

OWNERS: JOHN & DENISE WEBB
 720 PALOMA AVENUE
 BURLINGAME, CA 94010

APPLICANT: JOHN WEBB
 720 PALOMA AVENUE
 BURLINGAME, CA 94010

AGENT: JAMES LABIODA
 236 EVERGREEN AVENUE
 MILL VALLEY, CA 94941

REQUEST: Voluntary lot merger combining APN 144-031-13 and APN 144-031-12 into one lot. Total acreage of the combined lots will be 0.32 acres (13,842 square-feet).

LOCATION: Within the Coastal Zone, in the community of Anchor Bay, located on the north side of Ocean View Drive (private), 1,000± feet east of its intersection with Highway 1, located at 46810 and 46820 Ocean View Drive, Anchor Bay; APN 144-031-12 and -13.

ENVIRONMENTAL DETERMINATION: Categorically Exempt- Class 5 a.

TOTAL ACREAGE:

APN	BEFORE	AFTER	
144-031-13	6,688 square-feet	0.32 acres	Webb
144-031-12	7,154 square-feet		Webb

ZONING: RR5

GENERAL PLAN: RR5(SR)

EXISTING USES: Residential and Vacant

SUPERVISORIAL DISTRICT: 5

OTHER RELATED APPLICATIONS ON SITE AND ADJACENT:

- CDP #67-97 administratively approved construction of a 1,100 square-foot single family residence and driveway on APN 144-031-13. The staff reports note that there are no mapped sensitive plant species or environmentally sensitive habitat areas in the project vicinity.

PROJECT DESCRIPTION: The Coastal Development Boundary Line Adjustment proposes to merge APN 144-031-13 and APN 144-031-12 into one lot. Total acreage of the combined lots will be 0.32 acres (13,842 square-feet).

APN 144-031-13 is developed with a single family residence. Access to this parcel is directly off of Ocean View Drive (private). APN 144-031-12 is vacant. Access to this parcel is directly off of Ocean View Drive (private).

According to the California Natural Diversity Database (CNNDDB) Rarefind, the subject property is located within a non-specific area (approximately 1 mile radius) found to contain **Sonoma tree vole** (*Arborimus pomus*). 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 on either site will require additional review by Planning Staff. The proposed merger will combine a vacant parcel with a parcel that is already developed with a single family residence and associated improvements. Project approval would not be expected to have a significant effect on the generalized Sonoma tree vole habitat found in the CNDDDB.

The purpose of the voluntary lot merger is to combine the lot to allow for construction of a deck addition to the existing single family residence on APN 144-031-13. The deck addition is exempt from Coastal Development Permit requirements, as per Section 20.532.020 (C) of the Mendocino County Coastal Zoning Code.

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 **Sonoma tree vole**. The merged parcel is already developed with a single-family residence and accessory structures. 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 not located in a designated "Highly Scenic" area.
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 2014-0041, 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 2014-0041 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

February 25, 2015
JA/at

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		X	
Building- FB		X	
Assessor	X		
Coastal Commission	X		
CalFire		X	

ATTACHMENT LIST:

- A – Location Map
- B – Google Earth Imagery
- C – Exhibit (Merger Map)
- D – Exhibit (Area Map)
- E – Exhibit (Site Plan)
- F – Zoning Display Map
- G – General Plan Classifications
- H – LCP Map 30: Anchor Bay
- I – Adjacent Parcels
- J – Fire Hazard Zones & Responsibility Areas
- K – Coastal Groundwater Resource Areas

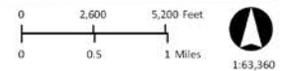
ATTACHMENTS

CDB 2014-0041



CASE: CDB 41-2014
 OWNER: WEBB, John & Denise
 APN: 144-031-12, 13
 APLCT: John Webb
 ADDRESS: 46820 Ocean View Dr., AB

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



LOCATION MAP

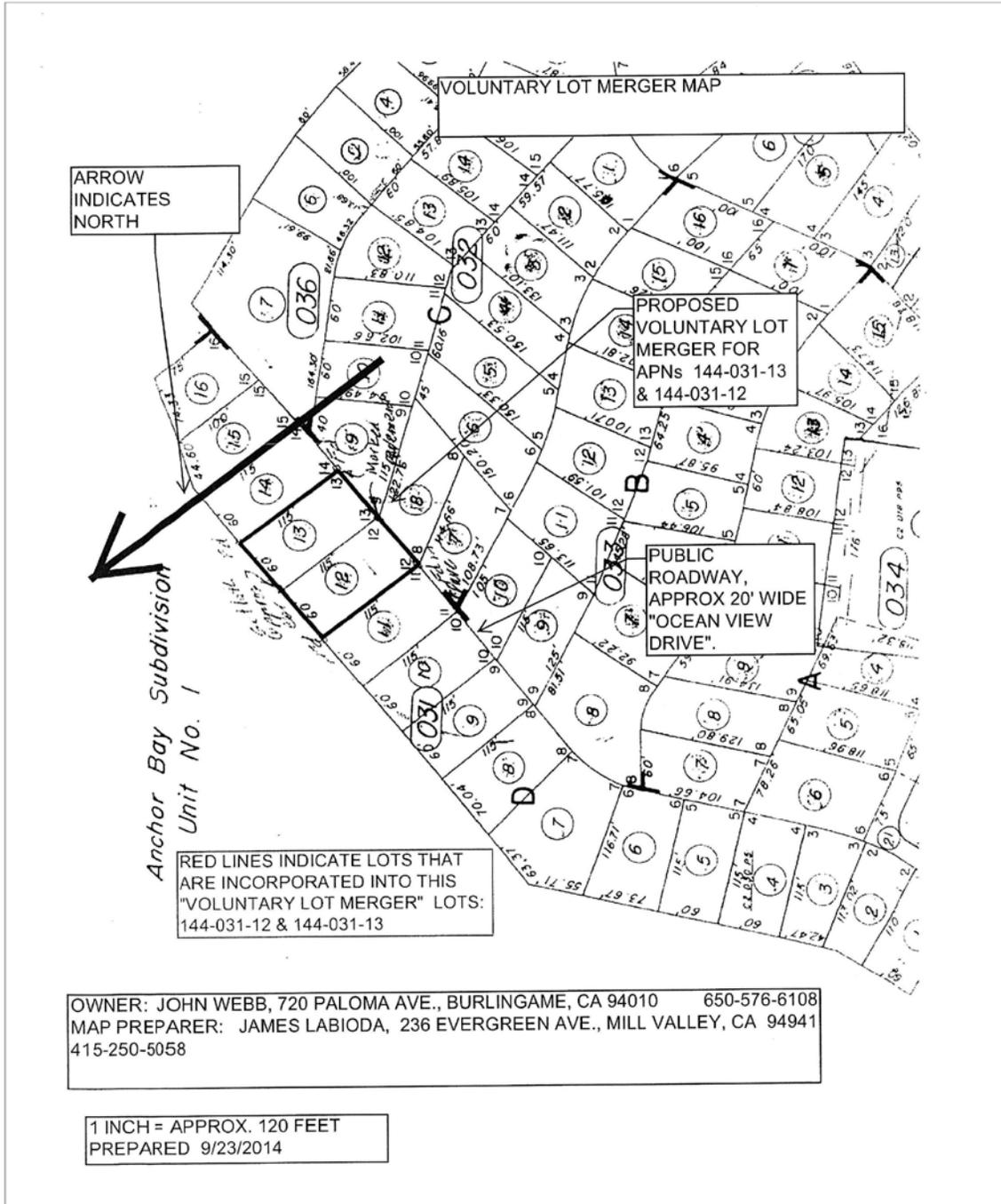
Map produced by the Mendocino County Planning & Building Services, January, 2015
 All spatial data is approximate. Map provided without warranty of any kind.



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ADDRESS: 46820 Ocean View Dr., AB

NO SCALE

GOOGLE EARTH IMAGERY
IMAGERY DATE: 8-17-2013



OWNER: JOHN WEBB, 720 PALOMA AVE., BURLINGAME, CA 94010 650-576-6108
 MAP PREPARER: JAMES LABIODA, 236 EVERGREEN AVE., MILL VALLEY, CA 94941
 415-250-5058

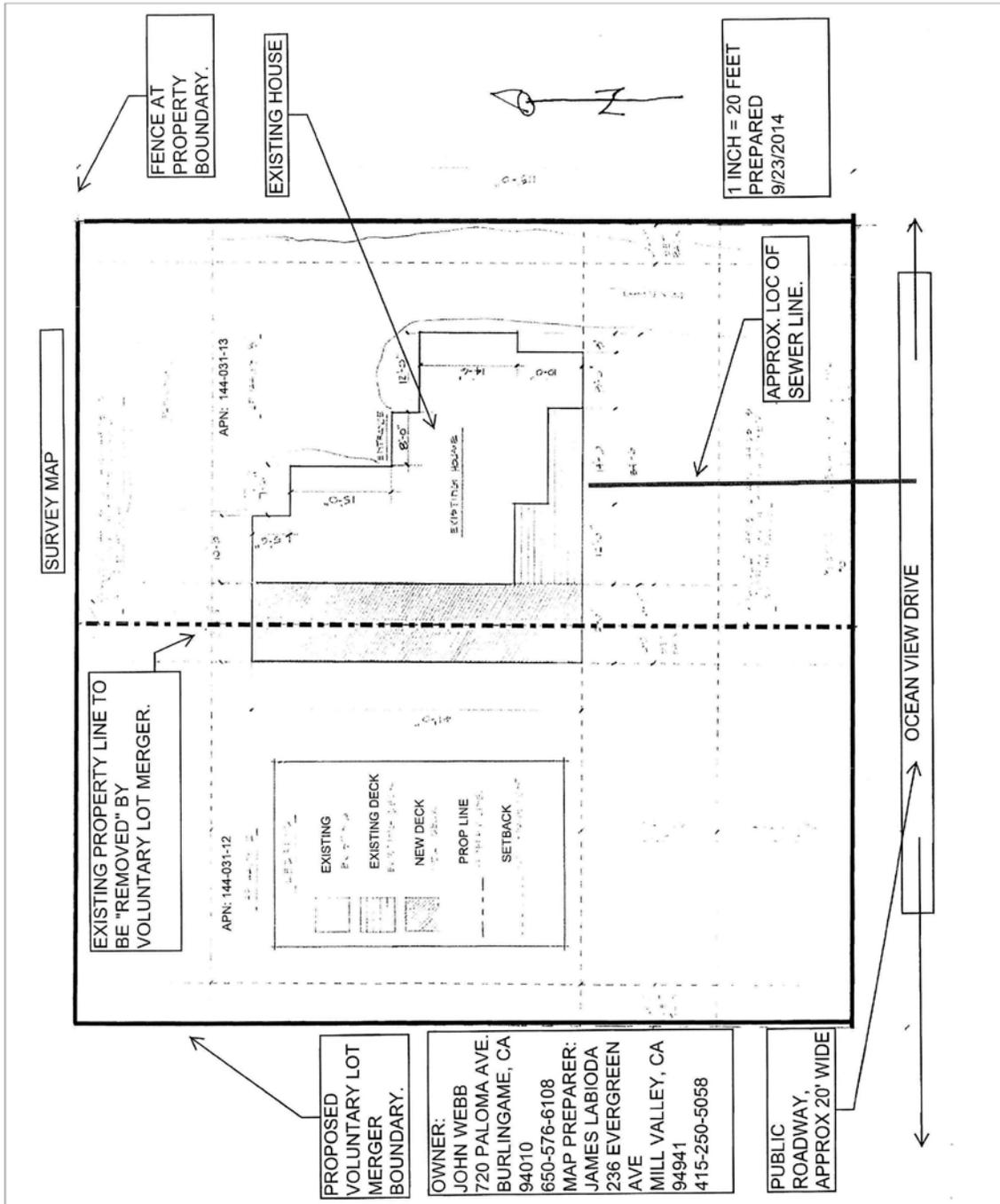
1 INCH = APPROX. 120 FEET
 PREPARED 9/23/2014

CASE: CDB 41-2014
 OWNER: WEBB, John & Denise
 APN: 144-031-12, 13
 APLCT: John Webb
 ADDRESS: 4682o Ocean View Dr., AB

NO SCALE

EXHIBIT (MERGER MAP)

Map produced by the Mendocino County Planning & Building Services, January, 2015
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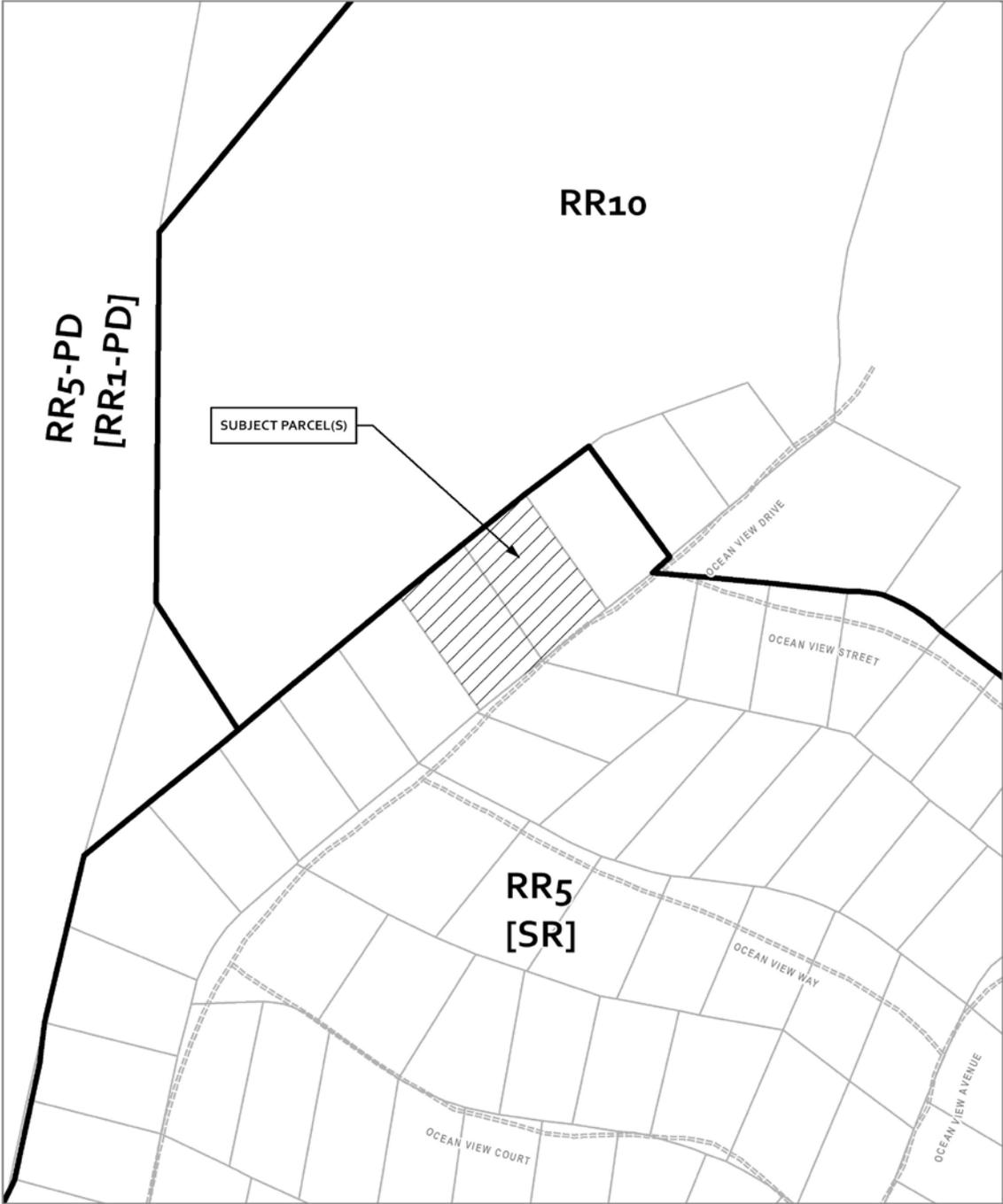


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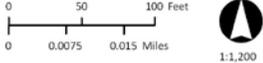
EXHIBIT (SITE PLAN)

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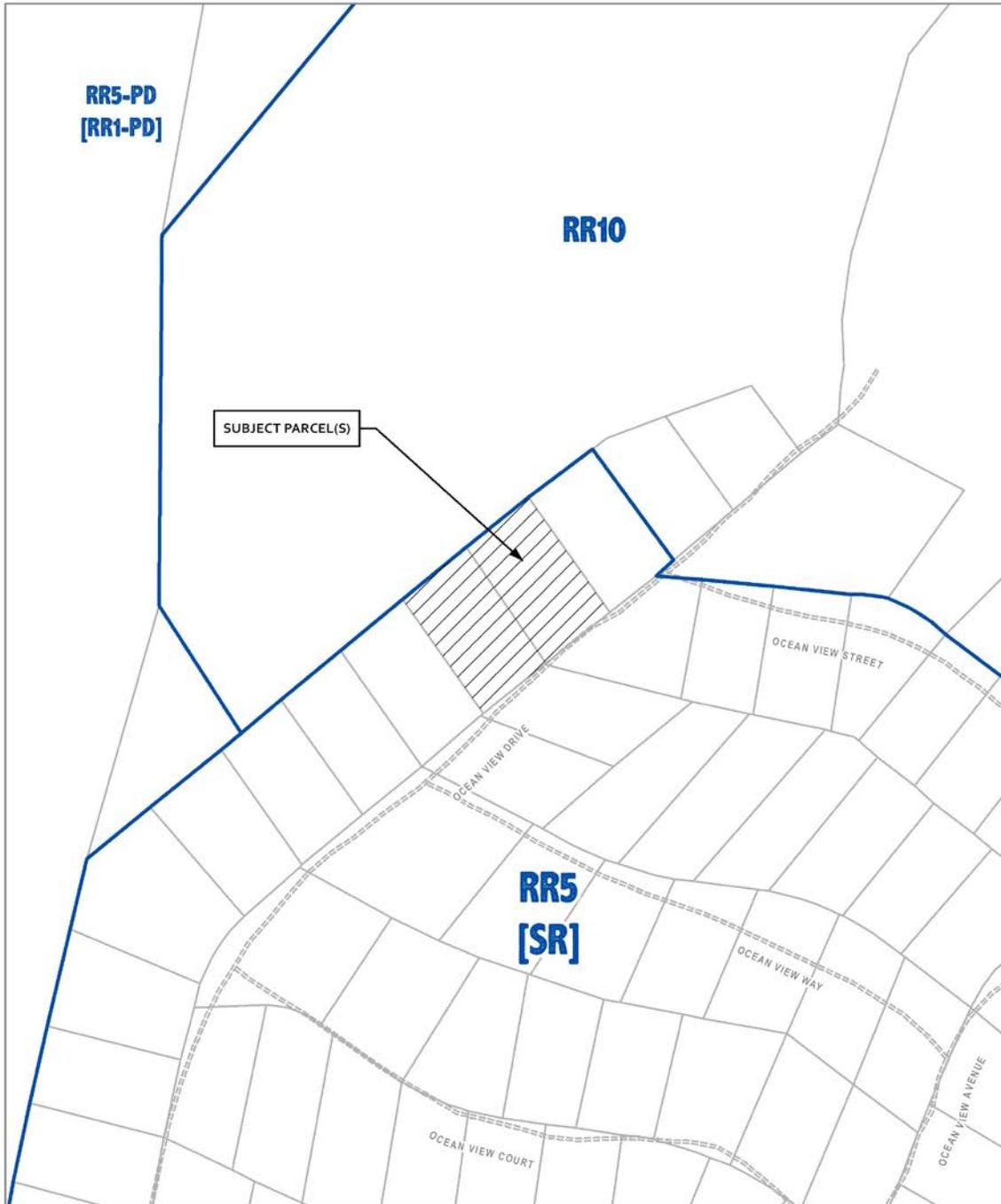
CASE: CDB 41-2014
OWNER: WEBB, John & Denise
APN: 144-031-12, 13
GP/BZ: RR5 (SR) / RR5 (SR)
ADDRESS: 46820 Ocean View Dr., AB

==== Private Roads



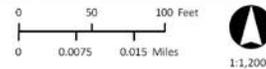
ZONING DISPLAY MAP

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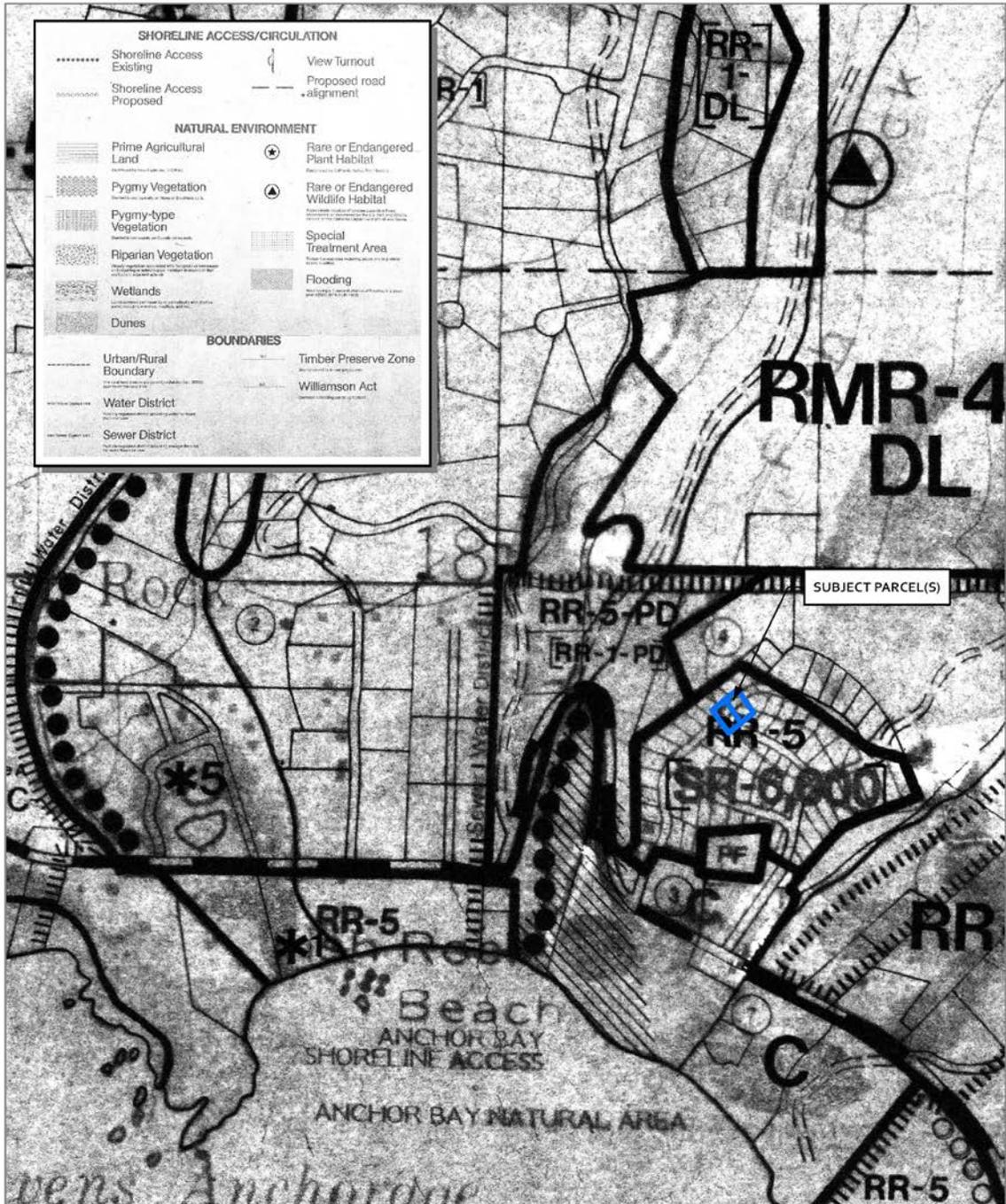
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==== Private Roads



GENERAL PLAN CLASSIFICATIONS

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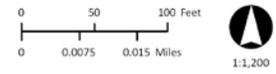
NO SCALE

LCP MAP 30: ANCHOR BAY

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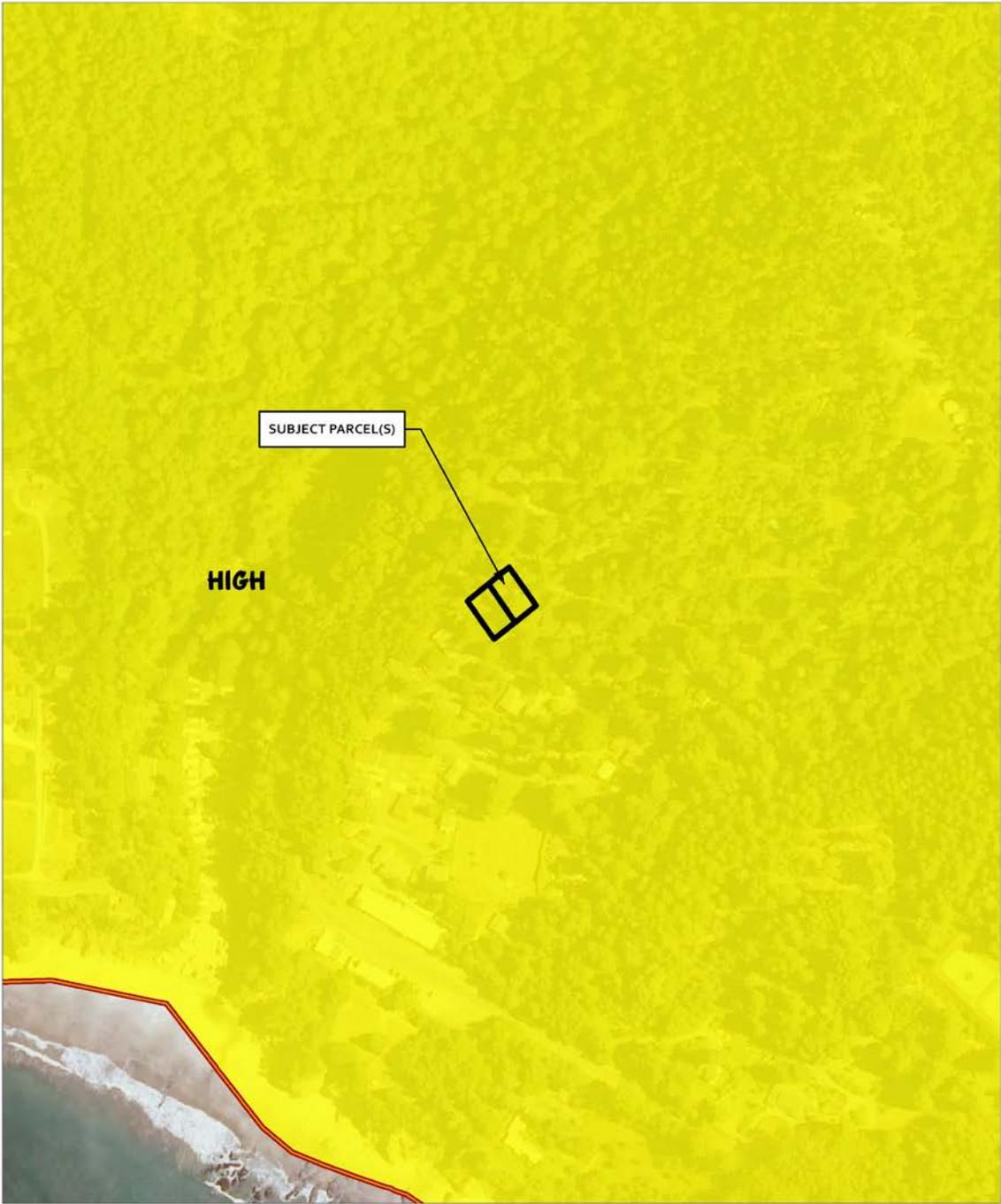


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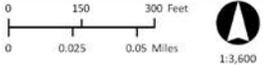
ADJACENT PARCELS

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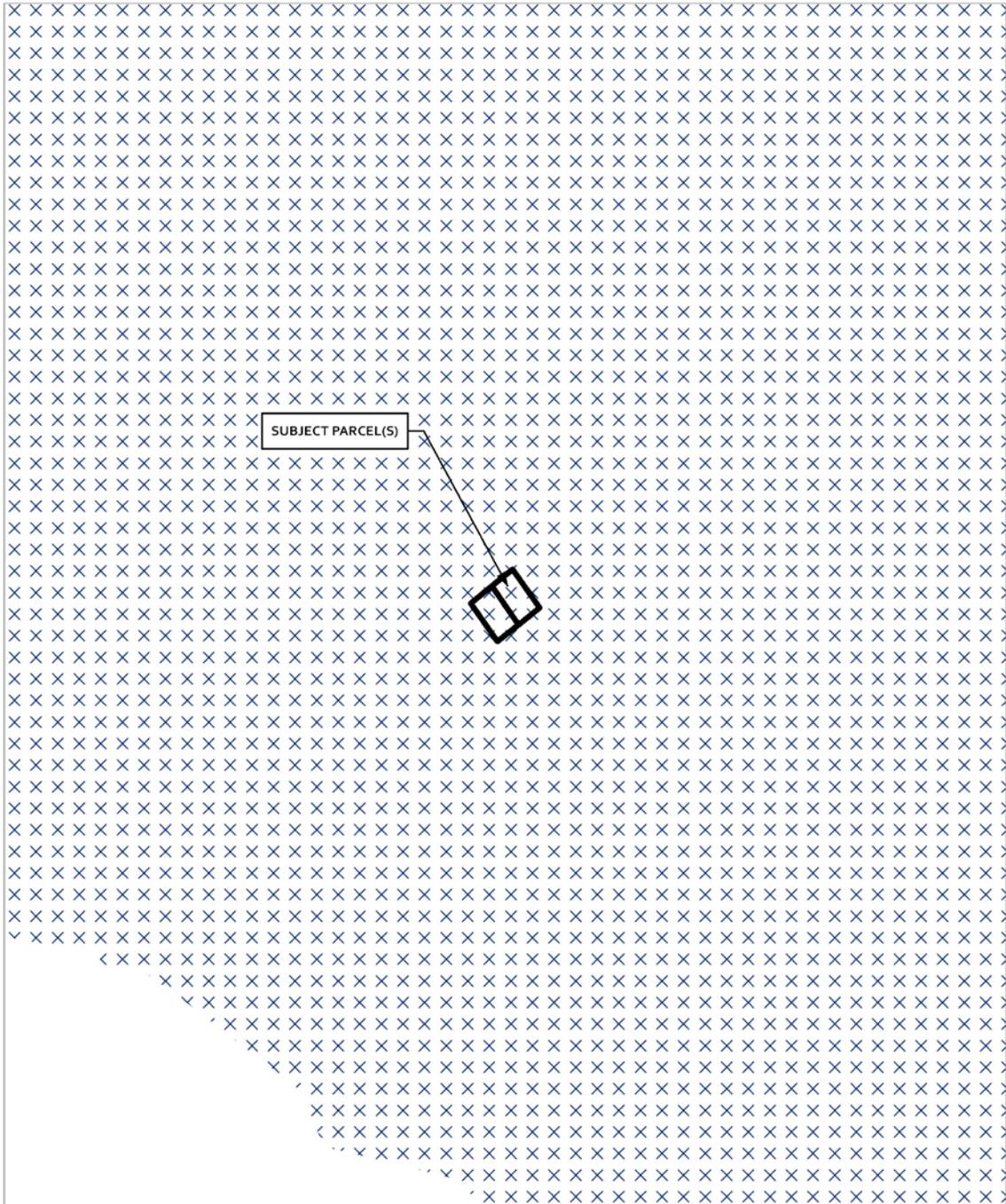
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State Responsibility Areas



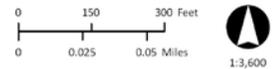
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
SOUTH COAST FPD

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x x Critical Water Areas



COASTAL GROUNDWATER RESOURCE AREAS

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