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

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**MAY 8, 2025  
B\_2024-0020**

**PROJECT PLANNER CONTACT**

RUSS FORD  
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**PROJECT SUMMARY**

**OWNER:** Lynn Kathleen Denley-Bussard  
5232 Monte Verde Drive  
Santa Rosa, CA 95409

**APPLICANT:** John-Pascal Berrill & Christa Marie Dagley  
3394 Red Lake Road  
South Lake Tahoe, CA 96150

**REQUEST:** Coastal Boundary Line Adjustment to reconfigure the boundaries between two existing lots. Lot 1 (APN: 144-012-10) will increase from 0.9± acres to 1± acres, Lot 2 (APN: 143-170-10) will decrease from 3.8± acres to 3.7± acres.

**LOCATION:** In the Coastal Zone, lying on the west side of Fish Rock Road (CR 122), 0.20± miles north of its intersection with State Route 1 (SR 1), located at 46800 Fish Rock Road and 34601 S. Hwy 1, Gualala; APN's: 144-012-10 and 143-170-10

**TOTAL ACREAGE:** Lot 1: 0.90± acres  
Lot 2: 3.80± acres

**GENERAL PLAN:** Rural Residential 5 acre minimum, variable to Rural Residential 2 acre minimum (RR-5 [RR-2])  
General Plan (Chapter 7 – Coastal Element)

**ZONING:** Rural Residential 5 acre minimum, variable to Rural Residential 2 acre minimum (RR-5 [RR-2])  
Mendocino County Code Title 20, Division II

**CODE REFERENCE:** Boundary Line Adjustment  
Mendocino County Code (MCC) Chapter 20.524

**APPEALABLE** Yes, by project type.

**SUPERVISORIAL DISTRICT:** District 5 (Williams)

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt, Class 5(a)

**RECOMMENDATION:** Approve with Conditions

## PROJECT BACKGROUND & INFORMATION

**PROJECT DESCRIPTION:** The applicants wish to adjust a portion of the line between their lots approximately 20 feet to the north. The adjustment will provide additional clearance to an existing well and proposed residence on Lot 1.

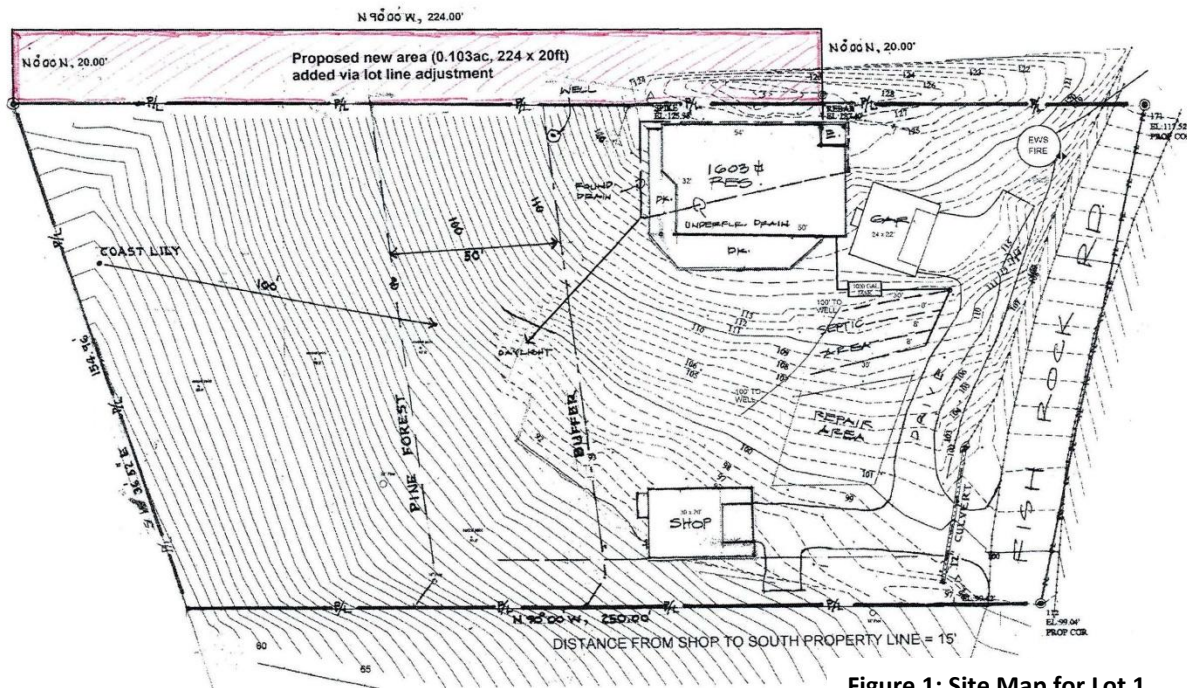


Figure 1: Site Map for Lot 1

**SITE CHARACTERISTICS:** The project site is located on a coastal terrace between SR 1 and Fish Rock Road, approximately 0.25 miles east of the Pacific Ocean. Lot 2 is developed with a single-family residence and accessory structures and is heavily forested over the eastern portion. Lot 1 is undeveloped. Both parcels are almost entirely comprised of Abalobadijah-Bruheli-Vizcaino complex soils on 30%-50% slopes, which is typically used for limited livestock grazing or as wildlife habitat.

### Public Services:

Access: Fish Rock Road (CR 122)  
Water District: North Gualala Water Company  
Sewer District: None  
Fire District: South Coast Fire Protection District

**RELATED APPLICATIONS:** The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

### Subject Parcel Projects:

- CDP\_2011-0023 – Coastal Development Permit to construct a single-family residence, garage, workshop, and associated development. Approved 11/18/2015. [Expired 2017. Vested by installation of well, August 20, 2018.](#)

### Neighboring Projects:

- No relevant projects

**AGENCY COMMENTS:** On August 21, 2024 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions are discussed in this staff report and contained in Conditions of Approval. A summary of the submitted agency comments are listed below.

TABLE 1: Referral Agency Responses	
REFERRAL AGENCIES	COMMENT
Mendocino County Assessor’s Office	No Response
Mendocino County Building Division – Fort Bragg	No Response
Mendocino County Addresser	No Response
Mendocino County Department of Transportation	No Response
Mendocino County Environmental Health	No Comment
South Coast Fire Protection District	No Response
Gualala MAC	No Response
North Gualala Water District	No Response
Mendocino County Planning Division – Fort Bragg	No Response
CAL FIRE	No Response
California Coastal Commission	No Response
Cloverdale Rancheria	No Response
Potter Valley Tribe	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

Staff received no comments regarding the proposed project.

## PROJECT ANALYSIS

### LOCAL COASTAL PROGRAM CONSISTENCY:

**Land Use and Planning Areas:** Both lots are classified Rural Residential 5-acre minimum, variable to 2 acres. Lot 1 is approximately 1 acre in size and currently undeveloped, and so is nonconforming to minimum lot size. Lot 2 is 3.8± acres and developed with a single-family residence, and so is conforming to the higher density lot minimum as well as dwelling density. The proposed adjustment would transfer a marginal amount of land (0.1± acres) from Lot 2 to Lot 1 and would not affect the conforming status of either lot. Lot 1 has an approved CDP for construction of a single-family residence that ~~expired in 2017 and has not been renewed~~ [was deemed to be vested in 2018 by installation of a well.](#)

The project site is located within the Iversen Road to Sonoma County Line Planning area, distinguished by dense forests of small coniferous and broadleaf trees. This area contains a number of polices governing future development within the Gualala and Anchor Bay area, but none of these are applicable to a boundary line adjustment. No additional development is proposed or permitted as part of this application, and additional development would likely require approval of a Coastal Development Permit.

**Zoning:** The zoning for both lots is Rural Residential, intended for local small scale farming on lands which are not well-suited for large scale commercial agriculture. Residential uses should be sited to create minimal impact on agricultural viability. The steep (30%-50%) slope of the project site limits the use of either lot for agricultural operations, and Lot 1 appears to have been previously cleared for a homesite. The project would adjust a portion of the common boundary to the north approximately 20 feet, and would not affect setbacks to any existing development on Lot 2. Lot 1 is undeveloped. See the *DIVISION OF LAND REGULATIONS* section below for discussion of additional findings.

**Environmentally Sensitive Habitat and Other Resource Areas:** ~~A biological report for Lot 1 was prepared in 2015 in conjunction with CDP 2011-0023. That report indicated the presence of a bishop pine forest ESHA over the western 25% of the property. CDP 2011-0023 was approved with a reduction to the required 100 foot buffer but keeping all proposed development at least 50 feet from the existing ESHA. No ESHA or other resource areas were identified within either of the subject lots.~~ MCC §20.496.020(A)(3) prohibits approval of boundary line adjustments that would create a parcel entirely within an ESHA buffer area. The minimal change requested by the applicants, together with the previously approved CDP indicate that ~~this would not be the case, and the location of the proposed and previously permitted development on Lot 1 would be unaffected by this project. no relevant ESHA buffers exist or existed within the project area. Due to the previous CDP entitlement having expired without vesting, additional development on Lot 1 would likely require approval of a new CDP, which would provide an updated biological scoping.~~

**Archaeological and Cultural Resources:** As discussed above, the RR zoning is intended to protect areas for smaller scale agricultural operations, but the topography of the project site makes such operations unlikely. No conversion of potential agricultural land will occur as a result of this project, nor will there be any loss to possible future operations.

The project proposes to adjust a legal parcel boundary between two lots and does not include the approval of any additional development or ground disturbance. The project was not referred to the Northwest Information Center at Sonoma State (NWIC) due to these factors. Approval of future development would likely require discretionary review by the Department and evaluation of any on-site cultural resources would occur at that time.

**DIVISION OF LAND REGULATIONS:** MCC §20.524.025(E) prohibits a boundary line adjustment from having more than one zoning designation if such designation would adversely affect environmental resources or agricultural use of the property. Both lots share a common zoning, so the findings for this section may be met.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

The Secretary for Resources has found that certain classes or projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents. The proposed project to adjust the boundary between two existing lots meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under California Code of Regulations Section 15305(a) for minor lot line adjustments not resulting in the creation of any new parcels.

## **PROJECT FINDINGS & CONDITIONS OF APPROVAL**

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code, the Coastal Permit Administrator approves B\_2025-0020, finds the project Categorically Exempt from the California Environmental Quality Act, and adopts the following findings and conditions.

### **FINDINGS:**

1. Pursuant to MCC Section 20.532.095(A)(1), the proposed project to adjust the boundary between two existing lots is in conformity with the certified local coastal program. The project would adjust 0.1± acres from one lot to another and does not provide for any additional development; and
2. Pursuant to MCC Section 20.532.095(A)(2), the proposed development to adjust the boundary between two existing lots will be provided with adequate utilities, access roads, drainage, and other necessary facilities. Lot 24 is currently developed with a single-family residence, served by an on-site septic system and domestic water. Lot 12 is undeveloped ~~and will remain so following approval of this project. Future development on Lot 2 would likely require a Coastal Development Permit, which would address~~

~~utility requirements in more detail at that time, but has a vested CDP for construction of a single-family residence, garage, workshop, and associated development.~~ The project will not alter the current utility requirements for either lot. Both lots have established access roads to Fish Rock Road and State Route 1, respectively; and

3. Pursuant to MCC Section 20.532.095(A)(3), the proposed development to adjust the boundary between two existing lots is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division and preserve the integrity of the zoning district. The adjustment of 0.1± acres from Lot 2 to Lot 1 will not affect the conforming status of either lot or encroach within required structure setbacks; and
4. Pursuant to MCC Section 20.532.095(A)(4), the proposed development to adjust the boundary between two existing lots, if completed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. The project is Categorically Exempt from further review per §15305(a) for minor lot line adjustments; and
5. Pursuant to MCC Section 20.532.095(A)(5), the proposed development to adjust the boundary between two existing lots will not have any adverse impacts on any known archaeological or paleontological resource. No additional development is proposed or approved with this project. Future development will likely require discretionary review by the Department, which will analyze possible archaeological impacts at that time; and
6. Pursuant to MCC Section 20.532.095(A)(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 to adjust the boundary between two existing lots. The project does not approve additional development so no change in development, density, or transportation will occur following project approval; and
7. Pursuant to MCC Section 20.524.025(E), the proposed development to adjust the boundary between two existing lots will not result in a parcel having more than one zoning district. Both lots share a common zoning and will retain that following project approval.

#### 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). The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and/or use of the property in reliance on such permit has been initiated prior to its expiration. Such permit vesting shall include approved permits associated with this project (i.e. building permits, septic permits, well permits, etc.) and physical construction in reliance of such permits, or a business license demonstrating establishment of a use proposed under this project.
2. One perimeter description shall be provided for each parcel to be adjusted. The new description shall be prepared by, and bear the seal of, a Licensed Land Surveyor.
3. Each transfer of real property shall be by means of a Quitclaim Deed that includes 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\_2024-0020 and is intended to create no new parcel.”*

4. Per Mendocino County Code Section 17-17.5(l)(2), the Treasurer-Tax Collector shall certify 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. No recording of documents shall occur until written clearance has been issued by the Department of Planning and Building Services. Once said clearance has been issued, a Conformed Copy of the recorded Quitclaim Deeds shall be submitted to the Department for verification.
6. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
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 with the Environmentally Sensitive Habitat and Special Treatment Areas as set forth in the Local Coastal Program 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. Approval of this Coastal Development Boundary Line Adjustment does not authorize any tree removal activities on either parcel. Such activities would need to be reviewed under a separate application and may require a Coastal Development Permit.

3/27/2025

Russell Ford

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DATE

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RUSS FORD  
SENIOR PLANNER

Appeal Period: 10 Days  
Appeal Fee: \$2,674.00

**ATTACHMENTS:**

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|---------------------------------|----------------------------------|
| A. Location Map                 | H. LCP Land Capabilities         |
| B. Topo Map                     | I. LCP Habitats & Resources      |
| C. Aerial Map (vicinity)        | J. Zoning Districts              |
| D. Aerial Map                   | K. Adjacent APNs                 |
| E. Tentative Map                | L. Coastal Groundwater Resources |
| F. General Plan Classifications | M. Estimated Slope               |
| G. LCP Land Use                 | N. Soil Types                    |