



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

BRENT SCHULTZ, DIRECTOR
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September 10, 2019

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Subdivision Committee and Coastal Permit Administrator will consider the following project on Thursday October 10, 2019, in the Planning and Building Services, Public Conference Room, 860 North Bush Street, Ukiah, California. The Subdivision Committee will consider the boundary line adjustment at 9:00 a.m., or soon thereafter, in the Planning and Building Services Multipurpose Room. The Coastal Permit Administrator will conduct a public hearing to consider issuance of a coastal development permit on the boundary line adjustment, commencing immediately following the Subdivision Committee meeting.

CASE: B 2019-0019

DATE FILED: 4/15/2019

OWNER/APPLICANT: LANCE & JAIME STORNETTA/WINDY HOLLOW

AGENT: J.R. BARRETT

REQUEST: Coastal Development Boundary Line Adjustment to transfer 39± acres from Lot 1 (APN: 133-020-09) to Lot 2 (APNs: 133-020-06, 133-010-06x). Lot 1 will be reduced to 5± acres and Lot 2 will increase to 225± acres.

LOCATION: In the Coastal Zone, .35± miles south of Manchester on the west side of SR 1 (SR 1) at its intersection with Biaggi Road (private) located at 44151 Biaggi Road and Manchester. APNs: 133-020-09, 06, 133-010-06x

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: RUSSELL FORD

The staff report and notice will be available for public review 10 days prior to the hearing at 860 North Bush Street, Ukiah, and 120 Fir Street, Ft Bragg, California and on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/CPA>

You are invited to appear at the hearing or to direct written comments to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California, 95482, no later than October 9, 2019. You may receive notification of the decision on this project by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services. All correspondence should contain reference to the above noted case number.

Action by the Subdivision Committee and Coastal Permit Administrator shall be final unless appealed to the Board of Supervisors. The appeal must be in writing with a filing fee with the Clerk of the Board within ten (10) calendar days after such action. If appealed, the decision of the Board of Supervisors shall be final except that an approved project may be appealed to the Coastal Commission in writing within ten (10) working days following Coastal Commission receipt of a Notice of Final Action on this project.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services, the Subdivision Committee or the Coastal Permit Administrator, at or prior to, the public hearings.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services Department at 707-234-6650, Monday through Friday, 8:00 AM to 5:00 PM.

BRENT SCHULTZ, DIRECTOR PLANNING AND BUILDING SERVICES



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

**OCTOBER 10, 2019
B_2019-0019**

SUMMARY

OWNER/APPLICANT: WINDY HOLLOW/LANCE & JAMIE STORNETTA
PO BOX 296
MANCHESTER, CA 95459

AGENT: JAMES R. BARRETT
PO BOX 1448
UKIAH, CA 95482

REQUEST: Coastal Development Boundary Line Adjustment to transfer 39± acres from Lot 1 (APN 133-020-09) to Lot 2 (APNs: 133-020-06, 133-010-06x). Lot 1 will be reduced to 5± acres and Lot 2 will increase to 225± acres.

LOCATION: In the Coastal Zone, 0.35± miles south of Manchester on the west side of State Route 1 (SR 1) at its intersection with Biaggi Road (private), located at 44151 Biaggi Road and 44501 Kinney Road, Manchester. (APNs: 133-020-09, 06 & 133-010-06x)

ACREAGE: Lot 1: 43.97± (before)/5± (after)
Lot 2: 187± (before)/225± (after)

GENERAL PLAN: Rangeland (RL)/Agricultural (AG)

ZONING: Rangeland (RL)/Agricultural (AG)

SUPERVISORIAL DISTRICT: District 5 (Williams)

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_2019-0019 with conditions per the Staff Report.

STAFF PLANNER: Russell Ford

BACKGROUND

PROJECT DESCRIPTION: The Stornetta family and its associated corporation, Windy Hollow Farms, have owned and operated a dairy in the Manchester area for a century. This project proposes to transfer support land into the majority of the ranch holding while keeping the existing family home on a smaller and separate parcel.

APPLICANT'S STATEMENT: "Adjust (add) 39± acres into APNs: 133-020-06 & 133-010-06). Remainder 5± acre of APN: 133-020-09."

RELATED APPLICATIONS:

On-Site

- CC 16-93
- A_2019-0002 (pending)
- Misc. agricultural and structure permits

Neighboring Property

- No applicable projects

SITE CHARACTERISTICS: The parcels are located on the alluvial bottomland soils on the north side of Lagoon Creek less than one mile from the Pacific Ocean. The area is adjacent to Manchester Beach and is mostly flat, with an average elevation of 80 feet. Both lots are accessed from Biaggi Road, a private road taking access off State Route 1. Lot 1 has an existing Single Family Residence but is otherwise undeveloped with Rangeland and some Forestland. Lot 2 is part of an existing dairy operation and is entirely agricultural with the majority being irrigated pasture. Lot 2 also houses the bulk of the structures for the dairy operation, including barns and milking stalls.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Agricultural (AG)	Agricultural (AG)	240±	Agriculture
EAST	Rangeland (RL) Rural Village (RV)	Rangeland (RL) Rural Village (RV)	1±, 5±	Agriculture Residential
SOUTH	Agricultural (AG)	Agricultural (AG)	192±	Agriculture
WEST	Agricultural (AG)	Agricultural (AG)	40±	Agriculture

PUBLIC SERVICES:

Access: Biaggi Road (private)
 Fire District: Redwood Coast Fire Protection District
 Water District: None
 Sewer District: None
 School District: Manchester Union Elementary

AGENCY COMMENTS: On July 15, 2019 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. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Resource Lands Protection Committee	No Comment
Ag Department	No Comment
Farm Advisor	No Comment
Planning Division (Fort Bragg)	No Comment

KEY ISSUES

1. General Plan and Zoning Consistency: The project site is currently zoned and classified as Agricultural (AG) and Rangeland (RL), befitting its existing ag operation. Lot 2 is conforming at 187± acres and is proposed to increase. Lot 2 is non-conforming at 43.97± acres and is proposed to be reduced. Staff finds that the existing uses of both lots is conforming to and compatible with their General Plan and Zoning classifications as both agricultural and residential uses. No further development is proposed at this time, and any future development may be subject to a Coastal Development Permit.

2. Division of Land Regulations: This project is scheduled to be reviewed by the County Subdivision Committee on October 10th 2019 at which time the Subdivision Committee will make recommendations concerning approval to the Coastal Permit Administrator per the required finding in Section 17-17.5 of the Mendocino County Code. No conflicts with the County Division of Land Regulations were identified.

3. Natural Resources: Both lots are within a Highly Scenic area and are the site of numerous flora and fauna indicated in the State of California's Natural Diversity Database. The southern boundary of the lots intersect Lagoon Creek and its associated wetlands, including an existing lake. As a Boundary Line Adjustment, no development or site disturbance is requested or approved. 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 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. The parcels subject to the adjustment are partially located within an environmentally sensitive habitat area, however no fully impacted parcel will be created as a result of this adjustment;
4. No substandard lot will result from the adjustment. All currently conforming lots will remain so.
5. The property subject to the adjustment is in an area designated SWR (Sufficient Water Resources) identified in the Mendocino County Coastal Groundwater Study, and is consistent with the study.
6. No pygmy or pygmy-capable soils were identified on the project site.
7. The project is located within a designated "Highly Scenic" area.
8. The project is an appealable project, as it is a boundary line adjustment.
9. The project will result in Lot 2 having a split-zone classification. Staff finds that this split-zoning will not adversely affect environmental resources or agricultural use of the property as the land will be preserved as part of an existing ag operation.

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 2019-0019, 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 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_2019-0019 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."*

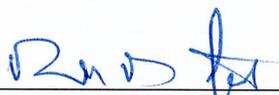
Once the deed(s) and/or instrument(s) have been prepared, please send a copy to the Department of Planning and Building Services. After we have reviewed the documents and accepted them as correct and all conditions of approval have been met, we will notify you. **DO NOT RECORD ANY DOCUMENTS UNTIL YOU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

9/3/19

DATE

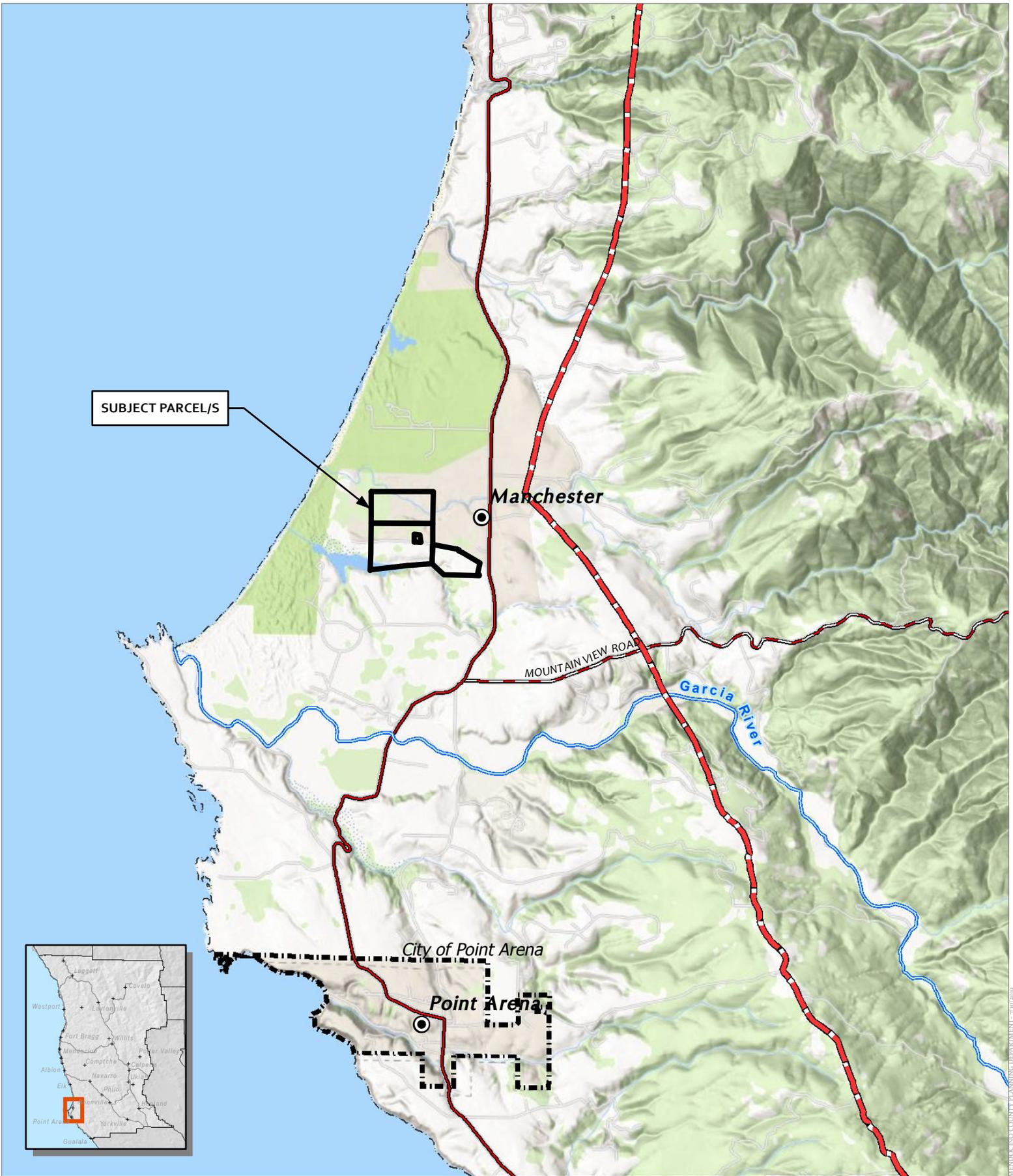


RUSSELL FORD
PLANNER III

Appeal Period: 10 Days
Appeal Fee: \$1,616.00

ATTACHMENTS:

- A. Location Map
- B. Topographic Map
- C. Aerial Map
- D. Existing Lots
- E. Proposed Lots
- F. Zoning Map
- G. General Plan Classifications
- H. LCP Land Use Map
- I. LCP Land Capabilities & Natural Hazards
- J. LCP Habitats & Resources
- K. Post LCP Certification
- L. Adjacent Parcels
- M. Fire Hazard Zones
- N. Special Flood Hazard Areas
- O. Farmland Classifications
- P. Coastal Groundwater Resources
- Q. Highly Scenic & Tree Removal Areas
- R. Soil Classifications
- S. Wetlands
- T. Lands in Williamson Act Contracts
- U. Crop Types
- V. Misc



SUBJECT PARCEL/S

Manchester

MOUNTAIN VIEW ROAD

Garcia River

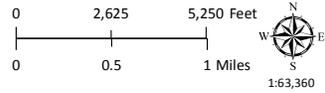
City of Point Arena

Point Arena



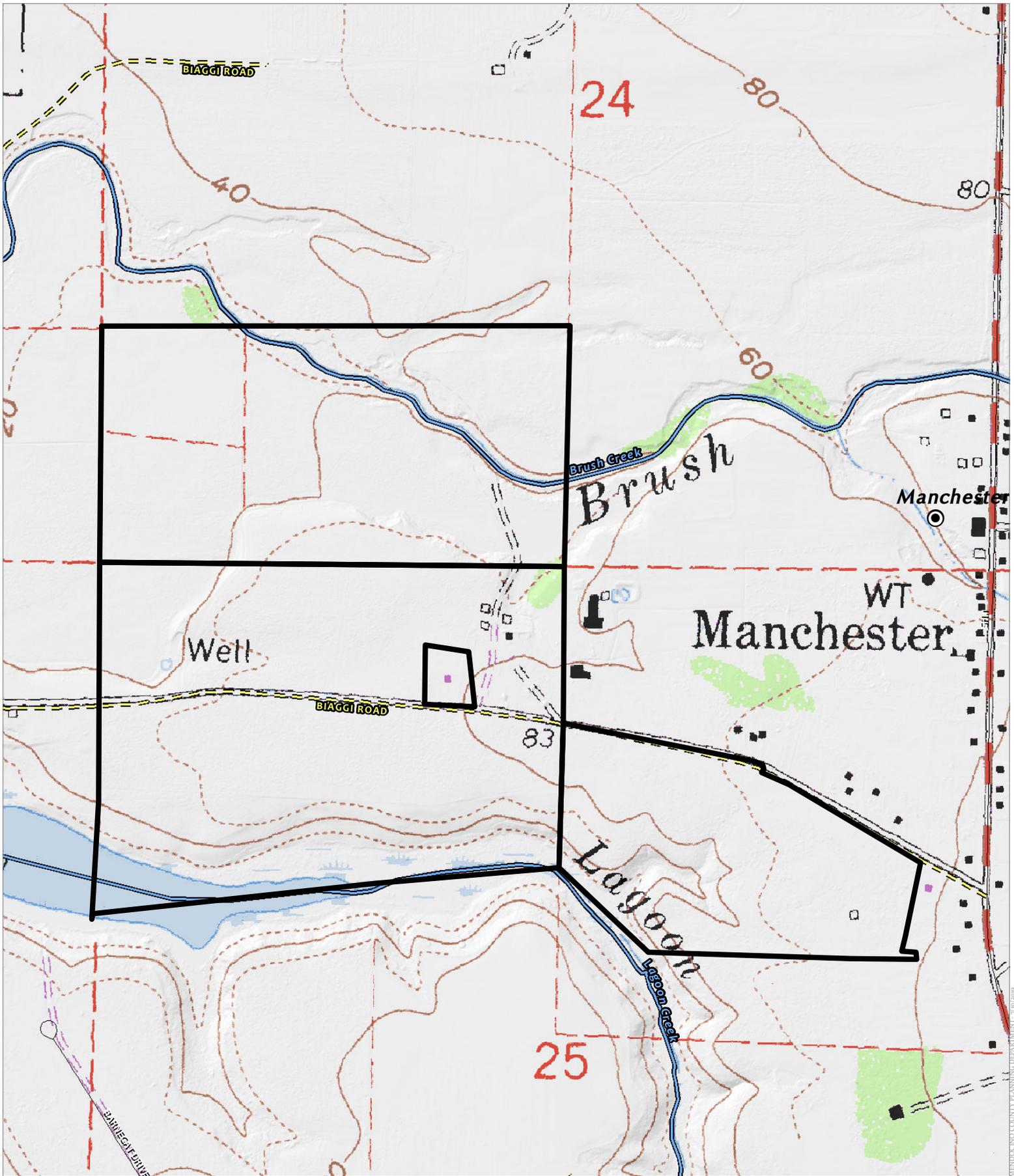
CASE: B 2019-0019
 OWNER: STORNETTA, Lance & Jamie
 APN: 133-020-09, ET AL
 APLCT: Lance Stornetta
 AGENT: J.R. Barrett
 ADDRESS: 44151 Biaggi Road, Manchester

- Major Towns & Places
- City Limits
- Coastal Zone Boundary
- Major Rivers
- Highways
- Major Roads



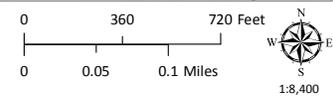
LOCATION MAP
 ATTACHMENT A

MENDOCINO COUNTY PLANNING DEPARTMENT 7/10/2019



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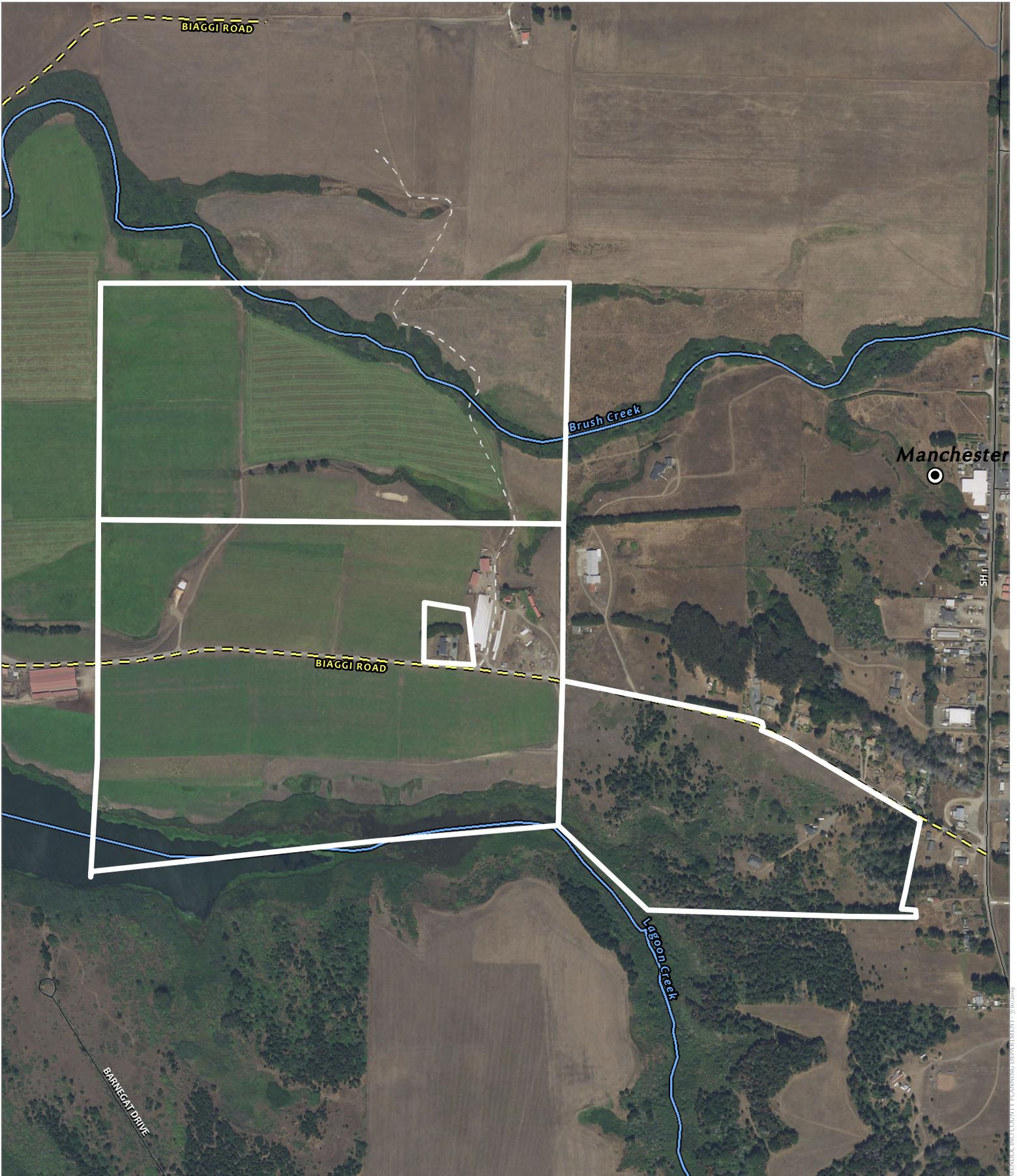
- Major Towns & Places
- Private Roads
- Driveways/Unnamed Roads
- Public Roads
- Named Rivers



TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

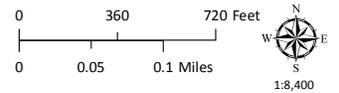
ATTACHMENT B

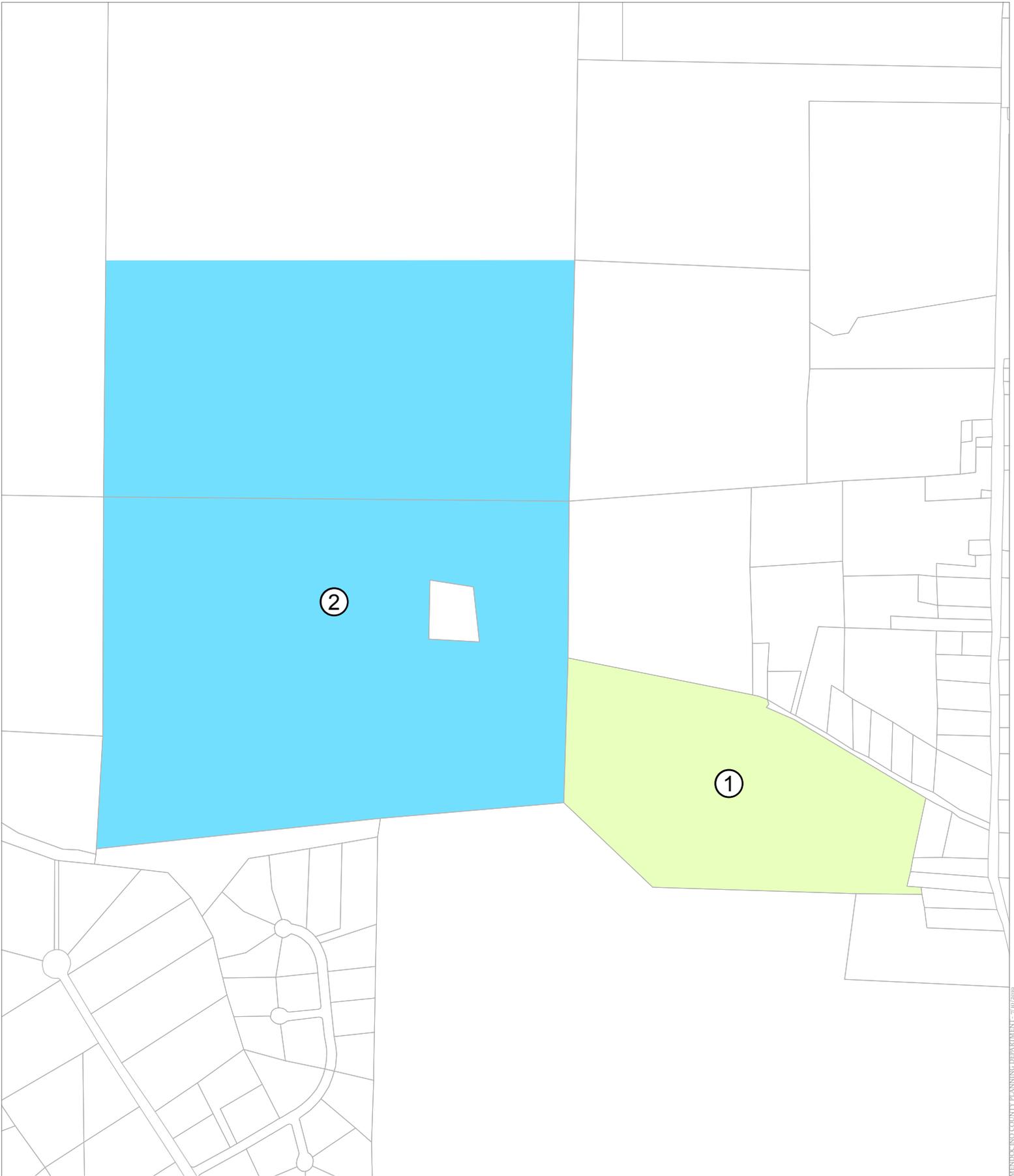
MENDOCINO COUNTY PLANNING DEPARTMENT 7/20/2019



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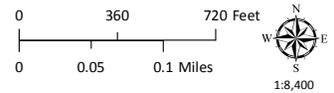
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- Named Rivers



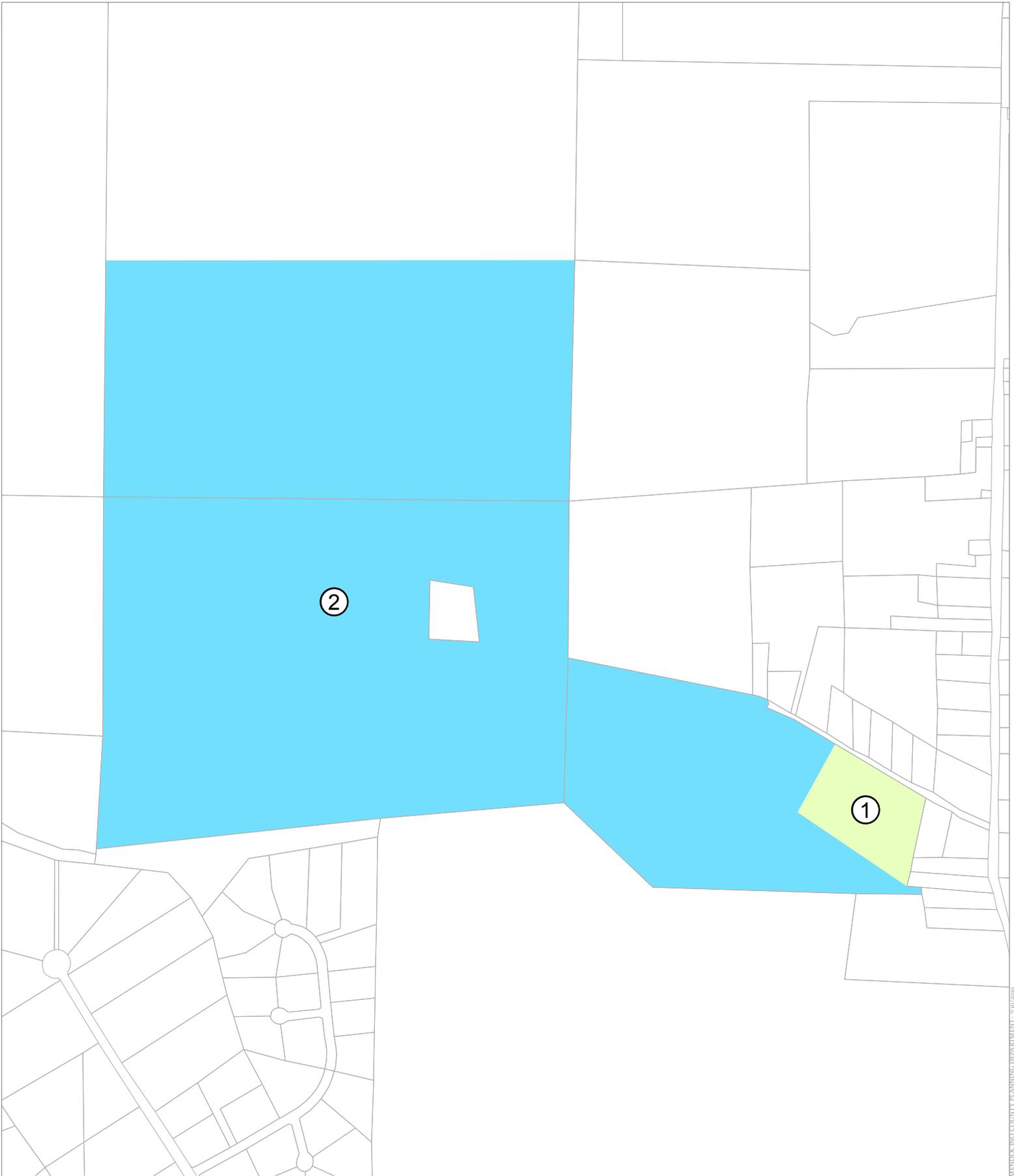


MENDOCINO COUNTY PLANNING DEPARTMENT - 7/10/2019

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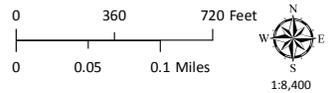


EXISTING LOTS
ATTACHMENT D

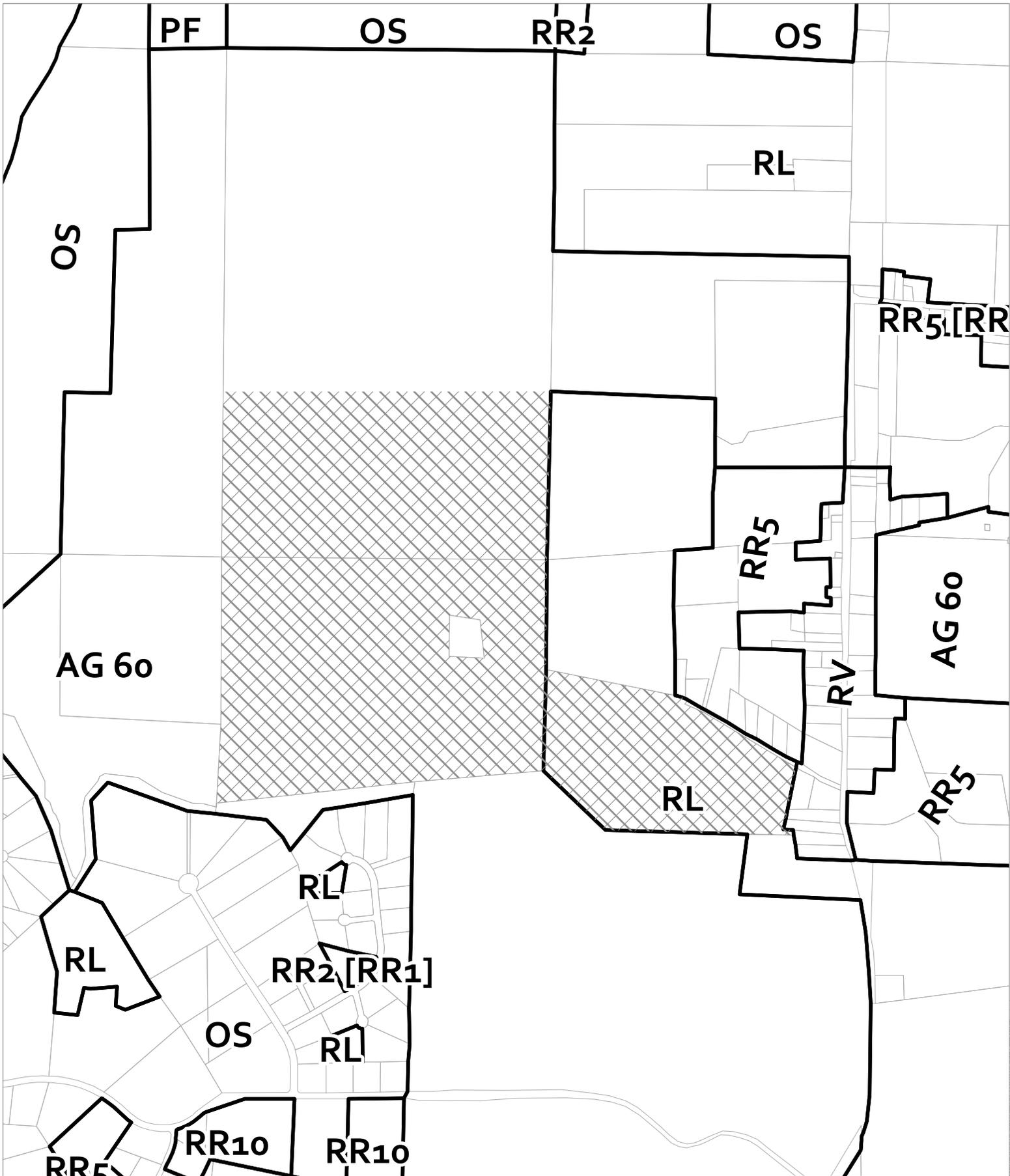


MENDOCINO COUNTY PLANNING DEPARTMENT - 7/10/2019

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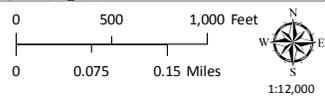


PROPOSED LOTS
ATTACHMENT E

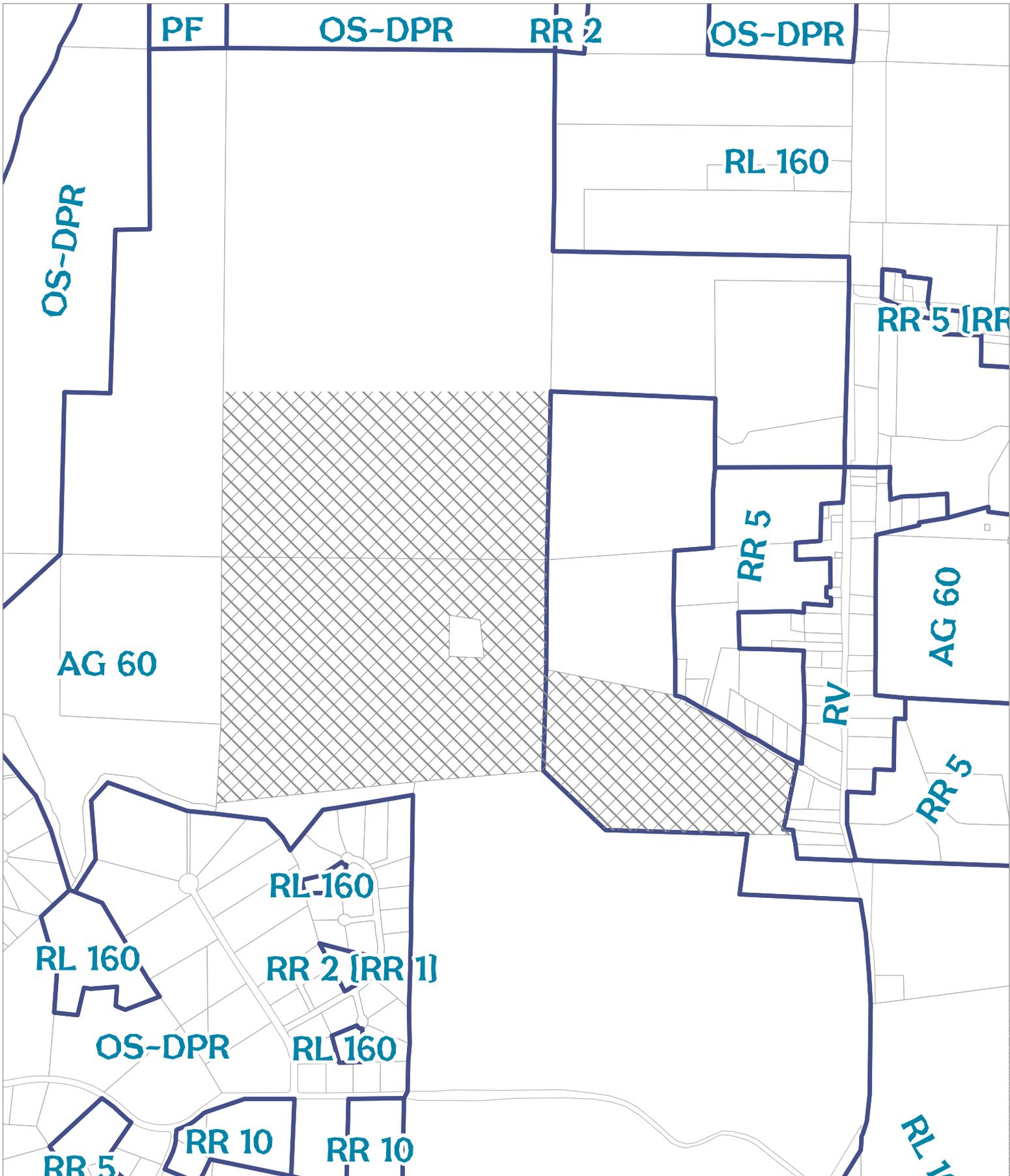


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 Zoning Districts

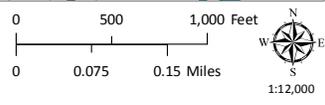


MENDOCINO COUNTY PLANNING DEPARTMENT - 7/10/2019

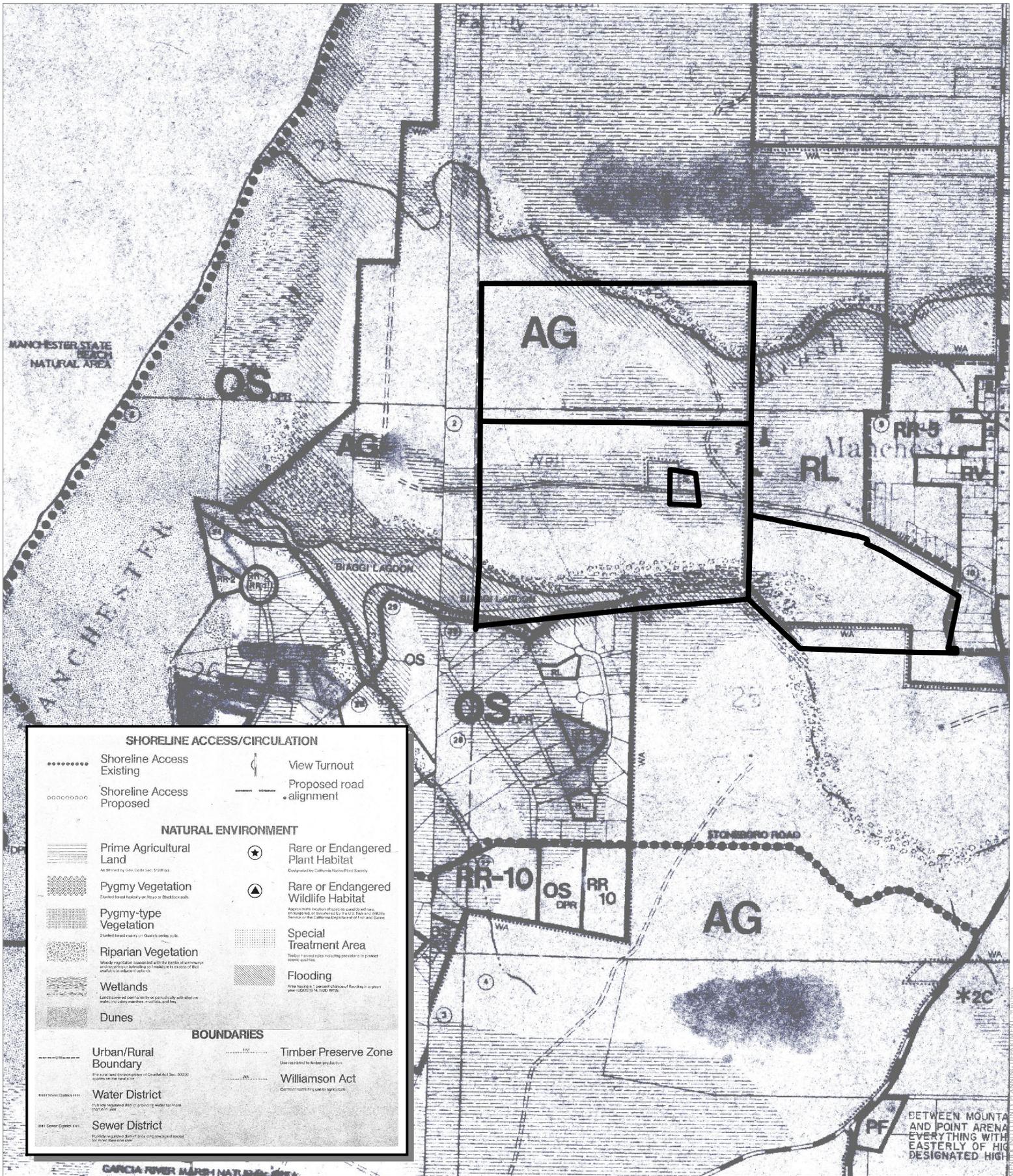


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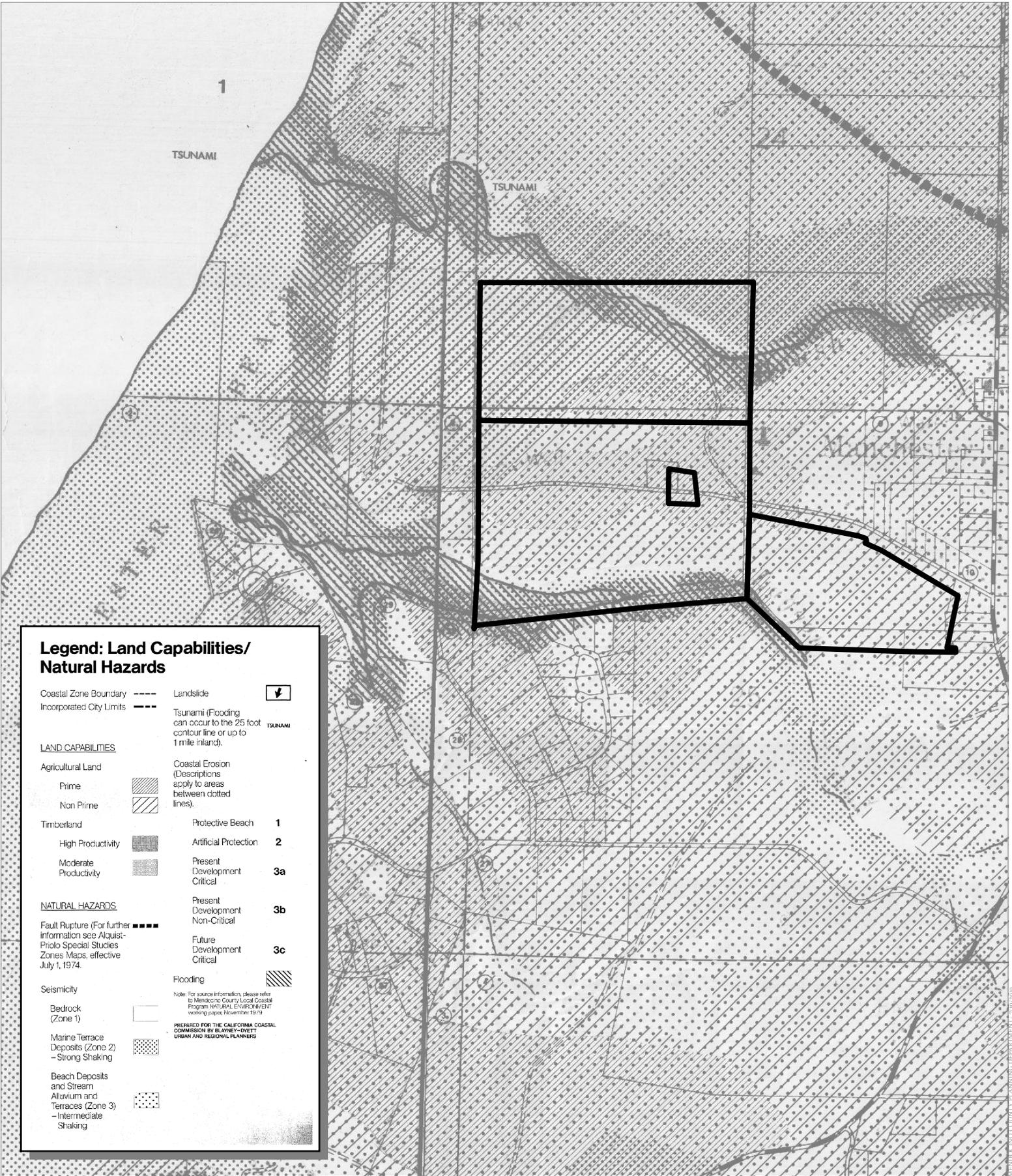
 General Plan Classes



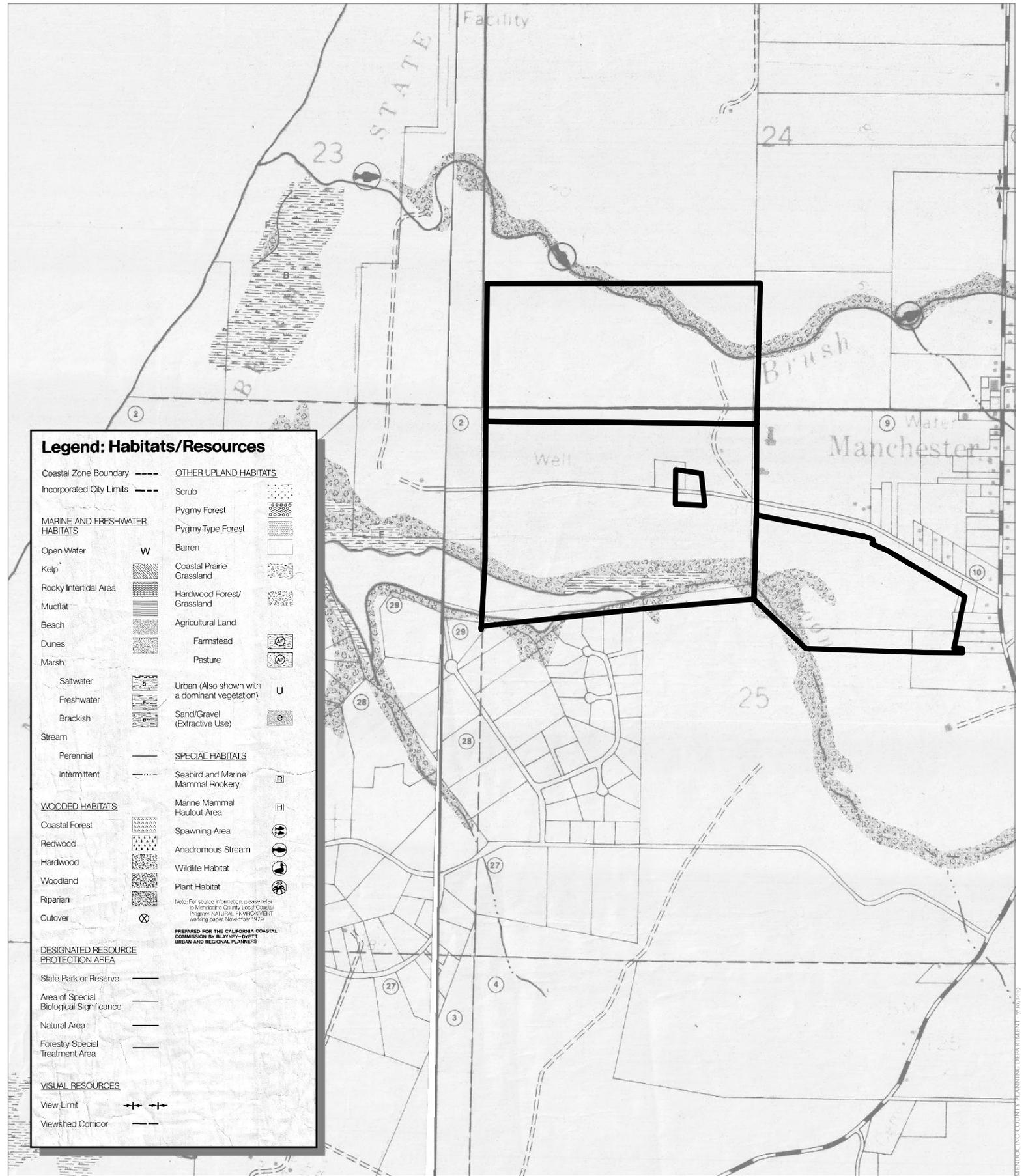
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/10/2019



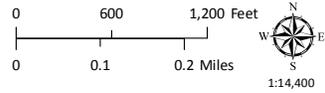
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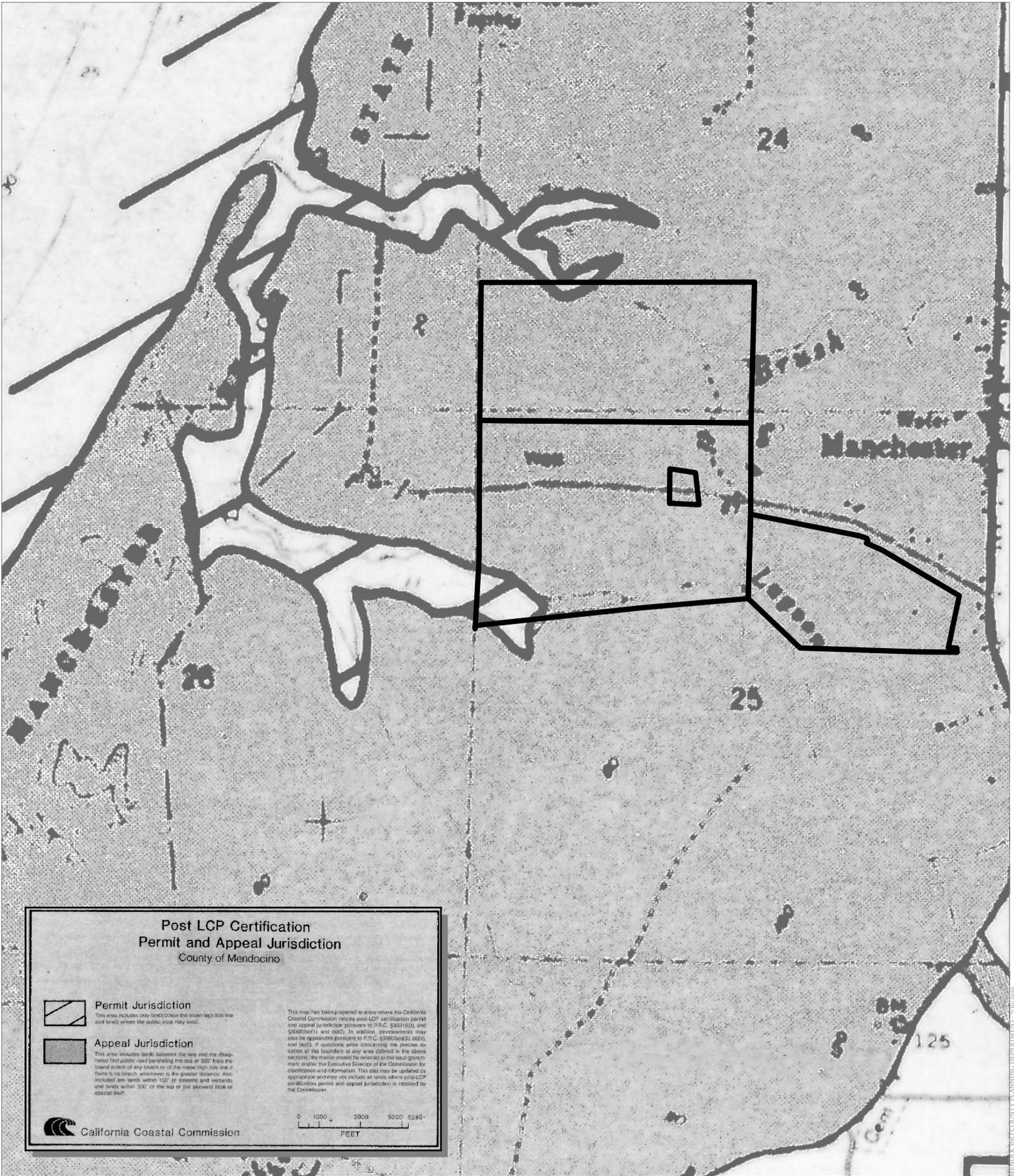


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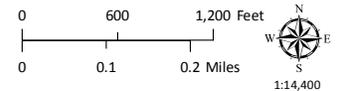


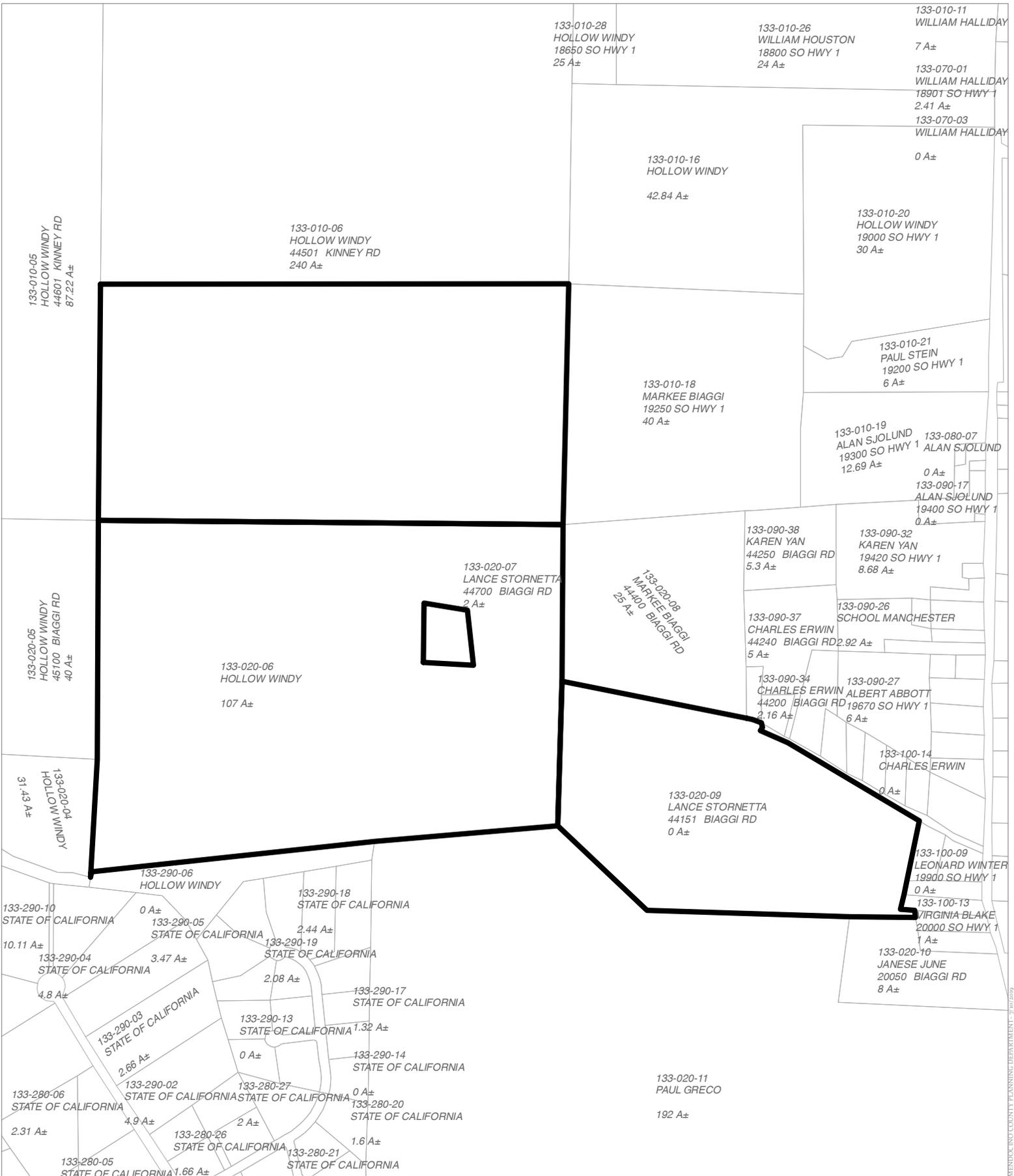
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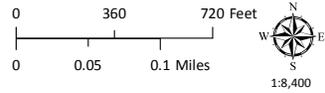


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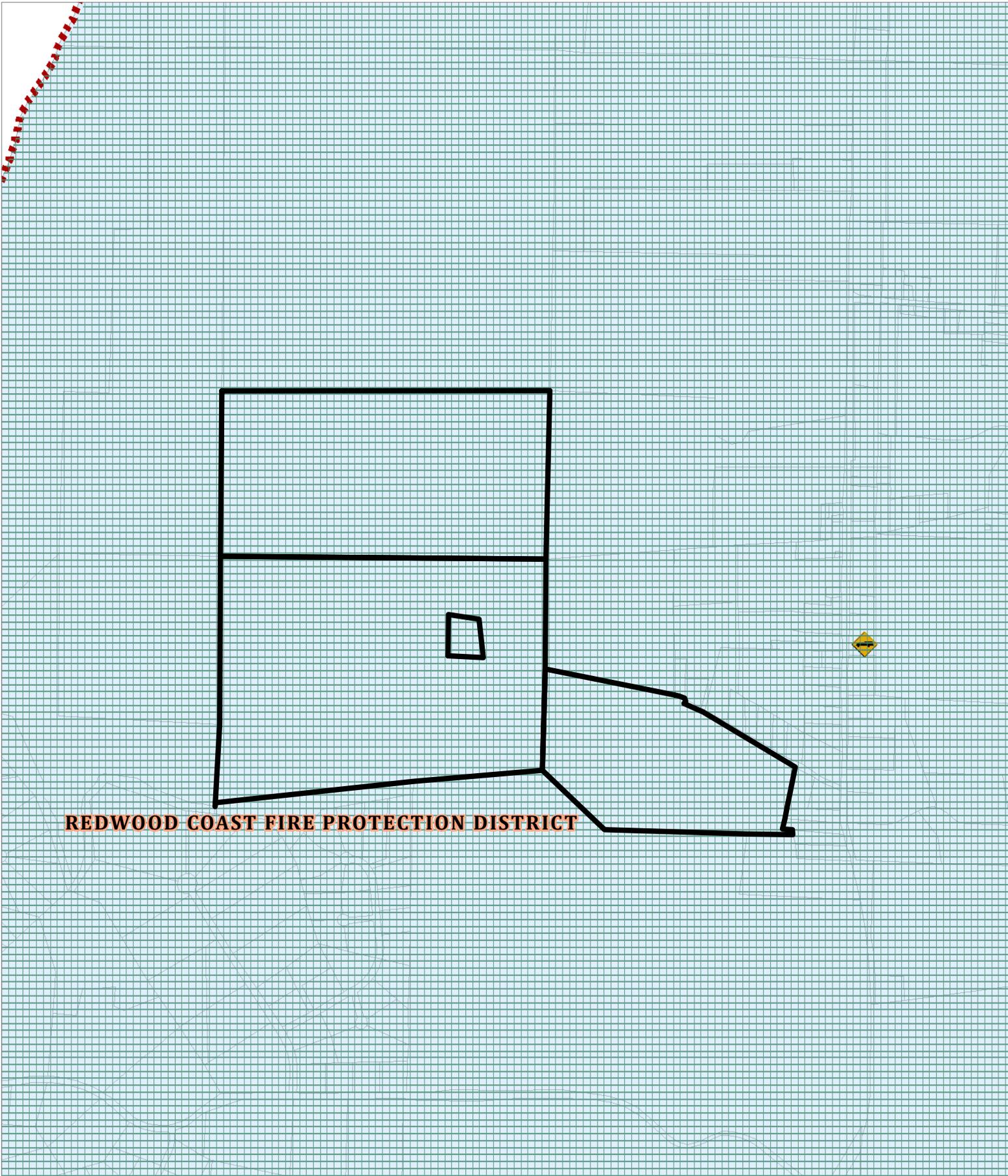




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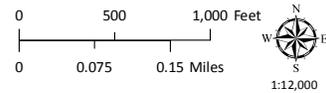
ADJACENT PARCELS
 ATTACHMENT L



REDWOOD COAST FIRE PROTECTION DISTRICT

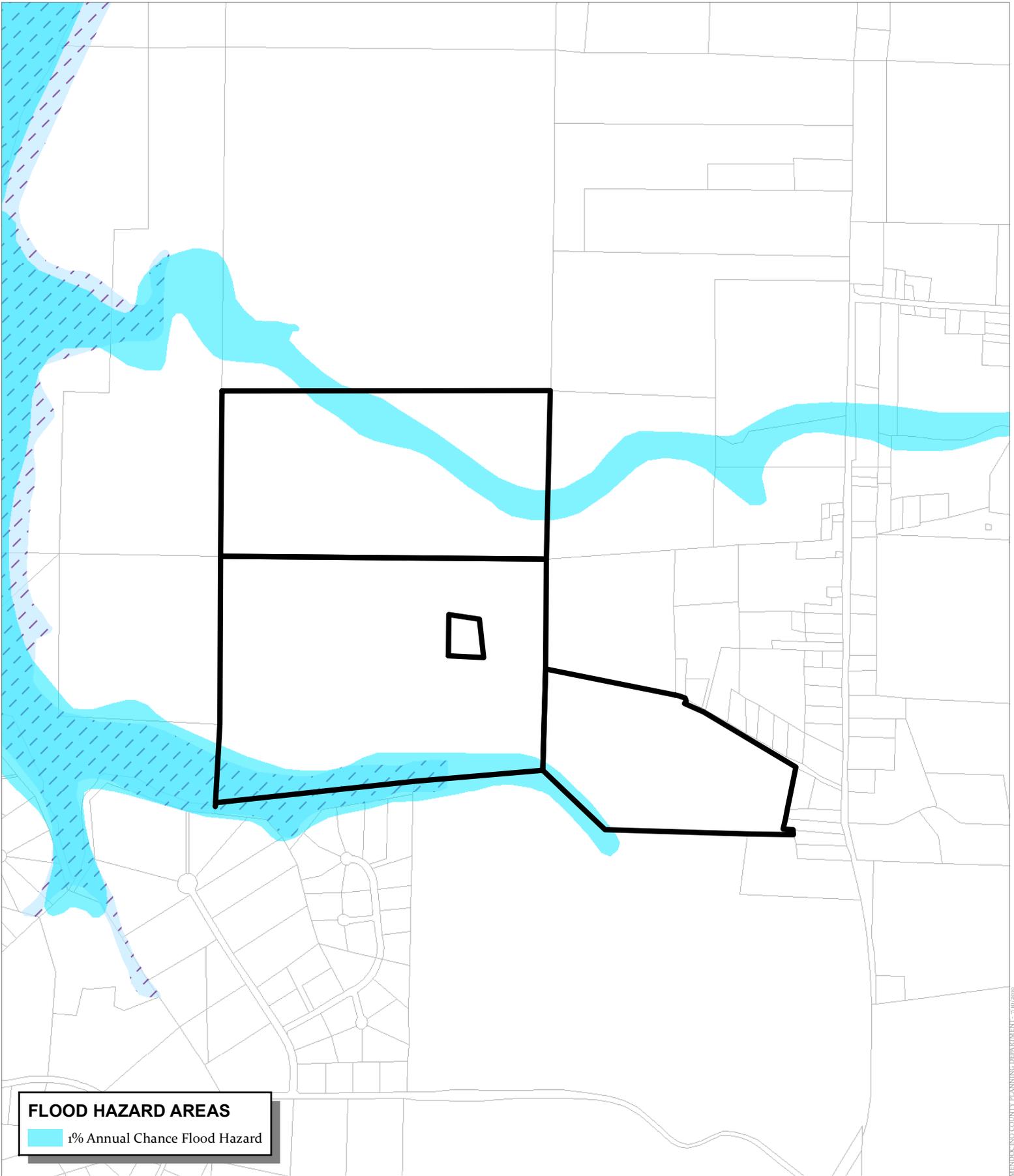
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-  Moderate Fire Hazard
-  Fire Stations
-  County Fire Districts



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

MENDOCINO COUNTY PLANNING DEPARTMENT - 7/17/2019

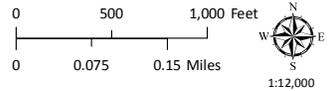


FLOOD HAZARD AREAS

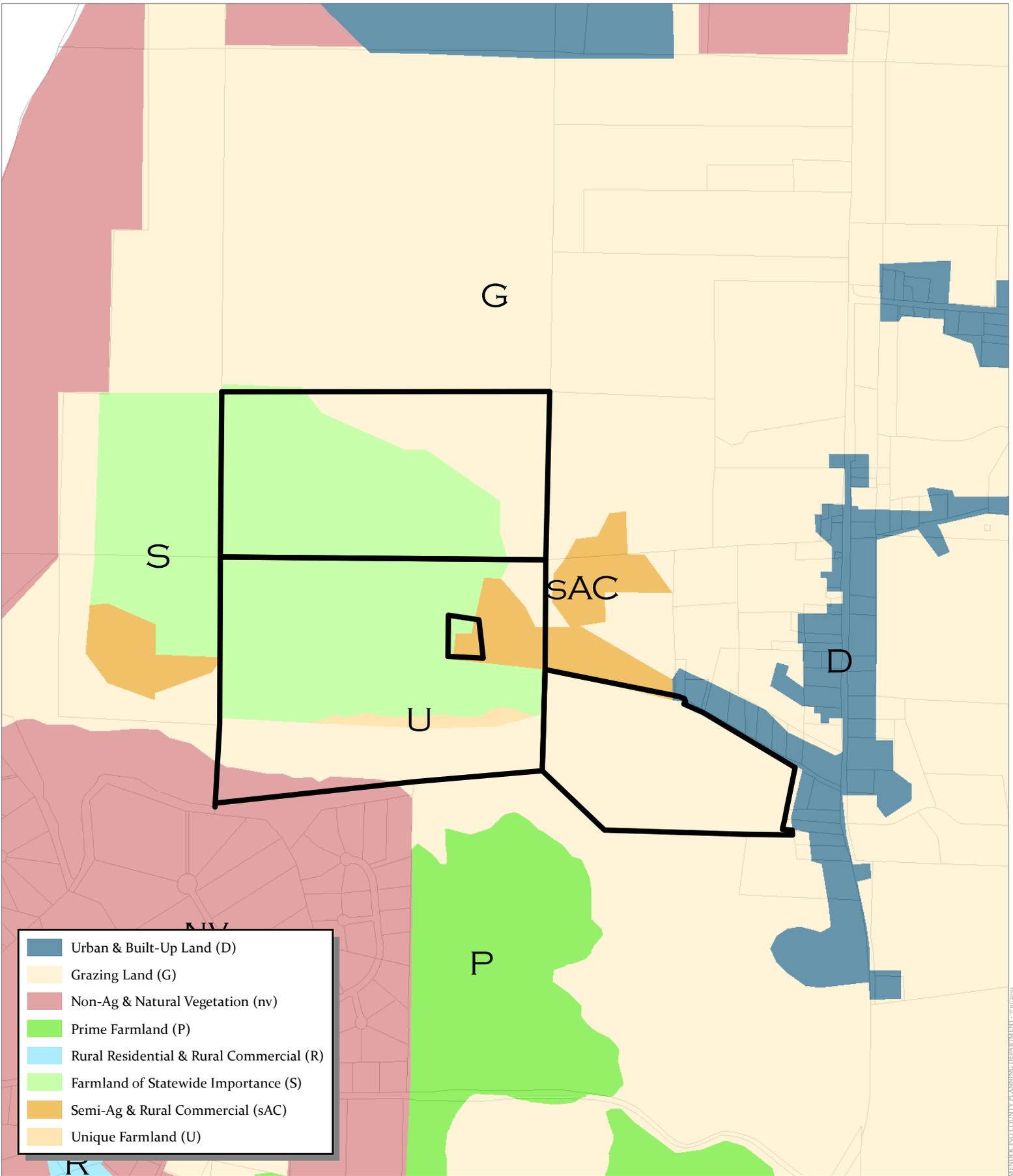
 1% Annual Chance Flood Hazard

 Tsunami Inundation Zones

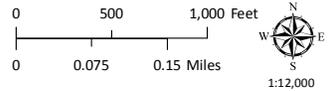
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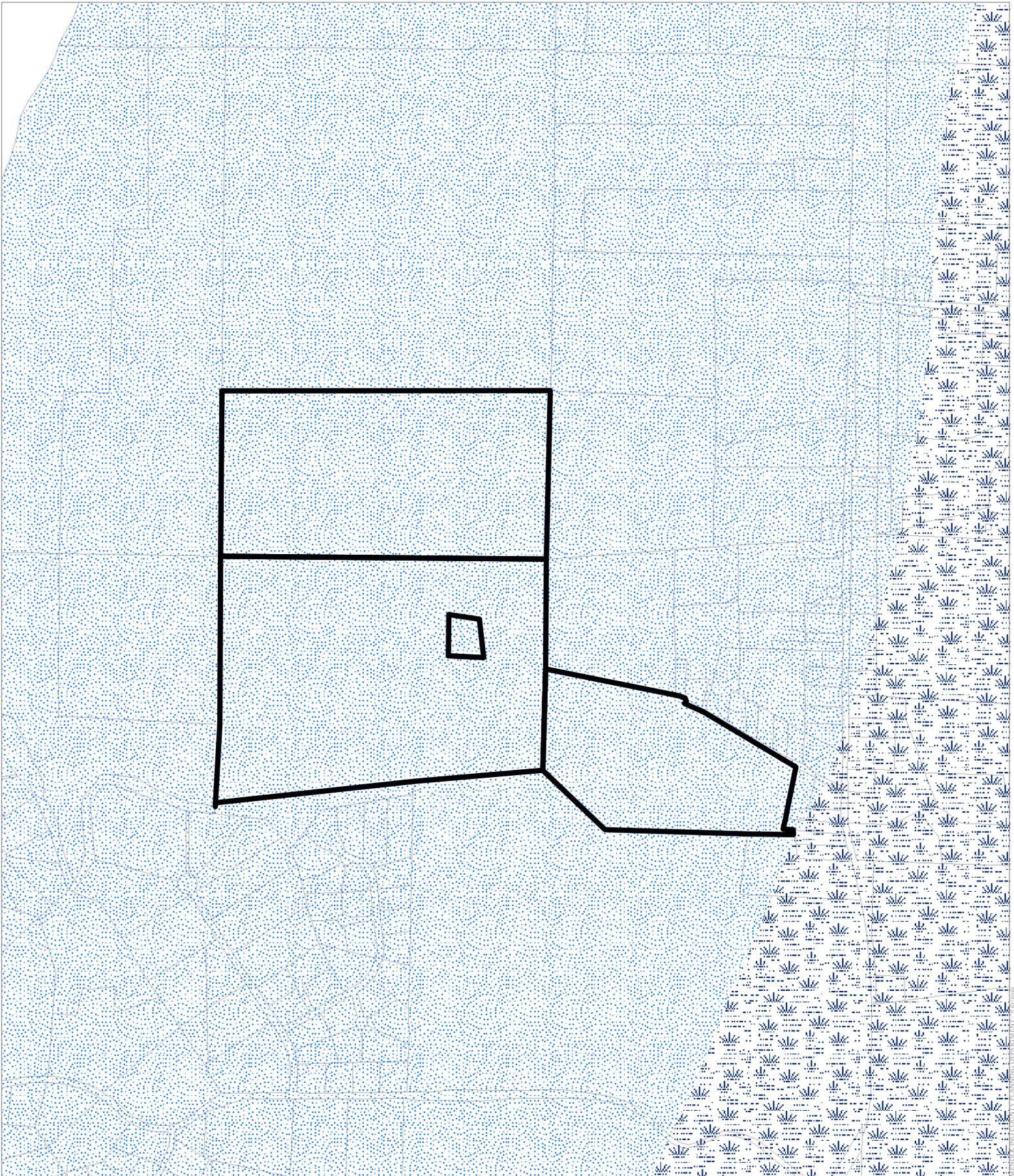
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/10/2019



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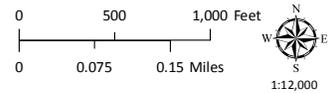


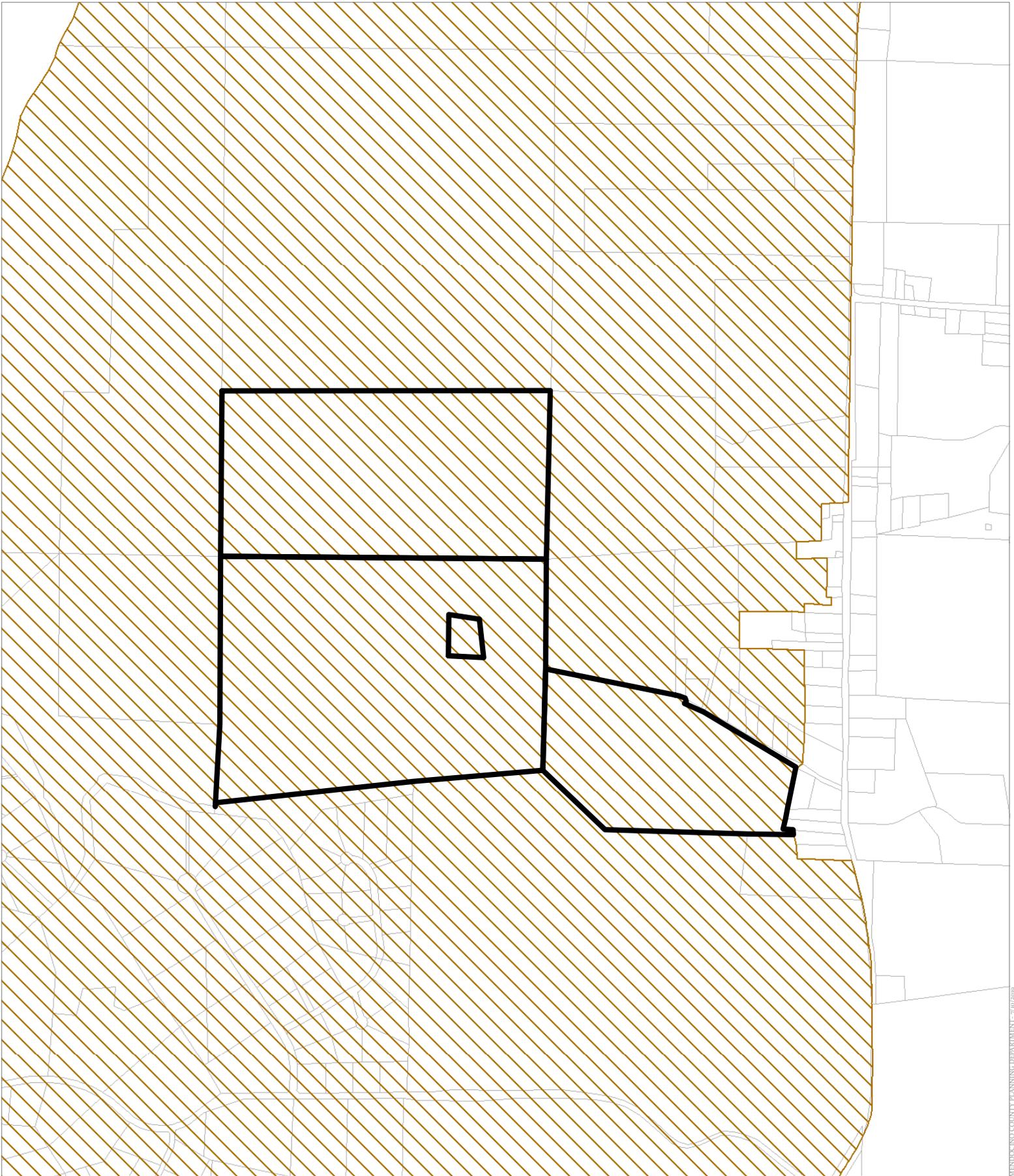
MENDOCINO COUNTY PLANNING DEPARTMENT - 7/10/2019



CASE: B 2019-0019
 OWNER: STORNETTA, Lance & Jamie
 APN: 133-020-09, ET AL
 APLCT: Lance Stornetta
 AGENT: J.R. Barrett
 ADDRESS: 44151 Biaggi Road, Manchester

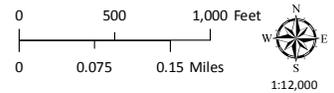
-  Sufficient Water Resources
-  Marginal Water Resources

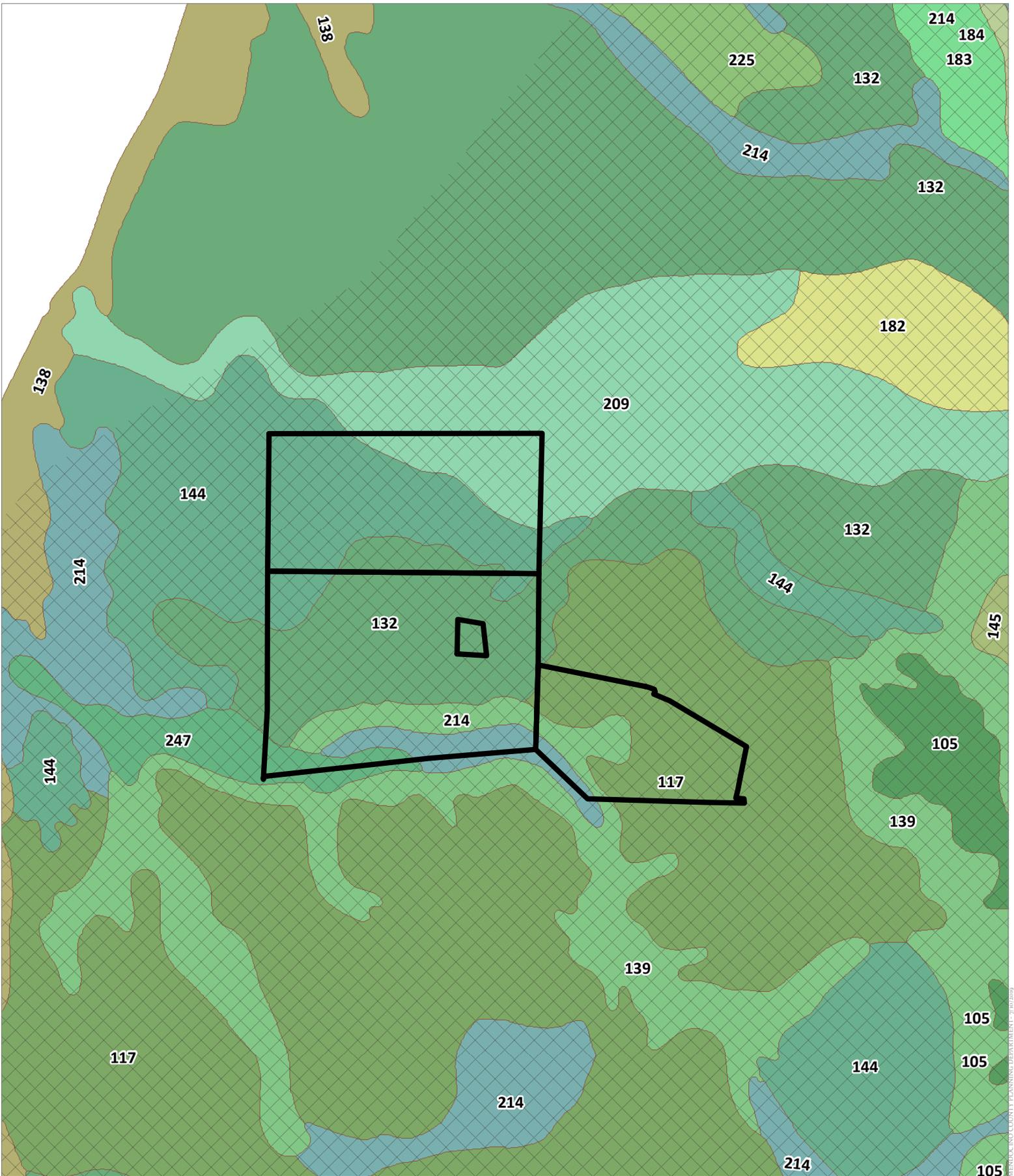




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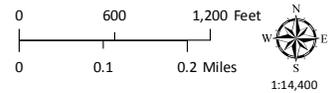
 Highly Scenic Area





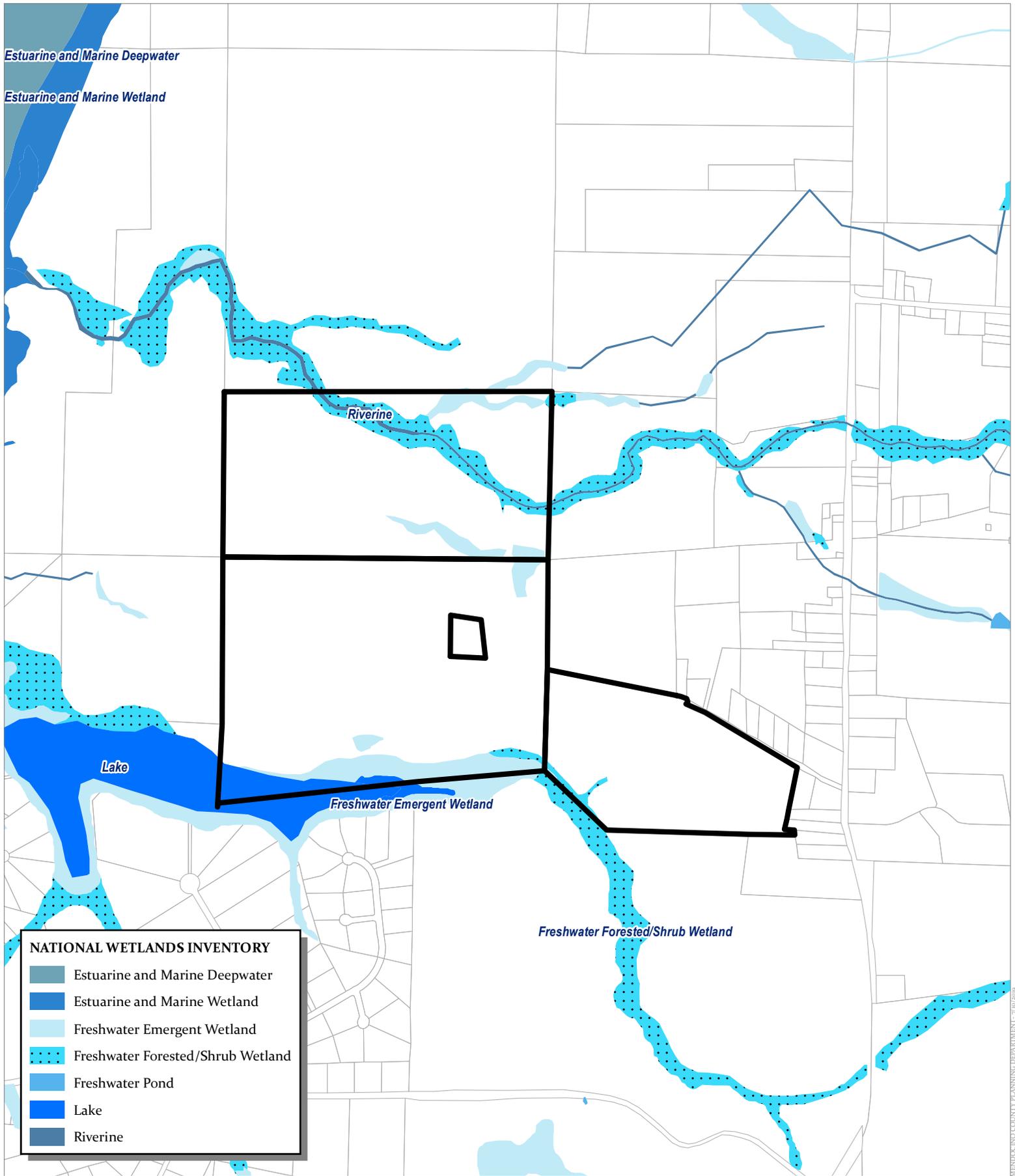
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-  Bishop Pine
-  Western Study Soil Types



Estuarine and Marine Deepwater

Estuarine and Marine Wetland



NATIONAL WETLANDS INVENTORY

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

CASE: B 2019-0019

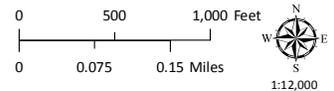
OWNER: STORNETTA, Lance & Jamie

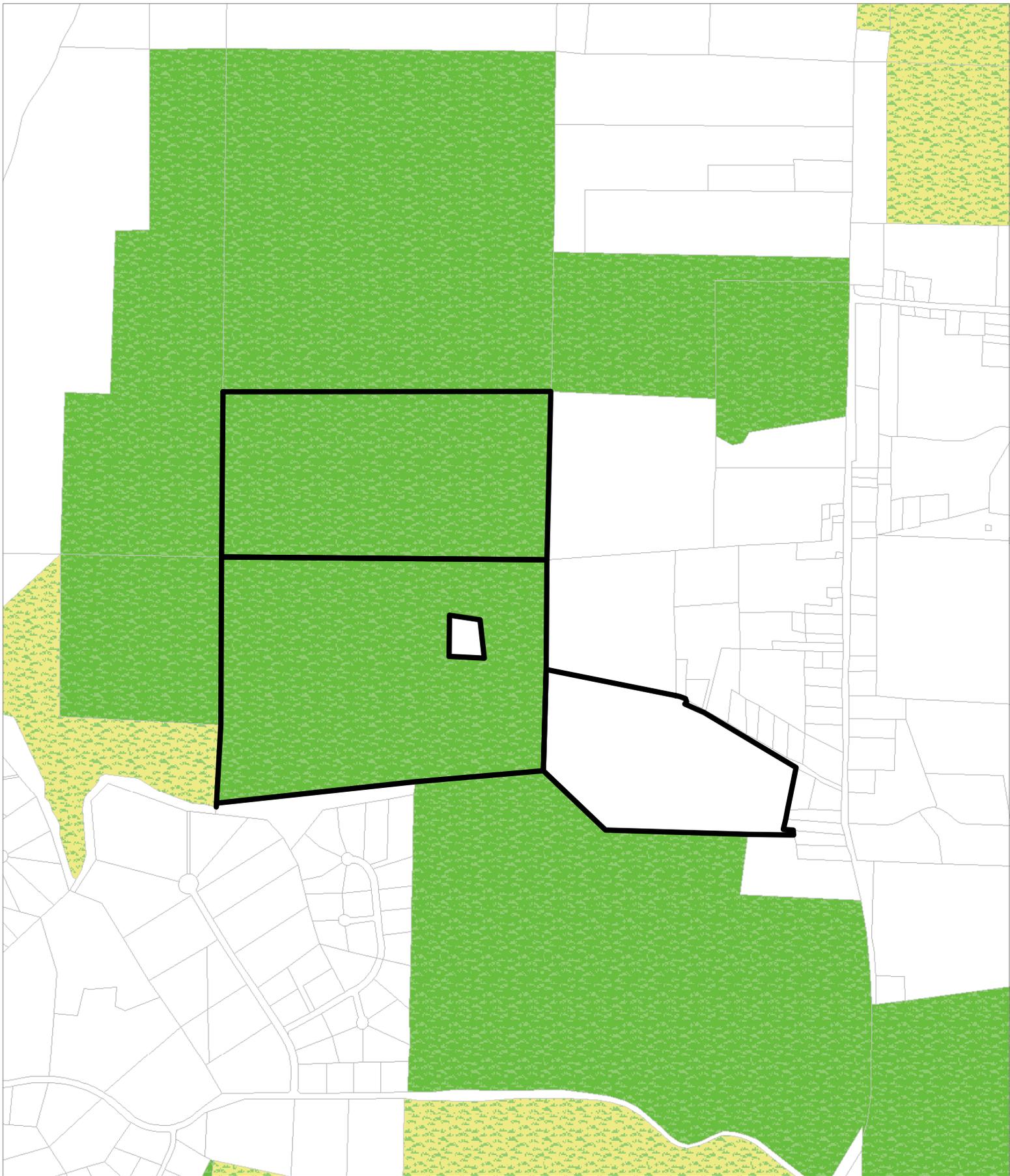
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AGENT: J.R. Barrett

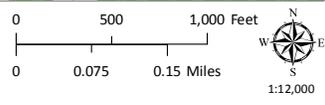
ADDRESS: 44151 Biaggi Road, Manchester

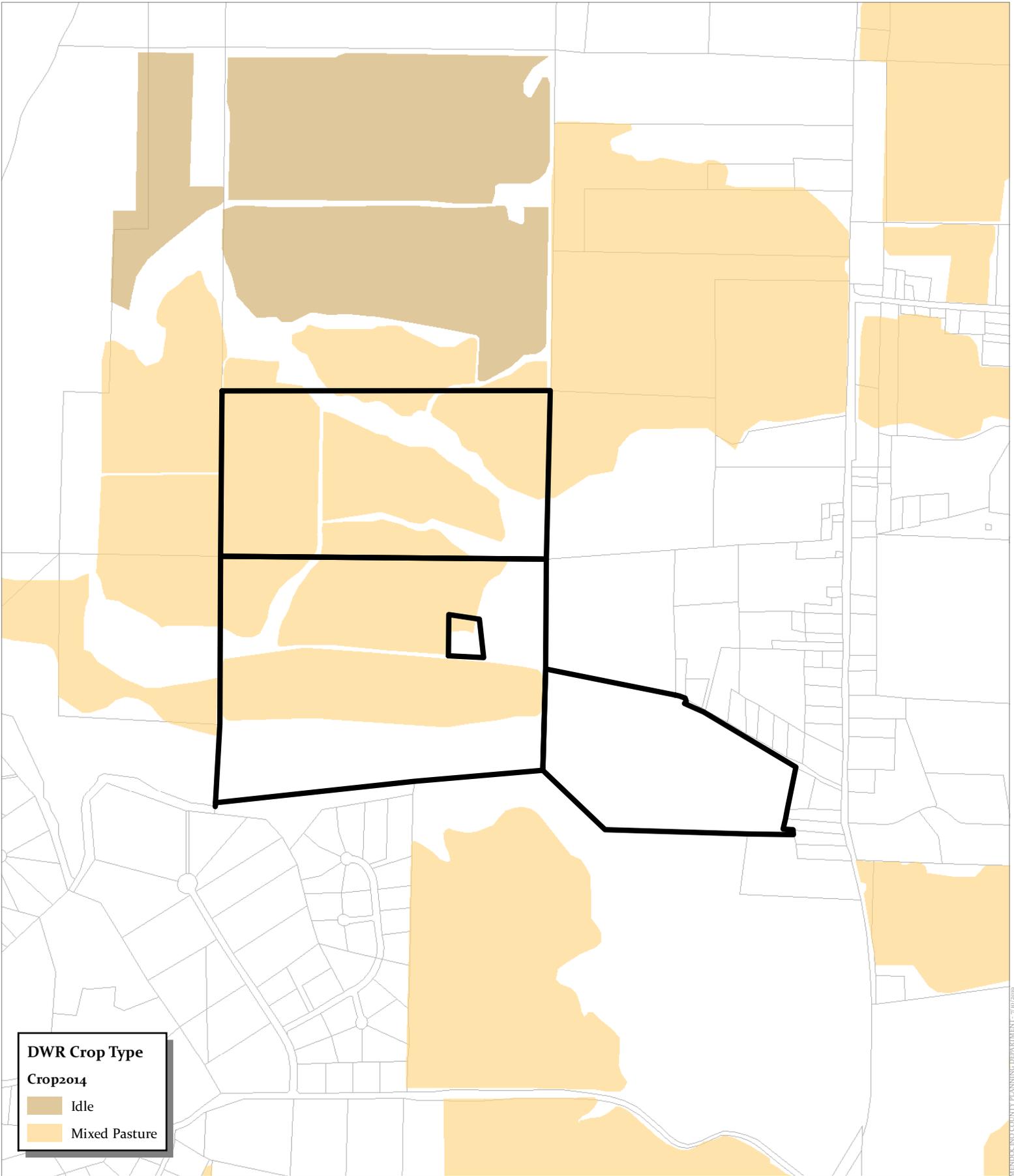




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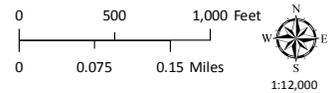
-  Williamson Act 2018
-  Prime Ag 2018
-  Non-Prime Ag 2018



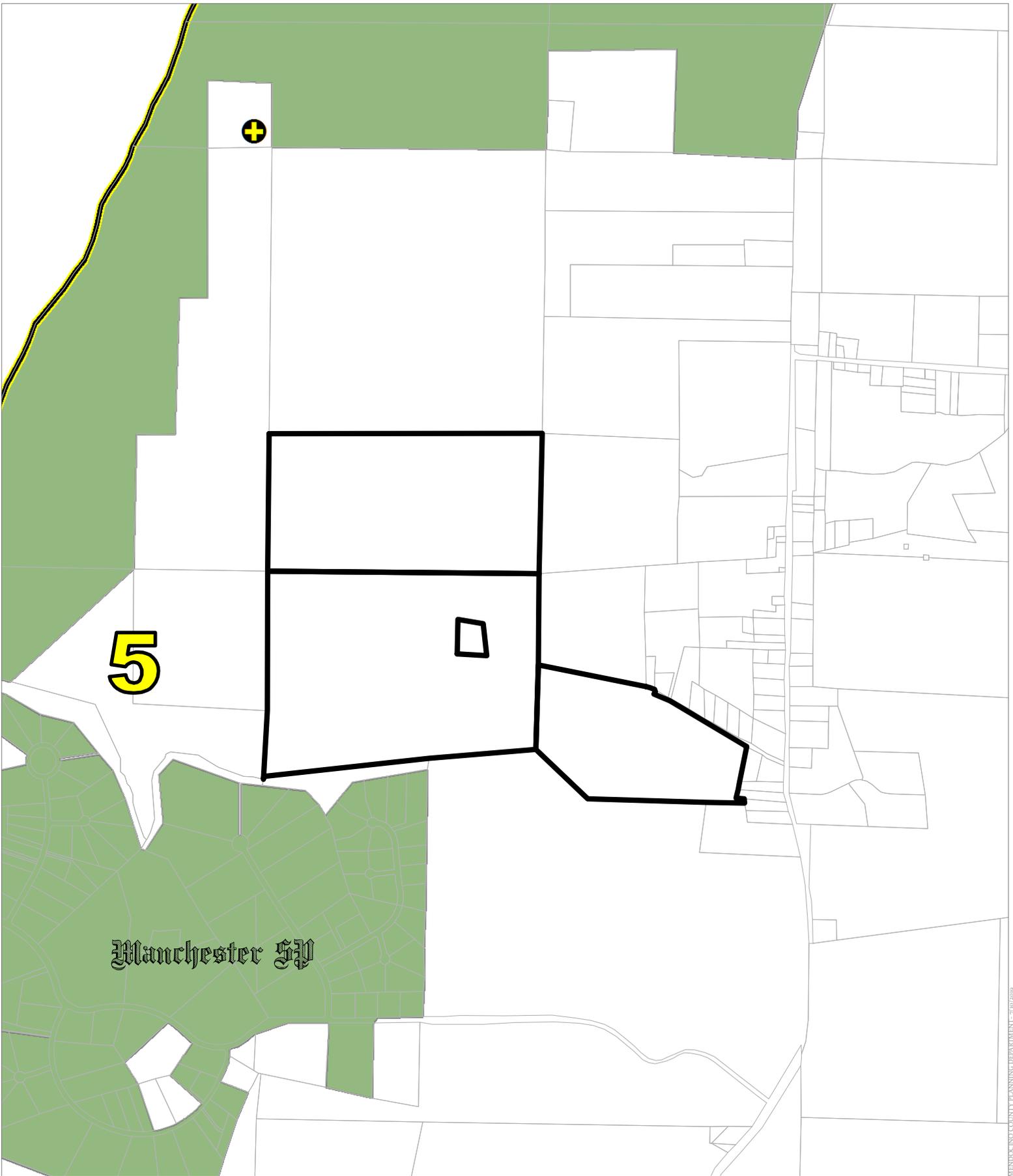


DWR Crop Type
Crop₂₀₁₄
 Idle
 Mixed Pasture

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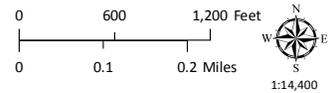


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-  Cemetery Lots
-  State Parks
-  Supervisorial Districts 2010
-  Existing Wireless Sites



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