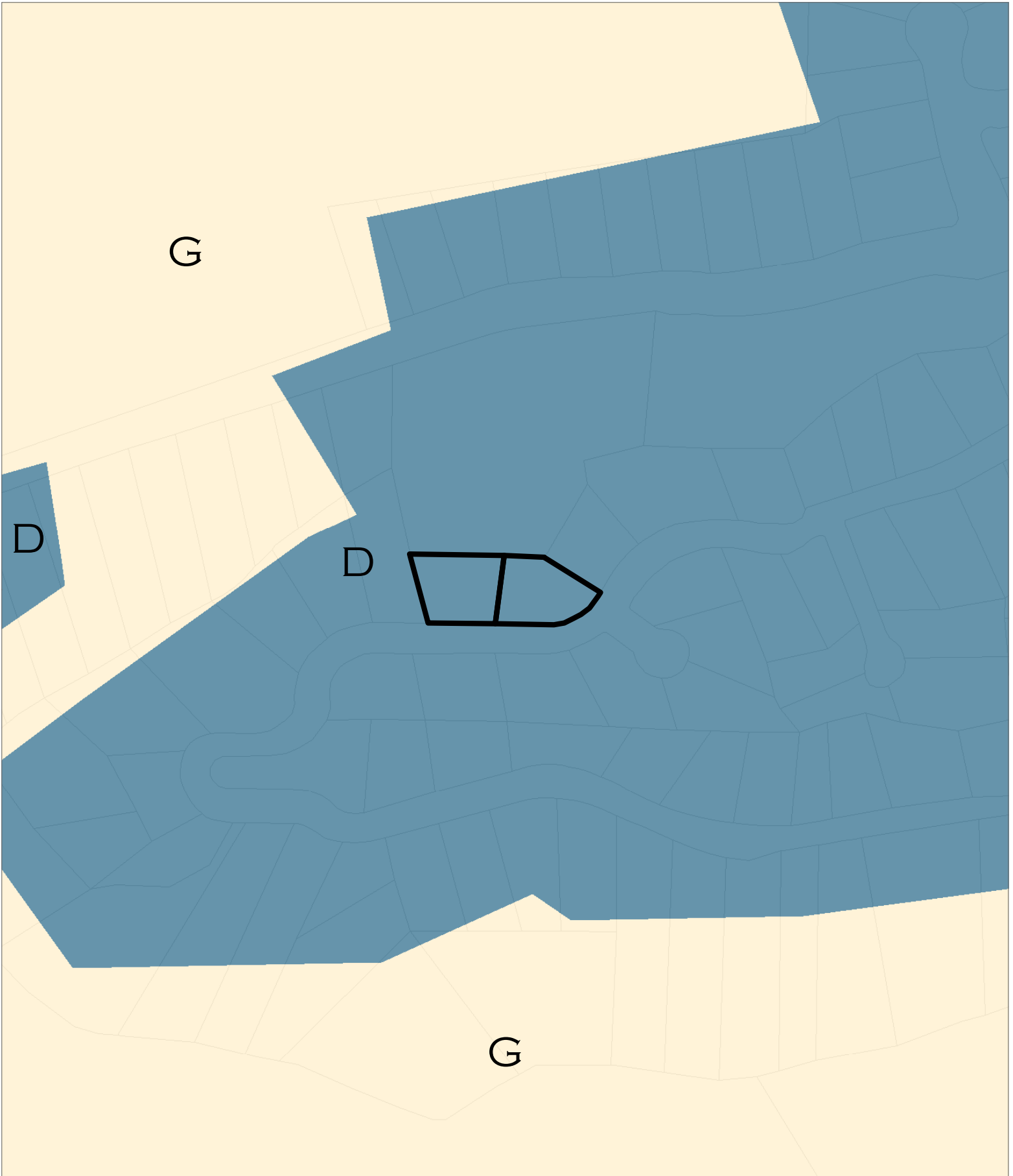
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-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard





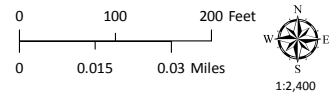
**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
STATE RESPONSIBILITY AREA

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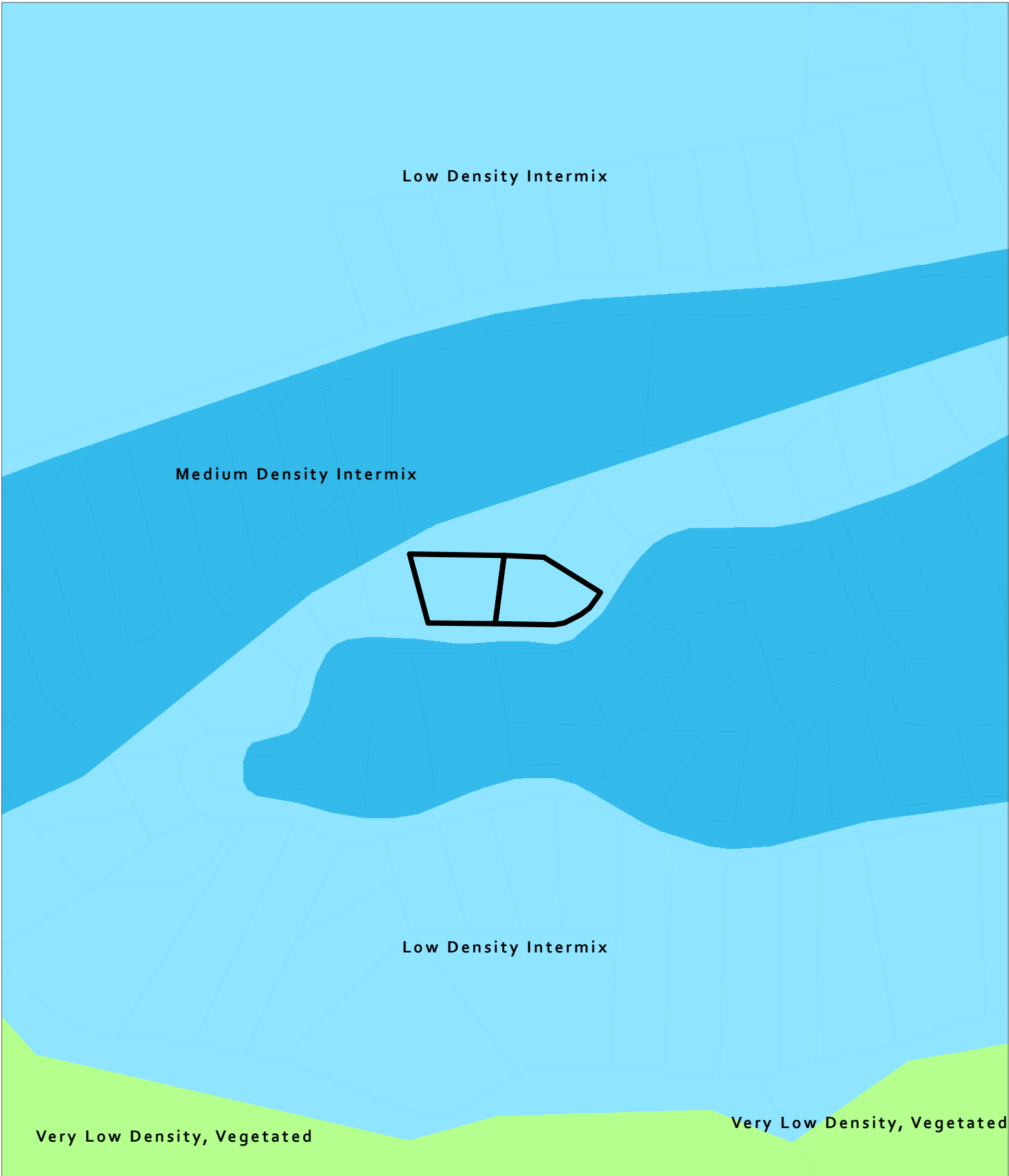
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 Urban & Built-Up Land (D)  
 Grazing Land (G)

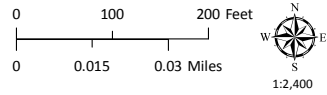


IMPORTANT FARMLAND

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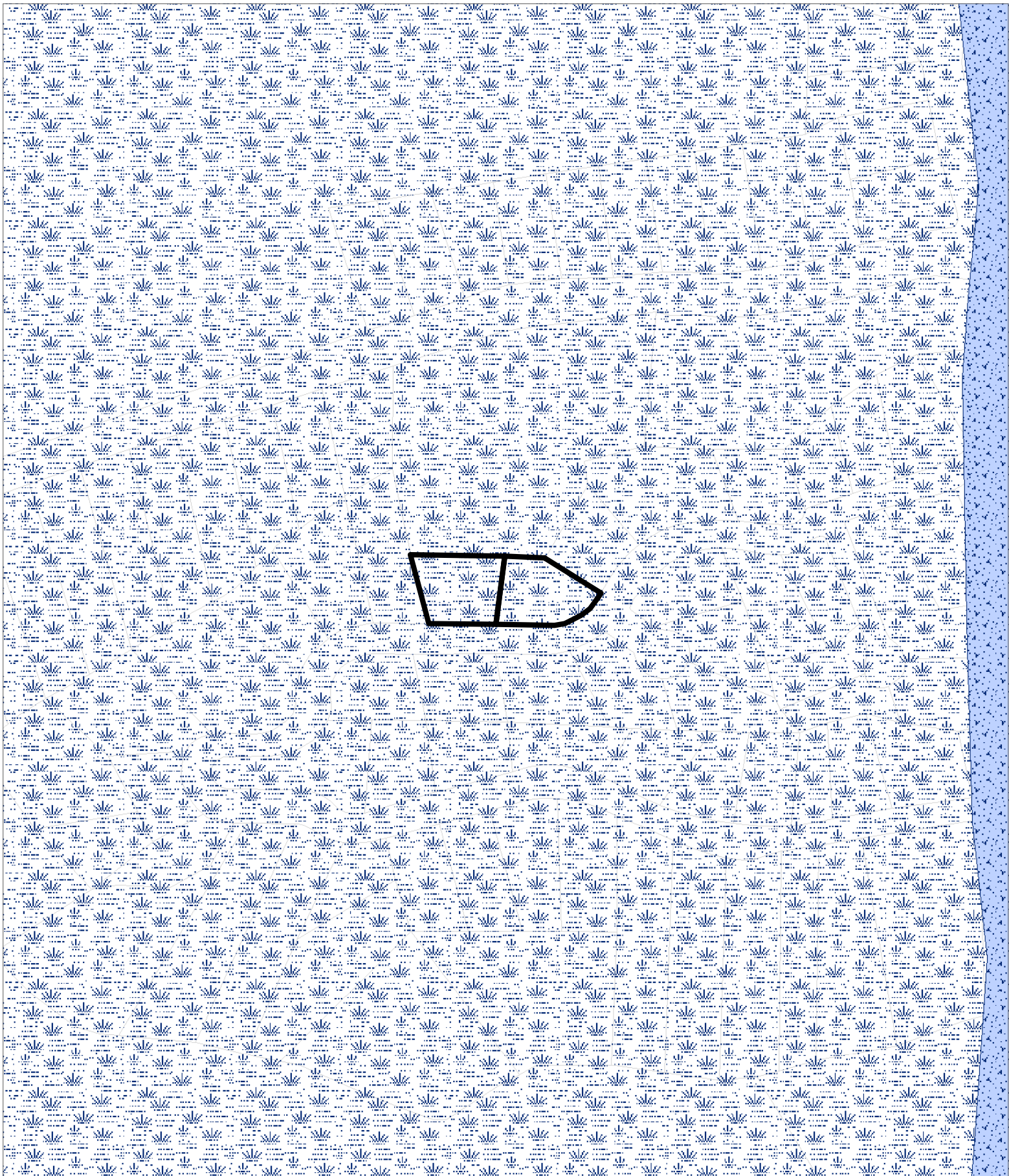


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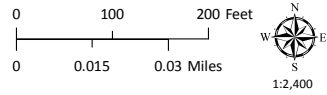
WILDLAND-URBAN INTERFACE

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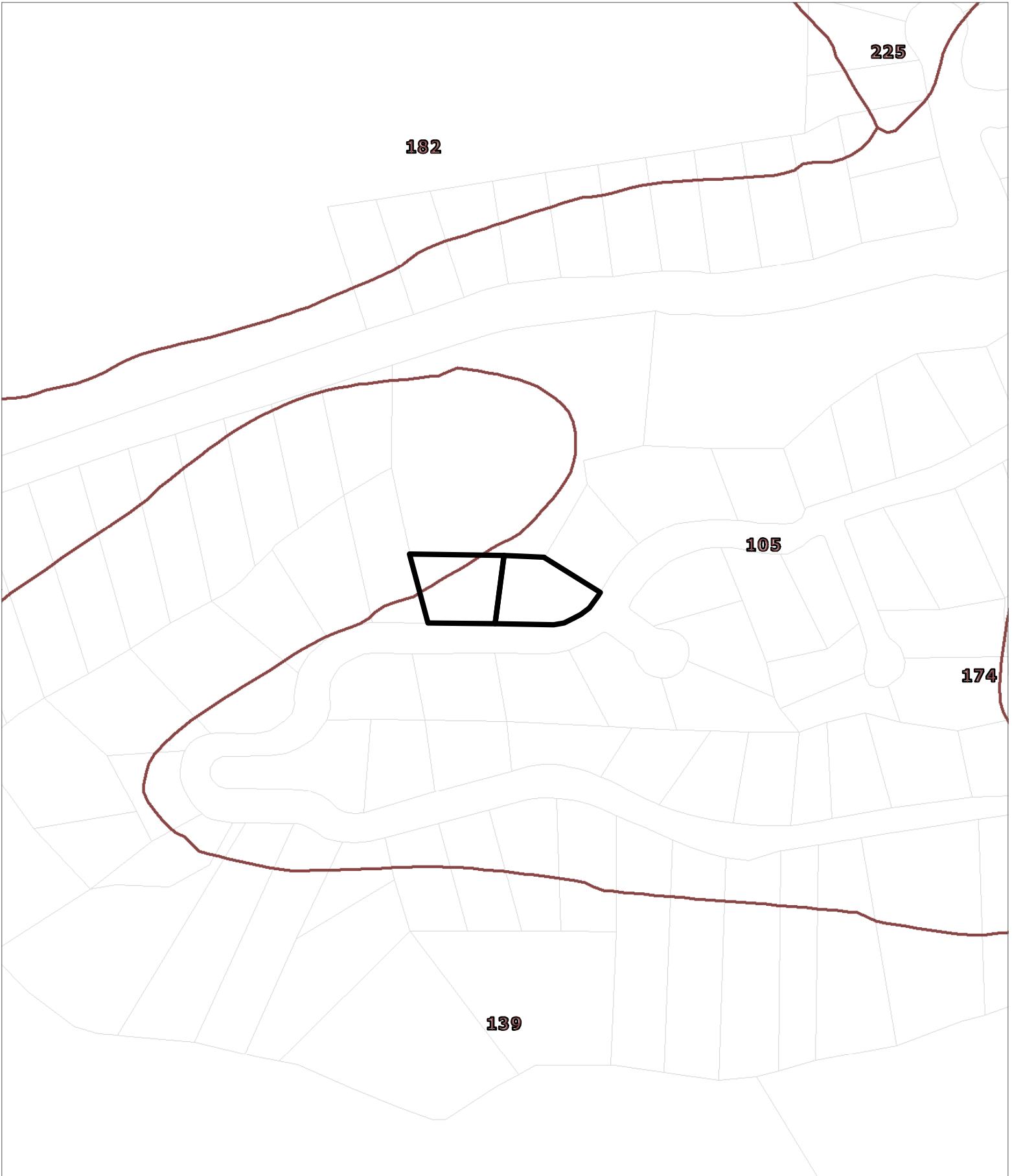
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 Marginal Water Resources  
 Critical Water Resources Bedrock




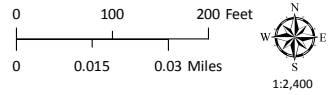
**GROUND WATER RESOURCES**

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**DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**



CASE: B 2017-0054  
OWNER: ROMANO, Pablo  
APN: 132-130-08, 09  
APLCT: Pablo Romano  
AGENT:  
ADDRESS: 15761 Forest View Road, Manchester

 Western Soil Classes



LOCAL SOILS

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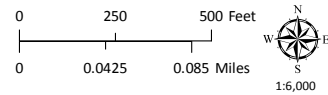
*IRISH BEACH WATER DISTRICT*

SUBJECT PARCEL/S



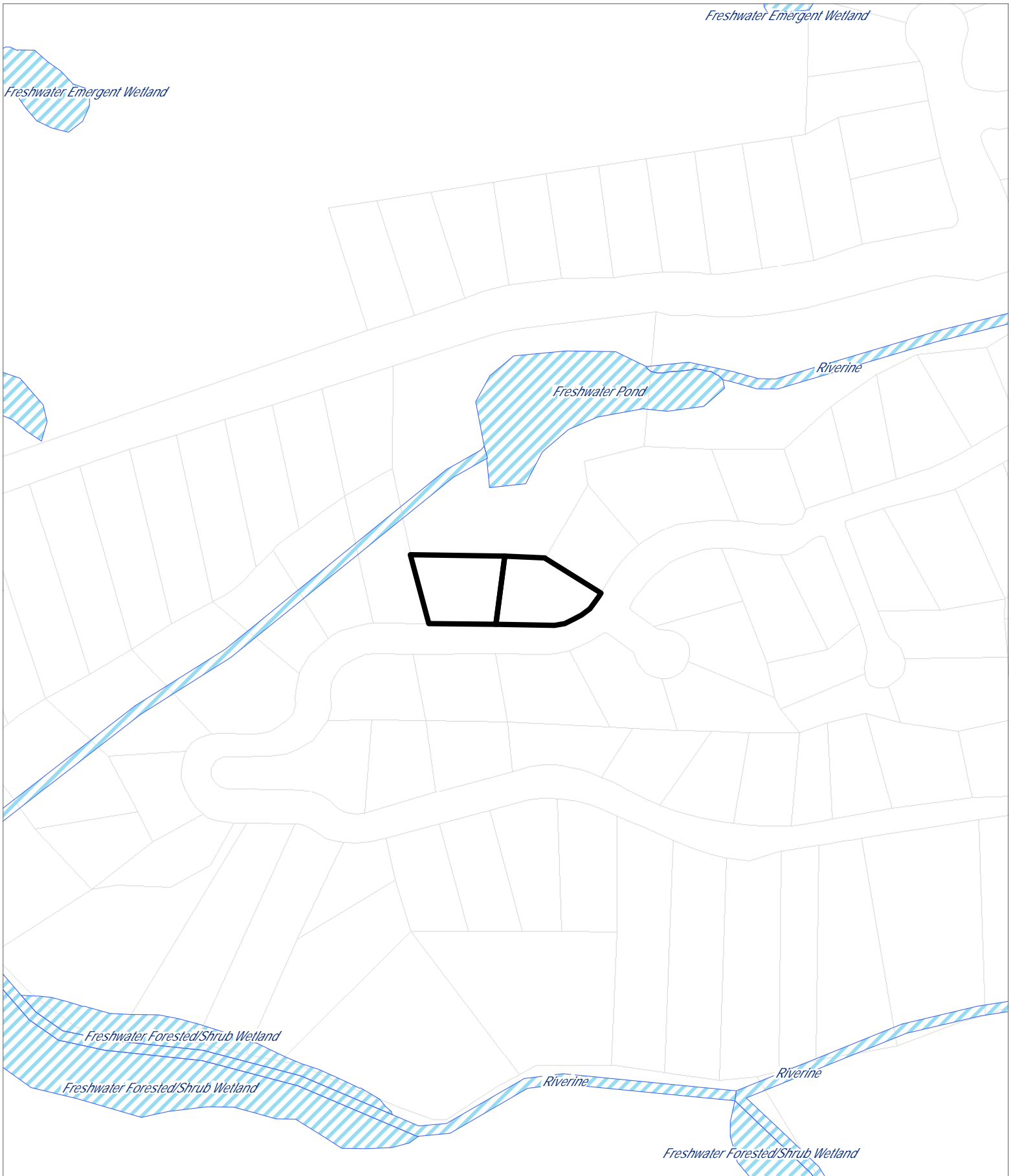
CASE: B 2017-0054  
OWNER: ROMANO, Pablo  
APN: 132-130-08, 09  
APLCT: Pablo Romano  
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 County Water Districts



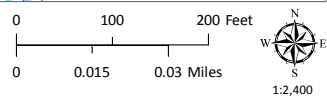
WATER DISTRICTS

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 National Wetlands Inventory



NAT'L WETLANDS INVENTORY

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