

OWNERS: MENDOCINO LAND TRUST
PO BOX 1094
MENDOCINO, CA 95460

LINDA FRATIS
14023 POINT CABRILLO DRIVE
MENDOCINO, CA 95460

APPLICANT: CLIFFORD ZIMMERMAN
32200 FOREST LANE
FORT BRAGG, CA 95437

REQUEST: Coastal Development Boundary Line Adjustment to transfer 0.325± acres from 118-140-56 into 118-140-45. Creating parcels of 11.116± and 30.03± acres.

LOCATION: Within the Coastal Zone, lying 3.5± miles north of the Town of Mendocino, on the east side of Point Cabrillo Drive (CR 564), 985± feet south of its intersection with South Caspar Drive (CR 540), located at 13911 Point Cabrillo Drive, Mendocino; APN's 118-140-45 and 118-140-56.

TOTAL ACREAGE:

AP#	BEFORE	AFTER	
118-140-56	11.441±	11.116±	Mendocino Land Trust
118-140-45	30.03±	30.03±	Fratris

ZONING: RR10 PD

GENERAL PLAN: RR10

EXISTING USES: Residential and Vacant

SUPERVISORIAL DISTRICT: 4

OTHER RELATED APPLICATIONS ON SITE AND ADJACENT:

- #CDB 2007-0052 previously approved a transfer of a portion of APN 118-140-08 and 118-120-11 (1 legal parcel) into 7 adjacent properties to recognize the existing fence line as the property boundaries, and a portion into APN 118-140-07 to allow for the transfer of the larger parcel to State Parks. [Note: APN 118-140-56 was previously APNs 118-140-54 & 118-140-07. Mendocino Land Trust transferred to the State APN 118-140-55 and retained a portion which is currently APN 118-140-56.] The approval facilitated the transfer of the larger parcel that was held by Mendocino Land Trust in cooperation with State Coastal Conservancy to State of California Parks.
- #CC 1990-0034 recognized the parcels included in #CDB 2007-0052 under the Mendocino Land Trust ownership.

PROJECT DESCRIPTION:

The Coastal Development Boundary Line Adjustment proposes to transfer 0.325± acres from 118-140-56 into 118-140-45. Creating parcels of 11.116± and 30.03± acres.

The proposed 11.116± acre parcel is vacant. Access to this parcel is directly off of Point Cabrillo Drive (CR 564). The proposed 30.03± acre parcel is developed with a single family residence, barn, and small storage sheds. Access to this parcel is directly off of Point Cabrillo Drive (CR 564).

According to the California Natural Diversity Database (CNNDDB) Rarefind, the subject property is located within a broadly defined area (approximately 1-mile radius) found to contain **hair-leaved rush** (*Juncus supiniformis*) and a non-specific area found to contain **Baker's goldfields** (*Lasthenia californica* spp. *Bakeri*). Staff has determined that a Biological Scoping Survey would not be necessary for the purpose of this project due to the fact that no development is proposed in conjunction with the adjustment and further that any future development on either site will require additional review by Mendocino County Planning staff. The proposed adjustment will transfer a small area to a parcel that is already development with a single family residence and associated improvements. Project approval would not be expected to have a significant effect on the generalized hair-leaved rush or Baker's goldfields habitat found in the CNDDDB.

The purpose of the transfer is to avoid legal measures associated with a difference in boundary line from the Record of Survey Map (Record July 9, 2009, in maps, drawer 78, page 57, Mendocino County Records).

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;
2. The boundary line adjustment will not create any new parcels nor will the adjustment created the opportunity for a future subdivision along the split zoned line;
3. The parcels subject to the adjustment are situated within an environmentally sensitive habitat area. Specifically, the California Natural Diversity Database (CNNDDB) found the parcels to lie within a large and general area containing **hair-leaved rush** and **Baker's goldfields**. The receiving parcel is already been developed with a single-family residence and accessory structures, and sufficient acreage would remain for development on *the* sending parcel. As a result, staff does not feel that a Biological Scoping Survey was warranted for the proposal. However, any future development will still be subject to the Coastal Development Permit regulations identified in Coastal Zoning Code Chapter 20.532. (See Condition Number 7);
4. The adjustment will not result in parcels having an inadequate building site.
5. No substandard lot will result from the adjustment.
6. The property subject to the adjustment is in an area designated CWR (Critical Water Resources) as identified in the Mendocino County Groundwater Study and is consistent with the Mendocino County Coastal Groundwater Study.
7. The boundary line adjustment is located on property containing pygmy vegetation.
8. The property subject to the adjustment is located in a designated "Highly Scenic" area. However, the adjustment will not provide for development that would not already be allowed.
9. The boundary line adjustment is 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 Permit #CDB 2014-0036, 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 Environmentally Sensitive Habitat Area as identified will not be significantly degraded by the proposed development, there is no feasible less environmentally damaging alternative and all feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.
9. The proposed use is compatible with the long-term protection of resources 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 #CDB 2014-0036 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.”*

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.

DATE

JULIA ACKER
PLANNER I

Categorically Exempt
Appeal Fee - \$1855.00
Appeal Period: 10 days

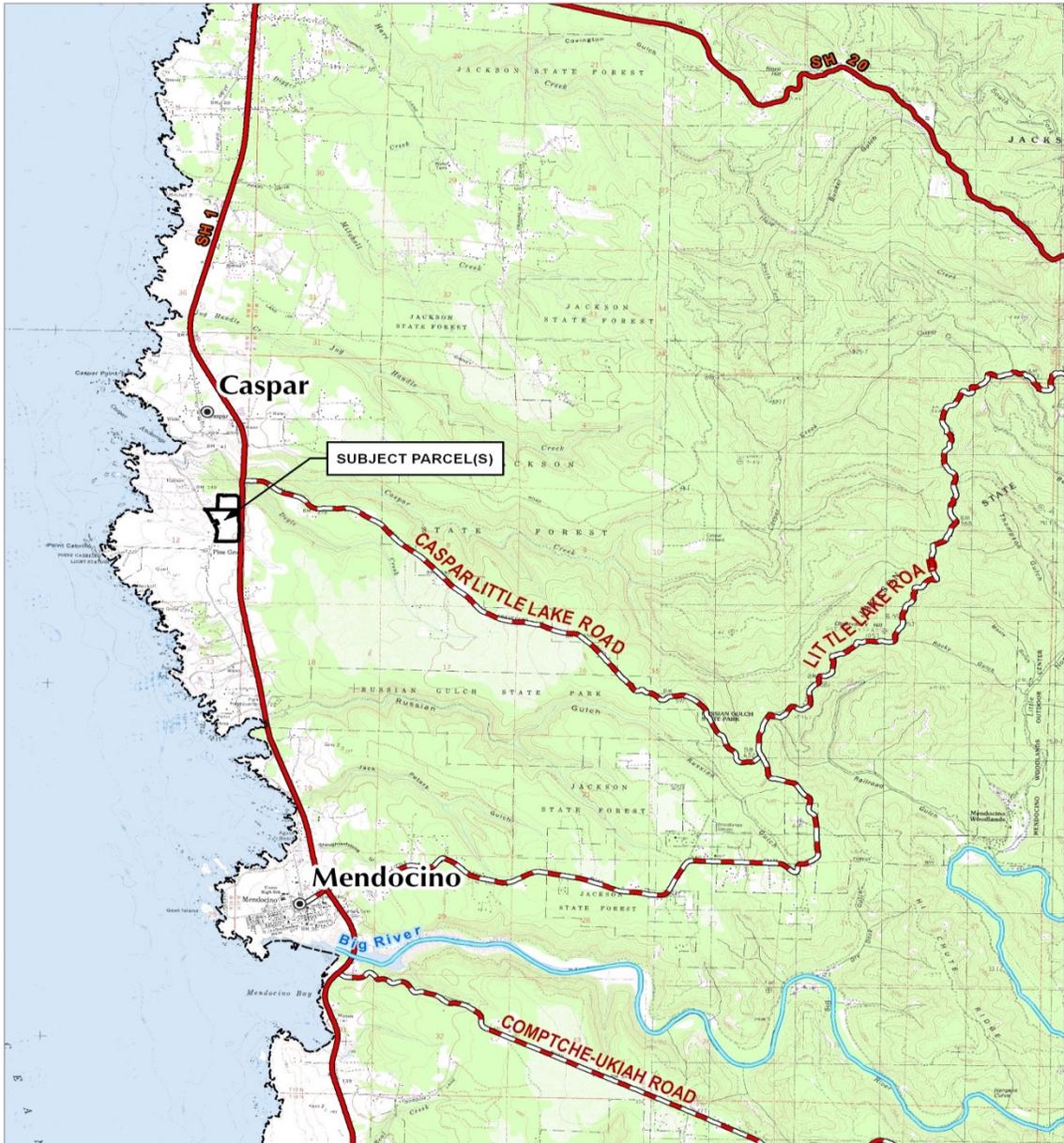
REFERRAL AGENCIES	REFERRAL NOT RETURNED	REFERRAL RECEIVED "NO COMMENT"	COMMENTS RECEIVED
Planning- FB	X		
DOT		X	
Environmental Health – FB			X
Building Inspection – FB		X	
Assessor	X		
Air Quality Management District		X	
Coastal Commission	X		
CalFire-Mendocino		X	
Native Plant Society			
Dept. of Parks and Recreation	X		
Dept. Fish & Wildlife	X		
Mendocino Fire District	X		

ATTACHMENTS LIST:

- A- Location Map
- B- 2010 Naip Aerial Orthophoto
- C- Proposed Configuration
- D- Zoning Display Map
- E- General Plan Classifications
- F- LCP Map
- G- Adjacent Parcels
- H- Fire Hazard Zones
- I- Coastal Groundwater Resources
- J- Highly Scenic
- K- Local Soils

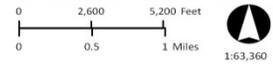
ATTACHMENTS

CDB 2014-0036



CASE: CDB 36-2014
 OWNER: Mendo Land Trust / Linda Fratis
 APN: 118-140-56, 45
 APLT: Mendocino Land Trust
 ADDRESS: 14011 Pt. Cabrillo Road, Caspar

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



LOCATION MAP

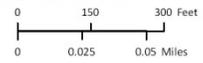
Map produced by the Mendocino County Planning & Building Services, October, 2014
 All spatial data is approximate. Map provided without warranty of any kind.

EXHIBIT NO.:1



CASE: CDB 36-2014
OWNER: Mendo Land Trust / Linda Fratis
APN: 118-140-56, 45
APLCT: Mendocino Land Trust
ADDRESS: 14011 Pt. Cabrillo Road, Caspar

-  Named Rivers
-  Public Roads

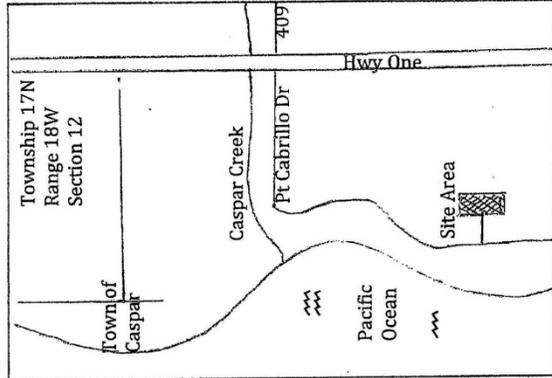


2010 NAIP AERIAL ORTHOPHOTO

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Prepared Sept. 30, 2014

Boundary Line Adjustment Map: Mendocino Land Trust, Applicant



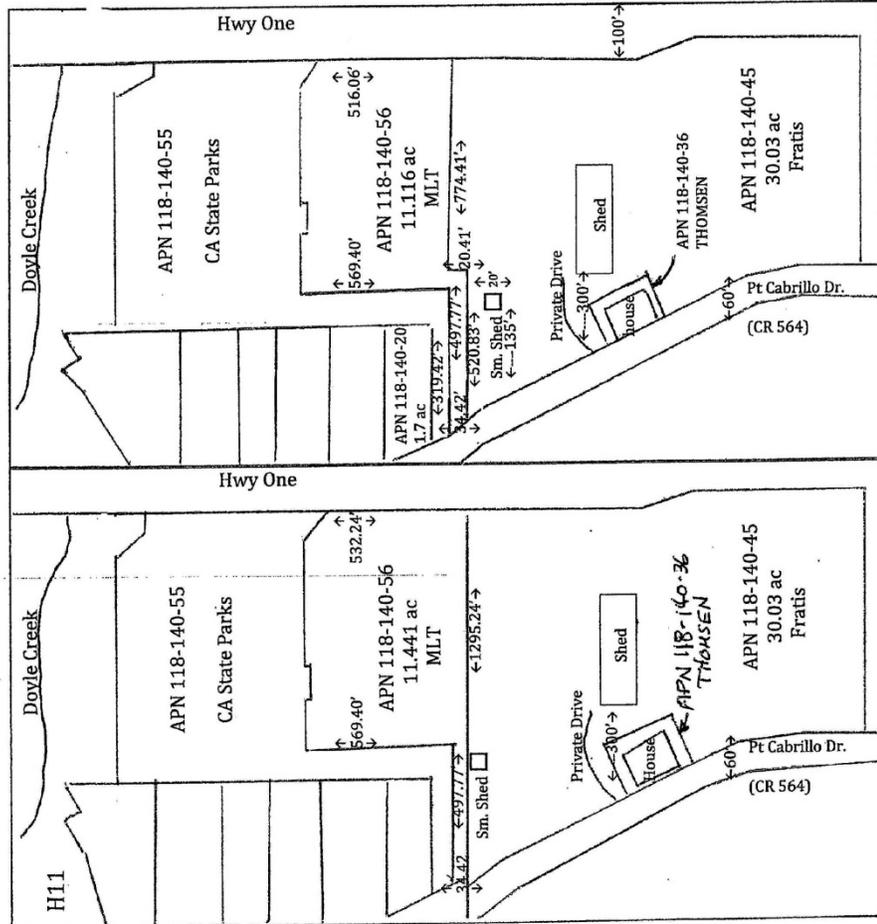
Location - Not to Scale
Scale 1" = 500'

Owners:
Mendocino Land Trust
P.O. Box 1094
Mendocino CA 95460
Phone: 707-962-0470

Linda Fratis
14023 Pt. Cabrillo Dr
Caspar, CA 95420
Phone: 707-357-4774

Attn: Cindy

Agent: Clifford M. Zimmerman
Licensed Land Surveyor
32200 Forest Lane
Fort Bragg, CA 95437
Phone: 707-964-8830



Proposed Parcel Configuration

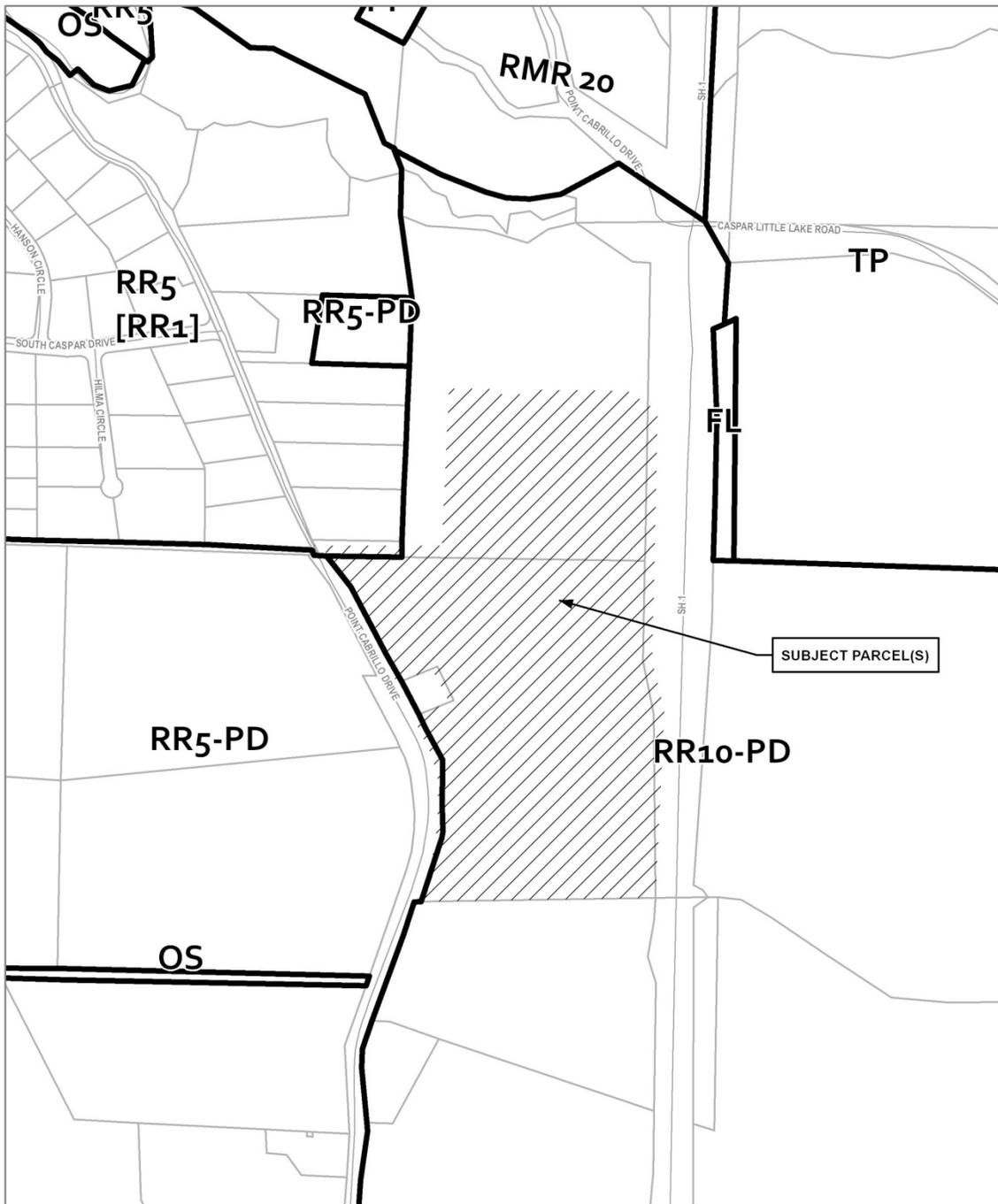
Existing Parcel Configuration

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NO SCALE

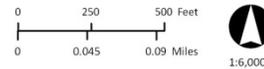
EXHIBIT (PROPOSED CONFIGURATION)

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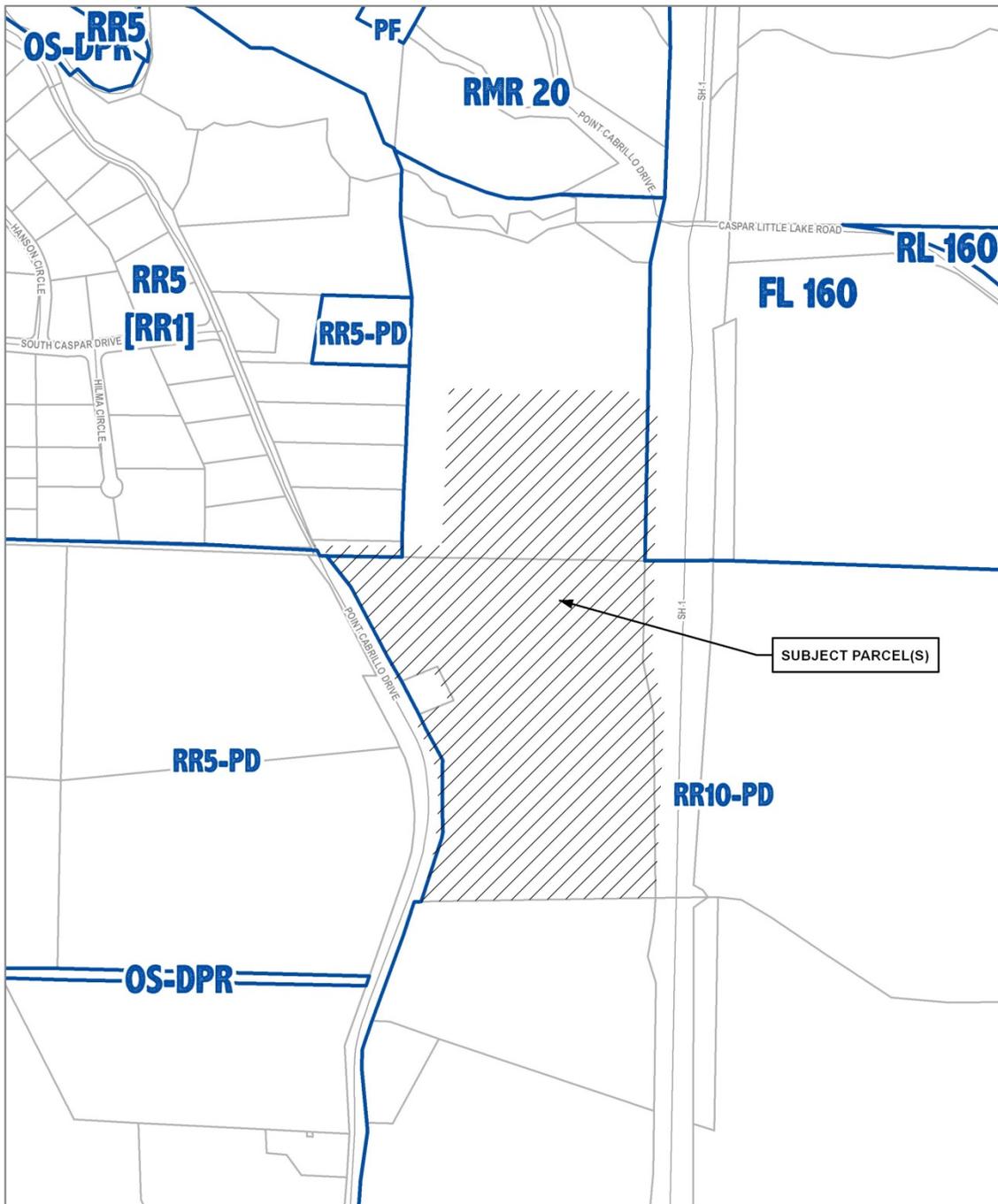
CASE: CDB 26-2014
 OWNER: Mendo Land Trust / Linda Fratis
 APN: 118-140-56, 45
 GP/BZ: RR-10-PD / RR-10
 ADDRESS: 14011 Pt. Cabrillo Road, Caspar

□ Assessor Parcels 10-13-G
 — Public Roads



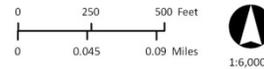
ZONING DISPLAY MAP

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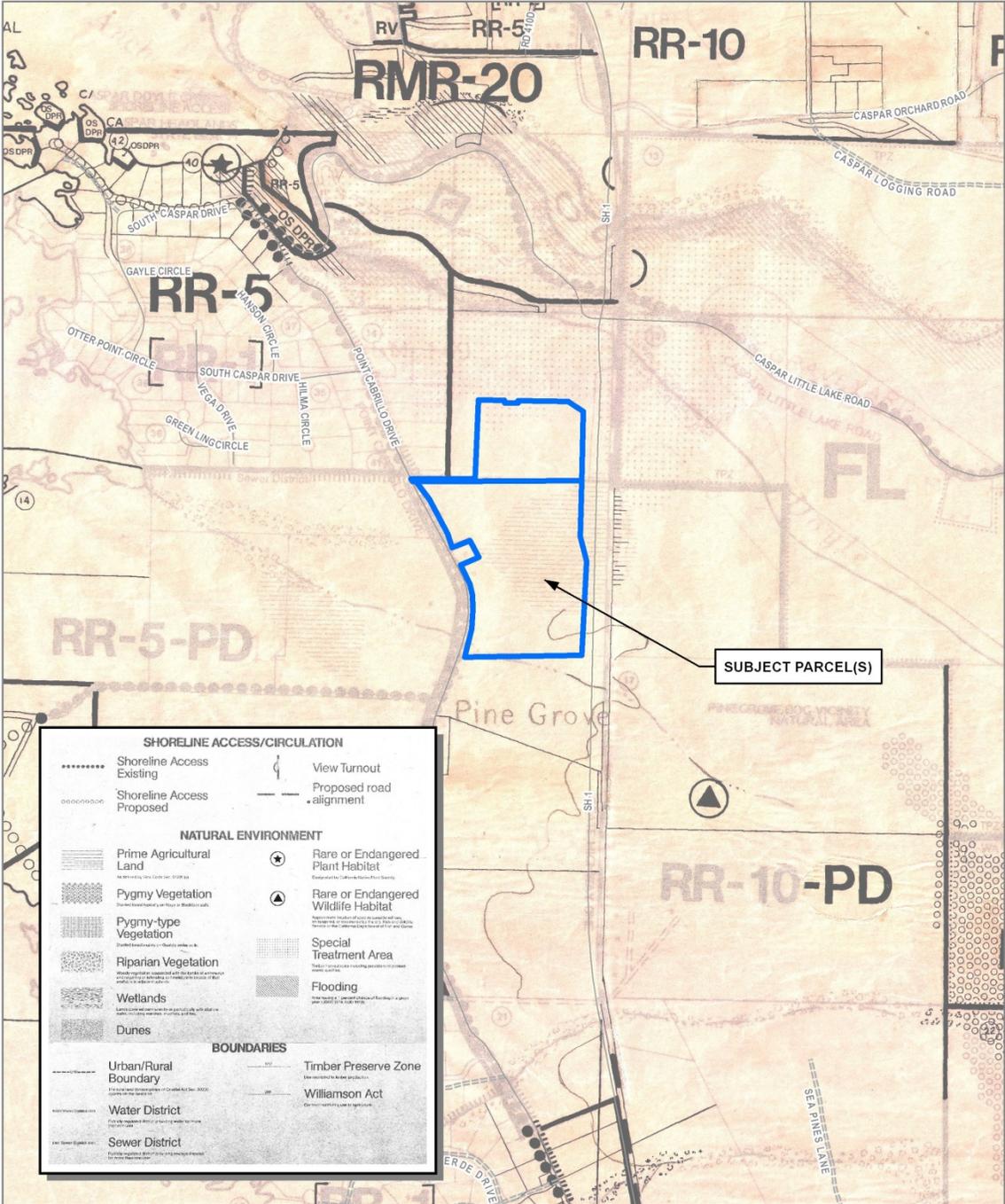
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GP/BZ: RR-10-PD / RR-10
ADDRESS: 14011 Pt. Cabrillo Road, Caspar

Assessor Parcels 10-13-G
 Public Roads



GENERAL PLAN CLASSIFICATIONS

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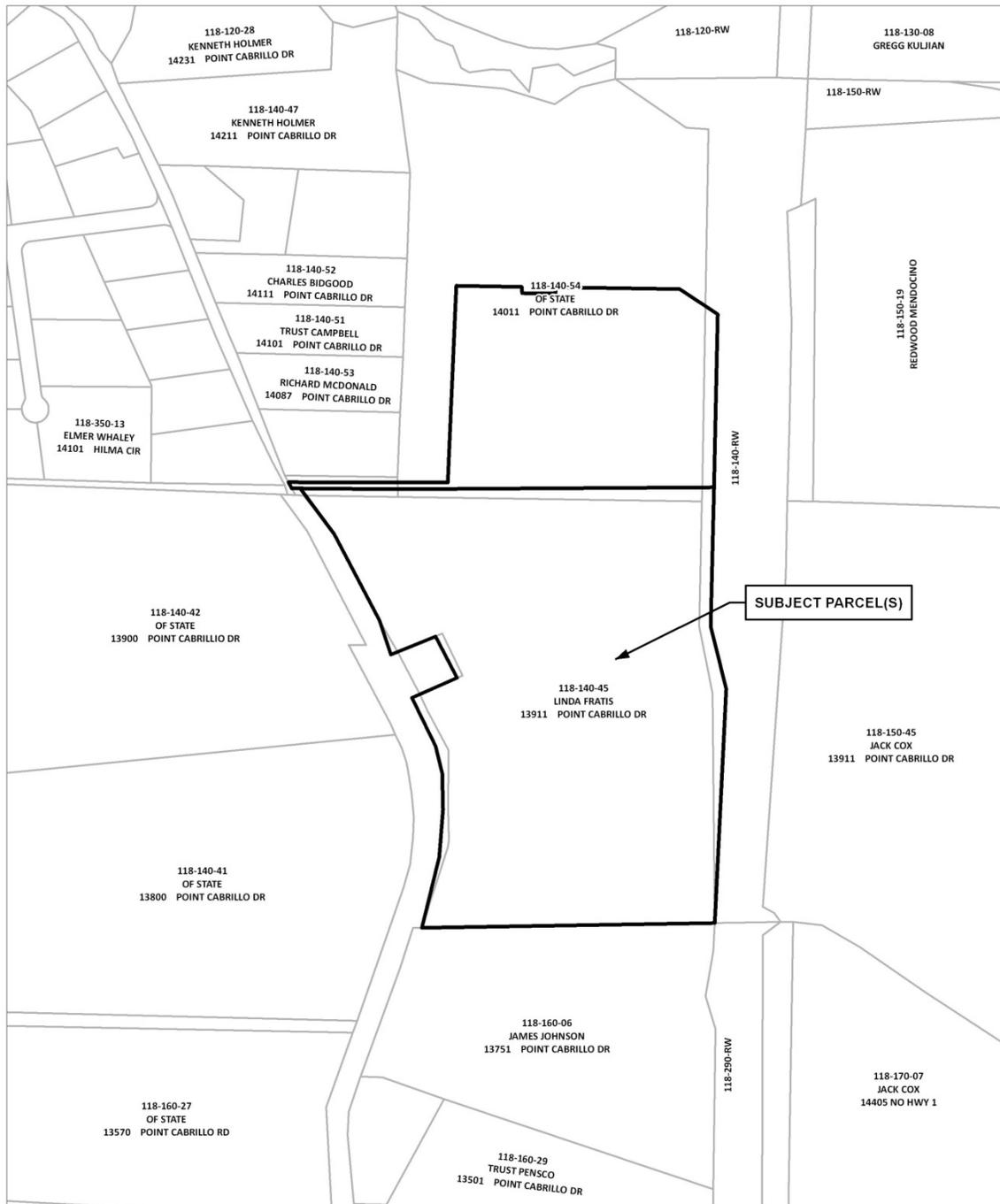
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APN: 118-140-56, 45
GP/BZ: RR-10-PD / RR-10
ADDRESS: 14011 Pt. Cabrillo Road, Caspar

—— Public Roads
 ===== Private Roads

NO SCALE

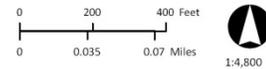
LCP MAP 15: CASPAR

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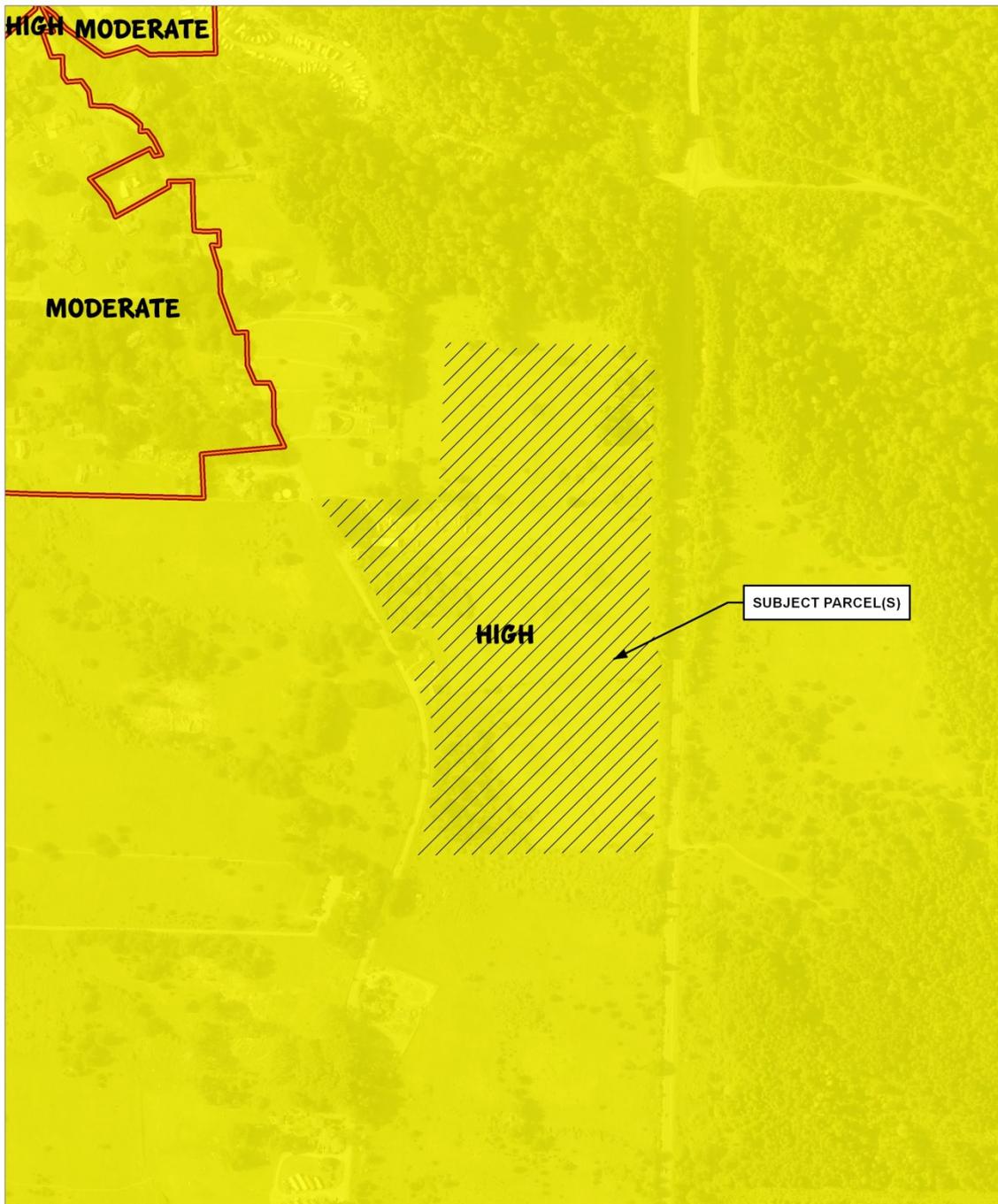
CASE: CDB 36-2014
OWNER: Mendo Land Trust / Linda Fratis
APN: 118-140-56, 45
APLCT: Mendocino Land Trust
ADDRESS: 1401 Pt. Cabrillo Road, Caspar

Assessors Parcels 10-13-G



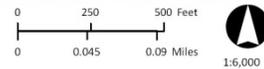
ADJACENT PARCELS

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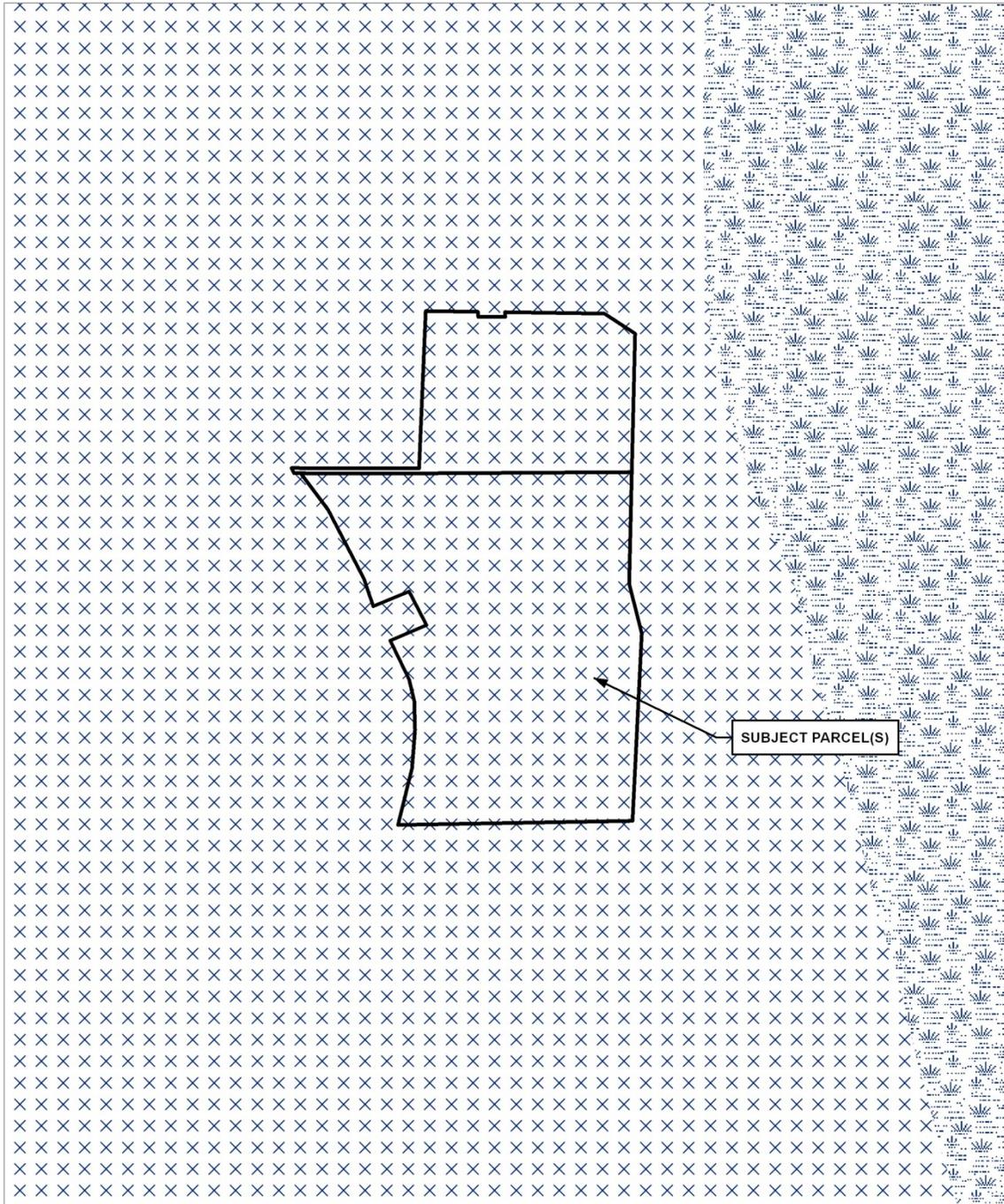
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State Responsibility Areas



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
MENDOCINO FIRE PROTECTION DISTRICT

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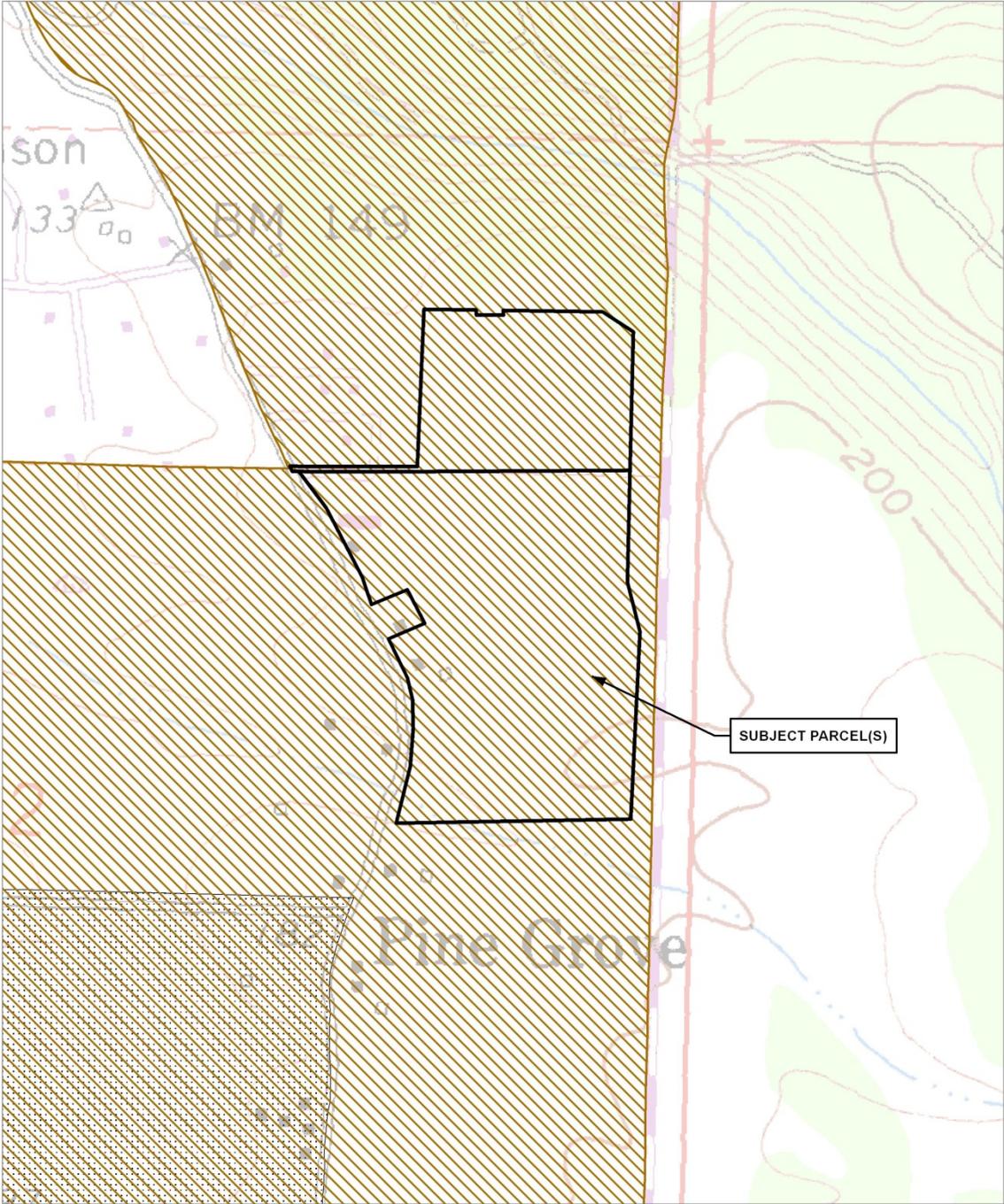
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X X Critical Water Areas
Marginal Water Resources



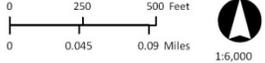
COASTAL GROUNDWATER RESOURCE AREAS

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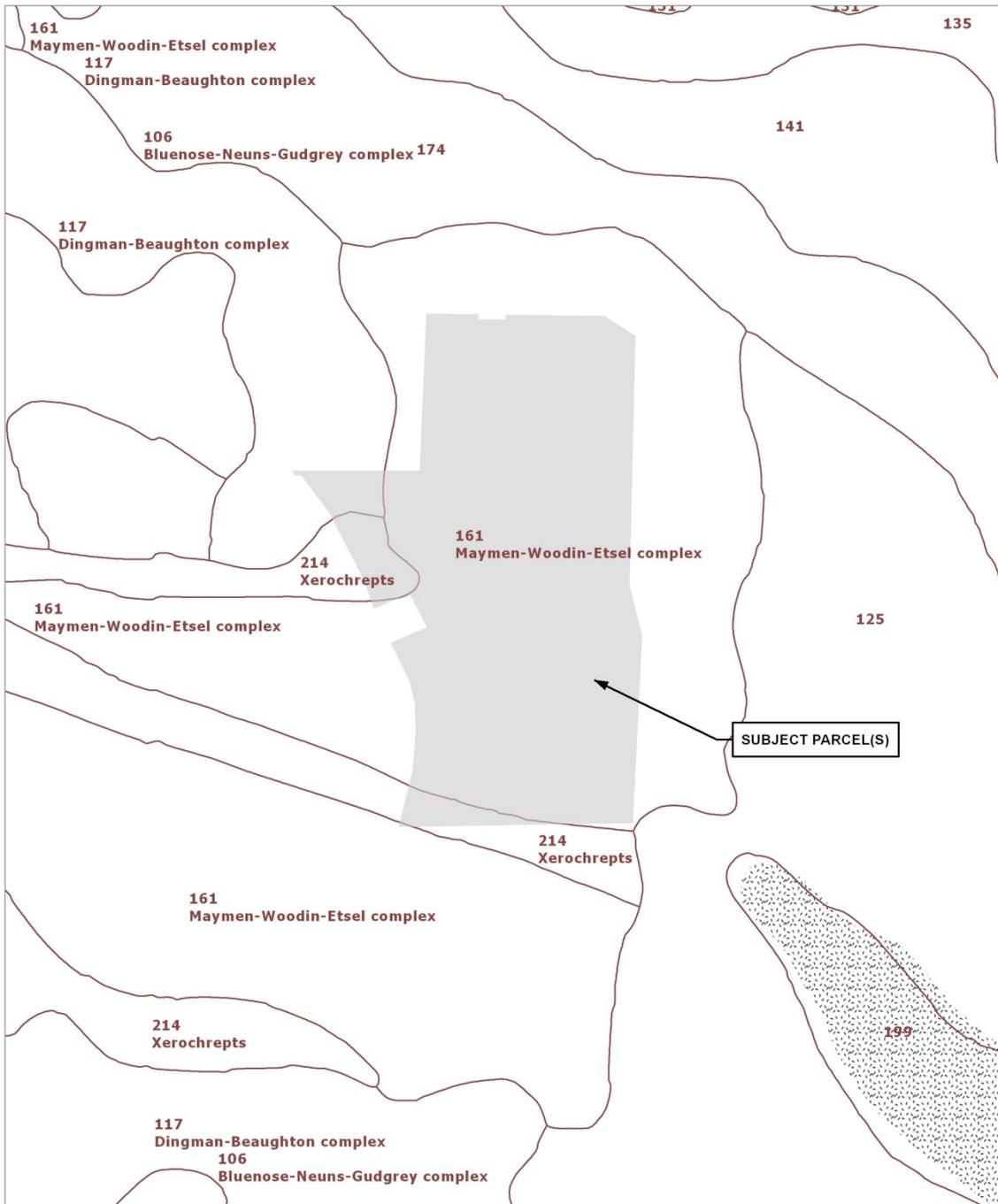
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-  Highly Scenic Area
-  Tree Removal Area



HIGHLY SCENIC & TREE REMOVAL AREAS

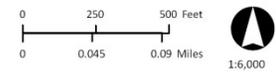
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Western Soils

Shinglemil Gibney Complex (Tropaquepts Soils)



LOCAL SOILS

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