



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: April 6, 2017

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Green Diamond Resource Company**
Lot Line Adjustment, Zone Boundary Interpretation, and
Joint Timber Management Plan
Application Number 9906
Case Numbers LLA-16-022, ZBA-16-005, JTMP 16-004
Assessor's Parcel Numbers 303-012-005, 303-012-015, 303-012-019
Southern portion of the McKay Tract, adjacent to the south and west
boundaries of the Ridgewood Heights neighborhood in the Eureka Area.

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Please contact Tricia Shortridge, Planner II, at 268-3704 or via email at tshortridge@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
April 6, 2017	Lot Line Adjustment, Zone Boundary Interpretation, and Joint Timber Management Plan	Tricia Shortridge

Project: The project consists of three parts: a Lot Line Adjustment (LLA), a Zone Boundary Interpretation (ZBA), and a Joint Timber Management Plan (JTMP). The LLA is proposal is to relocate the boundaries of three parcels such that they follow the centerlines of roads and creeks, resulting in three parcels. The purpose of the LLA is to create logical management units. The Zone Boundary Interpretation, pursuant to Section 311-8 of the zoning regulations, is requested to describe the zoning boundary between Parcel 1, zoned Agricultural General five (5) acre minimum parcel size (AG-B-5(5)), and Parcel 2, zoned Timber Production (TPZ), to coincide with the centerline of unnamed creek, consistent with the locations of the new lot lines. The movement of the lot lines will result in approximately 0.90 acres of AG-B-5(5) land used historically and currently as timberland, being recognized as TPZ. A Joint Timber Management Plan (JTMP) is required pursuant to California Government Code Section 51119.5 which stipulates that parcels zoned for timber production may not be divided into parcels containing less than 160 acres without an approved JTMP. The proposed LLA will result in parcel one being 100.35 acres, and parcel three being 141.31 acres. A 4/5ths vote for approval by the Board of Supervisors must occur before the JTMP and LLA can be approved.

Project Location: Parcels 1 and 2 are situated adjacent to the southern boundary of the Ridgewood Heights neighborhood, and Parcel 3 is adjacent to the eastern boundary of Ridgewood Heights neighborhood. All three parcels are otherwise known to be in Sections 12, 13, and 14 T4N, R1E, Humboldt Meridian.

Present General Plan Land Use Designation: Timber Production (T); Agricultural Rural (AR) -One Dwelling Unit per Five Acres, Eureka Community Plan (ECP). Slope Stability: Relatively Stable to Moderate Instability within all three parcels.

Present Zoning: Parcel 1 has two zoning designations comprising Agriculture General with a five-acre minimum parcel size (AG-B-5(5)), and Timber Production (TPZ). Parcels 2 and 3 are both zoned TPZ. As depicted on the Lot Line Adjustment map, there is a small parcel that is encompassed by Parcel 3. This 0.47 acre parcel is utilized as a water transmission facility owned by the Humboldt Community Services District. This parcel is also zoned TPZ, but is not part of the JTMP or LLA.

Case Numbers: LLA-16-022, ZBA-16-005, JTMP-16-004

Application Number: 9906

Assessor's Parcel Numbers: 303-012-005 (Parcel 1), 303-012-015 (Parcel 2), and 303-012-019 (Parcel 3)

Applicant	Owner	Agent
Green Diamond Resource Company Attn: Craig Compton PO Box 1089 Arcata, CA 95518	Same as applicant	Mike O'Hern Kelly -O'Hern Associates 3240 Moor Avenue Eureka, CA 95501

Environmental Review: Project is exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

Major Issues: None

State Appeal Status: Project is not appealable to the California Coastal Commission.

GREEN DIAMOND RESOURCE CO.
LOT LINE ADJUSTMENT, ZONE BOUNDARY INTERPRETATION,
JOINT TIMBER MANAGEMENT PLAN
Case Numbers LLA-16-022, ZBA-16-005, JTMP-16-004
Assessor's Parcel Numbers 303-012-005, -015, -019

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Make all of the required findings for approval of the Lot Line Adjustment and Zoning Boundary Interpretation, based on evidence in the staff report and public testimony, and recommend the Lot Line Adjustment and JTMP to the Board of Supervisors for approval as described in the Agenda Item Transmittal, subject to the recommended conditions of approval.

Executive Summary: The applicant is proposing a Lot Line Adjustment (LLA), a Zone Boundary Interpretation (ZBA) and a Joint Timber Management Plan (JTMP).

Lot Line Adjustment (LLA)

The proposed Lot Line Adjustment is between three parcels comprising 100.35 acres (Parcel 1), 379.06 acres (Parcel 2), and 141.31 acres (Parcel 3). All three parcels were legally created by deed and/or Certificates of Subdivision Compliance and are utilized for Timber Production. The LLA will adjust the property lines between the parcels to follow the centerlines of the creeks and roadways creating logical management units. Using the existing roadways and creeks as boundaries will help facilitate planning for timber production and harvesting, as well as protection of the natural resources located within the management unit. Planning staff believes that the findings for approval of this LLA can be made based on the evidence in Attachment 2.

Zone Boundary Interpretation (ZBA)

The project also includes a proposed Zone Boundary Interpretation for a 0.90 acre portion of land in the southwest corner of Parcel 1 as depicted in Exhibit A attached to the draft Planning Commission Resolution. The zone boundary between the TPZ zoned land and the AG-B-5(5) land would be adjusted to conform to the adjusted lot lines, which coincide with the centerline of an unnamed creek that traverses through the southwest corner of Parcel 1. The resulting 0.90 acre corner that is currently and historically used for timber production would be recognized as TPZ (see figure 1). The current General Plan designation of Timber Production (T), and Agriculture Rural (AR) is consistent with both zone designations (TPZ and AR), and would not need to be changed. Planning Staff believes that the findings for a Zone Boundary Interpretation can be made based on the evidence in Attachment 2.

Joint Timber Management Plan (JTMP)

Section 51119.5 of the California Government Code (C.G.C.) and Section 314-12(c)(1) of the Humboldt County Code (H.C.C.) require the preparation of a JTMP for the division or reconfiguration of land into parcels and/or assessor parcels containing less than 160 acres of land zoned as TPZ. Activities that may result in such a division include subdivision, lot line adjustment, and conveyances of existing land units (e.g. land patents) underlying an assessor's parcel zoned TPZ, when any such created lot, reconfigured parcel or parcel to be conveyed contains less than 160 acres of TPZ land. Such circumstances require the preparation, review and approval of a JTMP per State law and local ordinance. The JTMP is intended to demonstrate that the resulting parcels can be managed as separate units that produce growth and harvest yield over time. The Joint Timber

Management Plan and Guide (JTMP), otherwise known as the Eggert Joint Timber Management Plan, was previously approved by the Forest Review Committee on March 9, 2017. The LLA application proposes the following acreage for each of the parcels (as timber management units) as listed in the table below.

	BEFORE LLA	AFTER LLA
Parcel 1 (Unit 1 in JTMP)	318.83 acres +/-	100.35 +/-
Parcel 2 (Units 2 and 3 in JTMP)	109.62 acres +/-	379.06 +/-
Parcel 3 (Unit 4 in JTMP)	192.27 acres +/-	141.31 +/-

Based on a review of Planning Division reference sources, and comments from all involved referral agencies, Planning Staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Lot Line Adjustment, zone boundary interpretation and Joint Timber Management Plan. Furthermore, the project is in conformance with the Framework Plan and Eureka Community Plan (ECP).

ALTERNATIVES:

The Planning Commission could elect not to approve the project. This alternative should be implemented if the Commission is unable to make all of the required findings. Planning Division staff is confident that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-**

**Case Numbers LLA-16-022, ZBA-16-005 and JTMP-16-004
Assessor Parcel Numbers 303-012-005, 303-012-015, 303-012-019**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Green Diamond Resource Co. Lot Line Adjustment and Zone Boundary Interpretation.

WHEREAS, Craig Compton, on behalf of the owners (Green Diamond Resource Co.), submitted an application and evidence in support of approving the Lot Line Adjustment between three parcels, and to make a Zone Boundary Interpretation to adjust the zone boundary between the Timber Production Zone (TPZ) and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) zone coincidental with the relocated property line; and

WHEREAS, the proposed Zone Boundary Interpretation may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with the General Plan; and

WHEREAS, the County Planning Commission has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Green Diamond Resource Co. Lot Line Adjustment;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission finds the project to be categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-16-022 and ZBA-16-005 based on the submitted evidence; and
3. The Planning Commission approves the proposed Zone Boundary Interpretation as set forth in Exhibit A to this Resolution and recommends the Board of Supervisors approve the Lot Line Adjustment and Joint Timber Management plan application as recommended and considered in the Planning Division Staff Report for Case Numbers LLA-16-022, JTMP-16-004.

Adopted after review and consideration of all the evidence on April 6, 2016.

The motion was made by _____ and seconded by _____ and the following

ROLL CALL vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

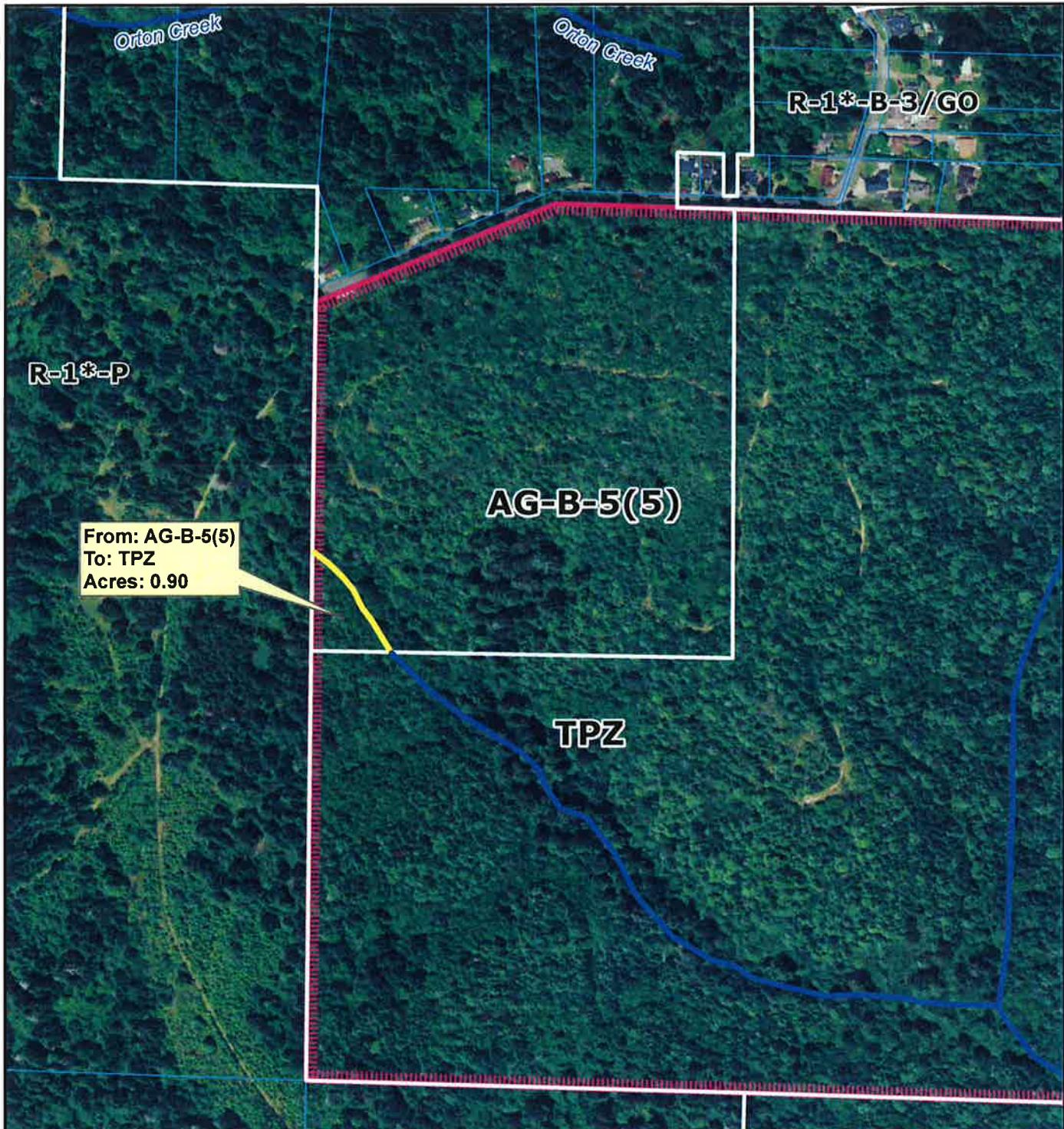
DECISION:

Robert Morris, Chair

I, Suzanne Lippre, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

Suzanne Lippre, Clerk

EXHIBIT A
MAP SHOWING ZONE BOUNDARY INTERPRETATION



ZONING MAP DETAIL

PROPOSED GREEN DIAMOND RESOURCE COMPANY LOT LINE ADJUSTMENT, JOINT TIMBER MANAGEMENT PLAN & ZONE BOUNDARY ADJUSTMENT EUREKA AREA

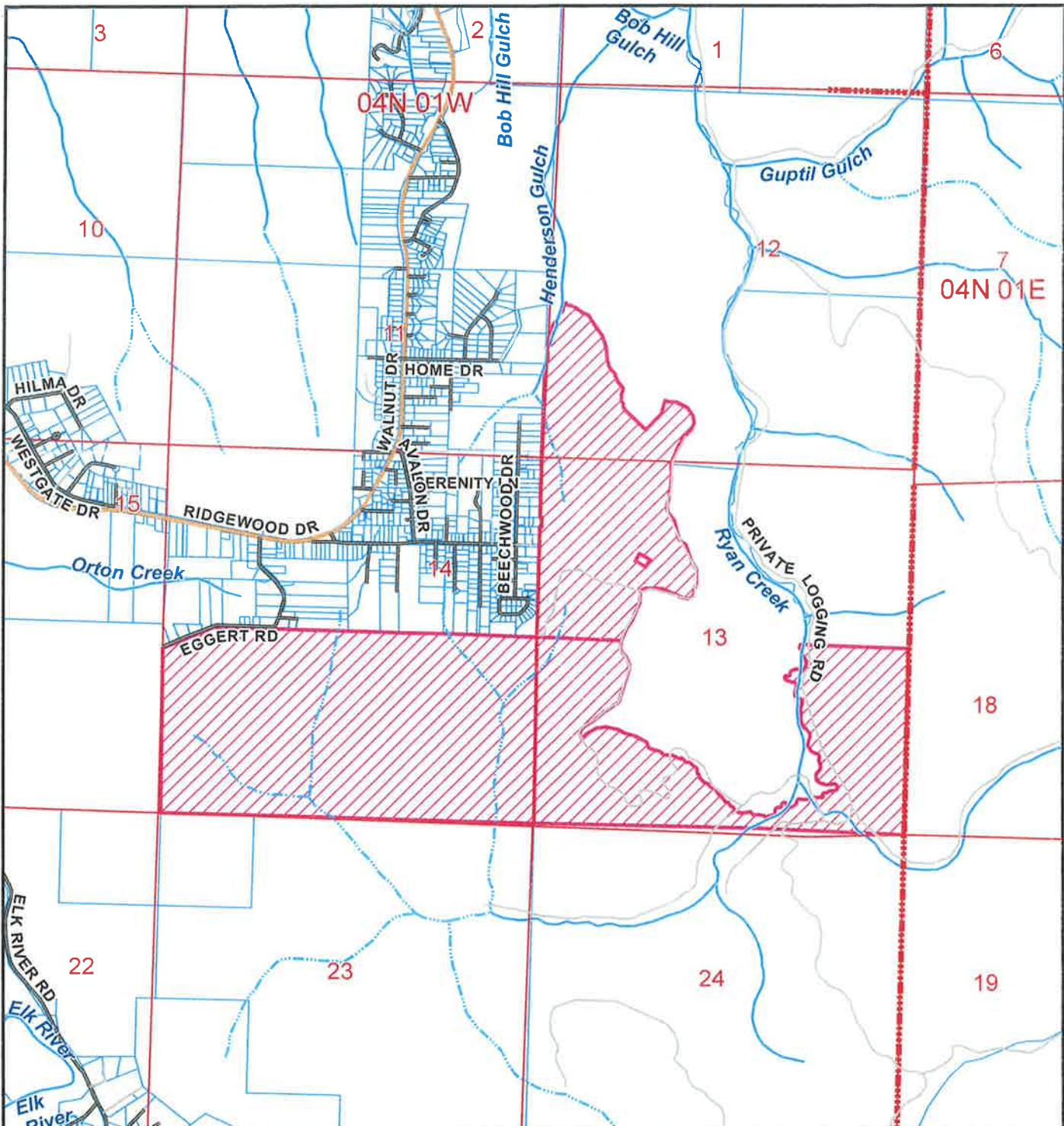
Project Area =

This map is intended for display purposes and
should not be used for precise measurement or
navigation. Data has not been completely checked
for accuracy.

LLA-16-022/JTMP-16-004/ZBA-16-005
APN: 303-012-005, -015, -019
T04N R01W S12-14 HB&M (Fields Landing)



0 250 500
Feet



LOCATION MAP

**PROPOSED GREEN DIAMOND RESOURCE COMPANY
LOT LINE ADJUSTMENT, JOINT TIMBER MANAGEMENT PLAN &
ZONE BOUNDARY ADJUSTMENT**

Project Area =

EUREKA AREA

LLA-16-022/JTMP-16-004/ZBA-16-005

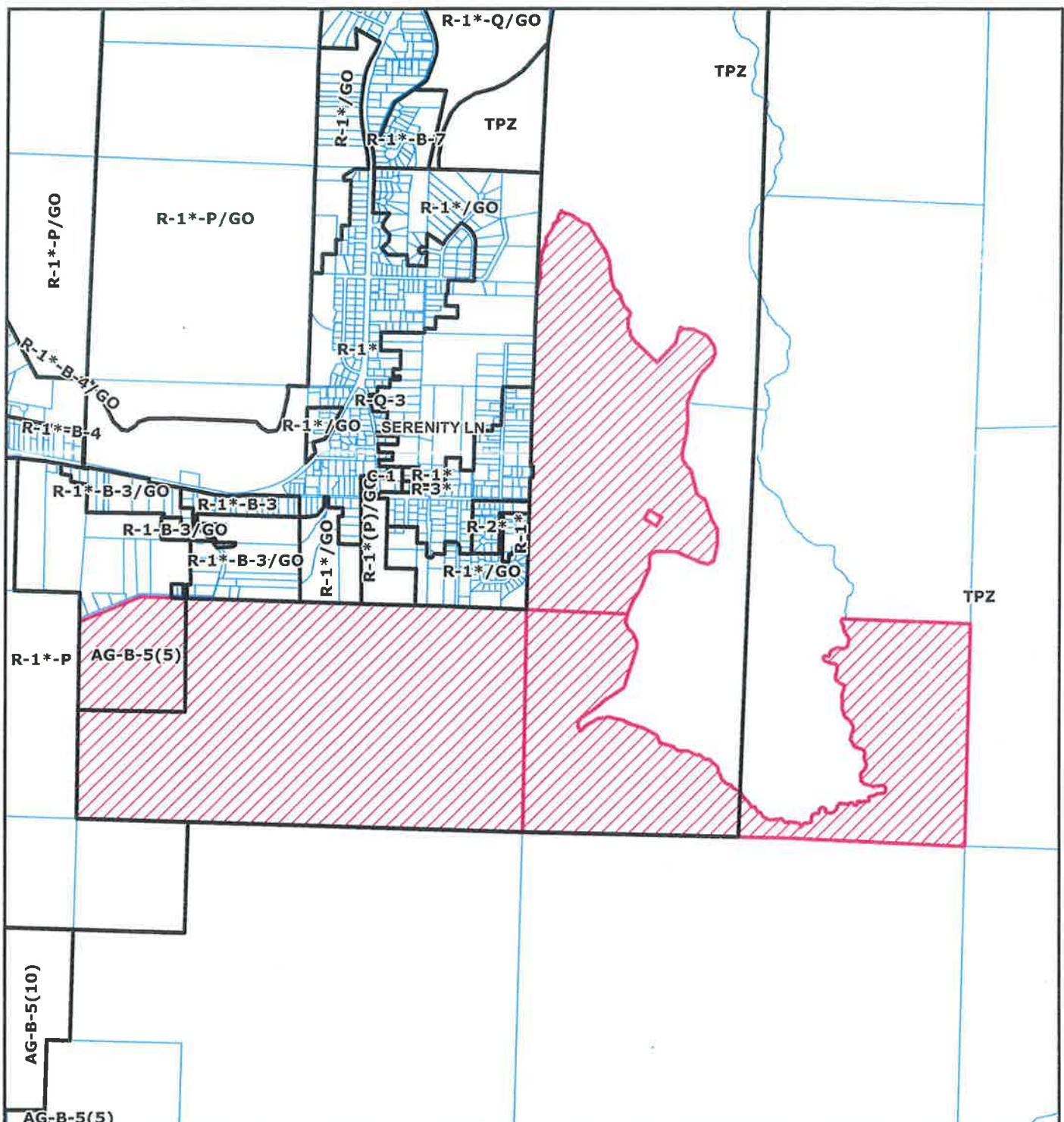
APN: 303-012-005, -015, -019

T04N R01W S12-14 HB&M (Fields Landing)



0 0.25 Miles

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ZONING MAP

**PROPOSED GREEN DIAMOND RESOURCE COMPANY
LOT LINE ADJUSTMENT, JOINT TIMBER MANAGEMENT PLAN &
ZONE BOUNDARY ADJUSTMENT**

Project Area =

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

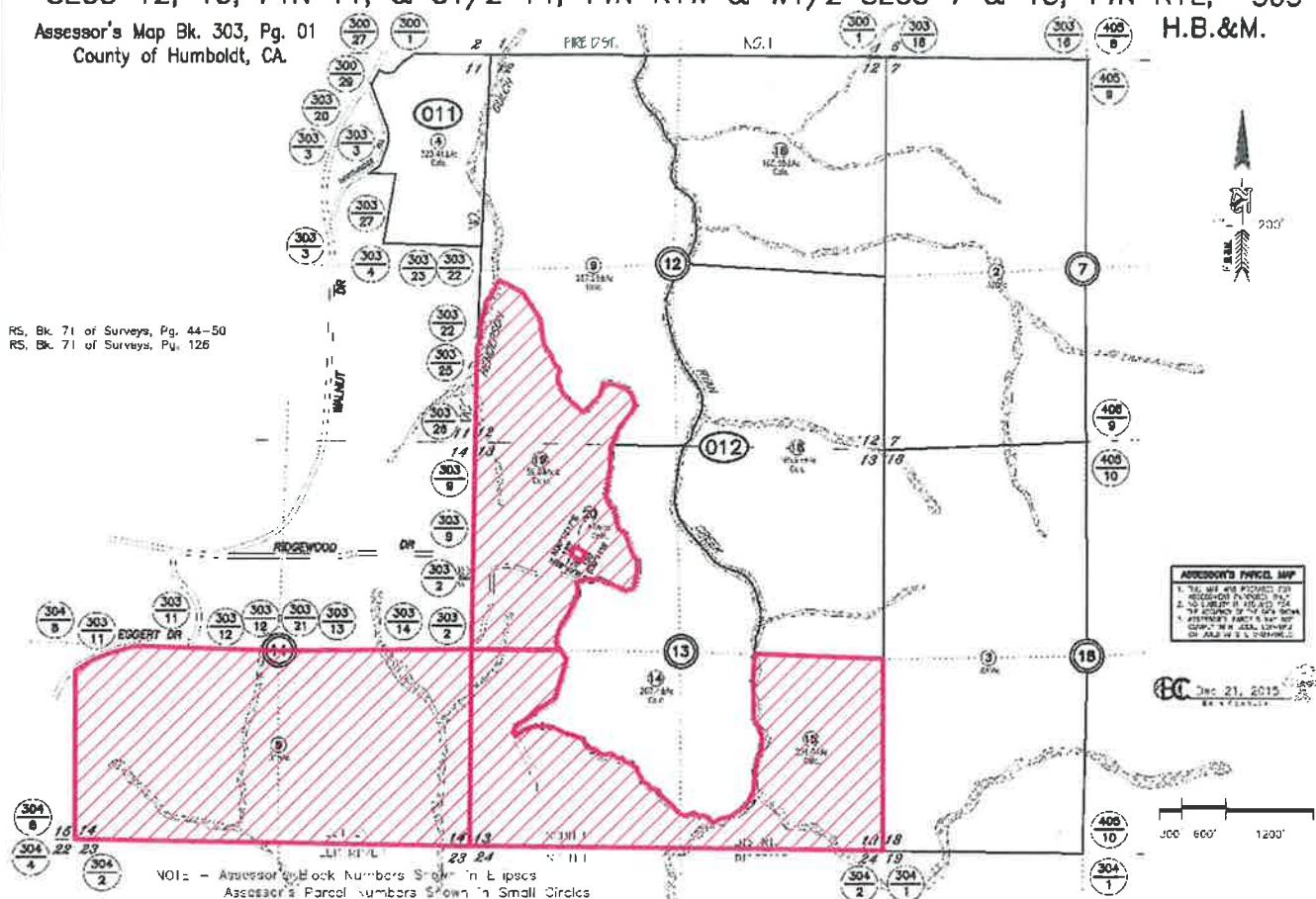
**EUREKA AREA
LLA-16-022/JTMP-16-004/ZBA-16-005
APN: 303-012-005, -015, -019
T04N R01W S12-14 HB&M (Fields Landing)**

SECS 12, 13, PTN 11, & S1/2 14, T4N R1W & W1/2 SECS 7 & 18, T4N R1E, 303-01
Assessor's Map Bk. 303, Pg. 01 300 300 303 303 303 303 H.B.&M.

Assessor's Map Bk. 303, Pg. 01
County of Humboldt, CA.

H.B.&M.

RS, Bk. 71 of Surveys, Pg. 44-50
RS, Bk. 71 of Surveys, Pg. 126



ASSESSOR PARCEL MAP

**PROPOSED GREEN DIAMOND RESOURCE COMPANY
LOT LINE ADJUSTMENT, JOINT TIMBER MANAGEMENT PLAN &
ZONE BOUNDARY ADJUSTMENT**

Project Area =

ZONE BOUNDARY ADJUSTMENT EUREKA AREA

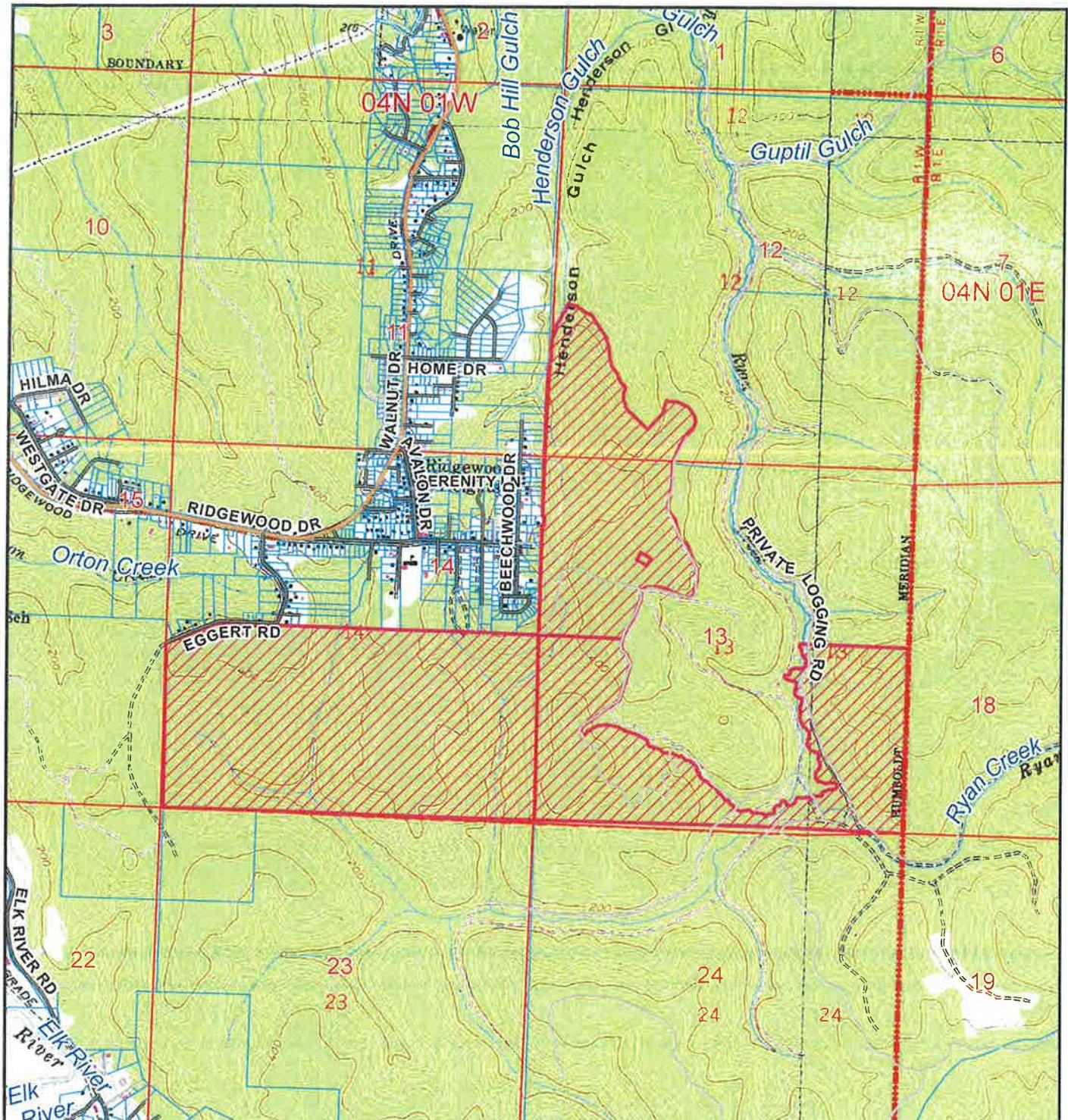
A-16-022/JTMP-16-004/ZBA-16-

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

APN: 303-012-005, -015, -019
T04N R01W S12-14 HB&M (Fields | landing)

APN: 303-012-005, -015, -019

MAP NOT TO SCALE



TOPO MAP

**PROPOSED GREEN DIAMOND RESOURCE COMPANY
LOT LINE ADJUSTMENT, JOINT TIMBER MANAGEMENT PLAN &
ZONE BOUNDARY ADJUSTMENT**

Project Area =

EUREKA AREA

LLA-16-022/JTMP-16-004/ZBA-16-005

APN: 303-012-005, -015, -019

T04N R01W S12-14 HB&M (Fields Landing)

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 0.25 Miles



AERIAL MAP

**PROPOSED GREEN DIAMOND RESOURCE COMPANY
LOT LINE ADJUSTMENT, JOINT TIMBER MANAGEMENT PLAN &
ZONE BOUNDARY ADJUSTMENT**

EUREKA AREA

Project Area =

LLA-16-022/JTMP-16-004/ZBA-16-005

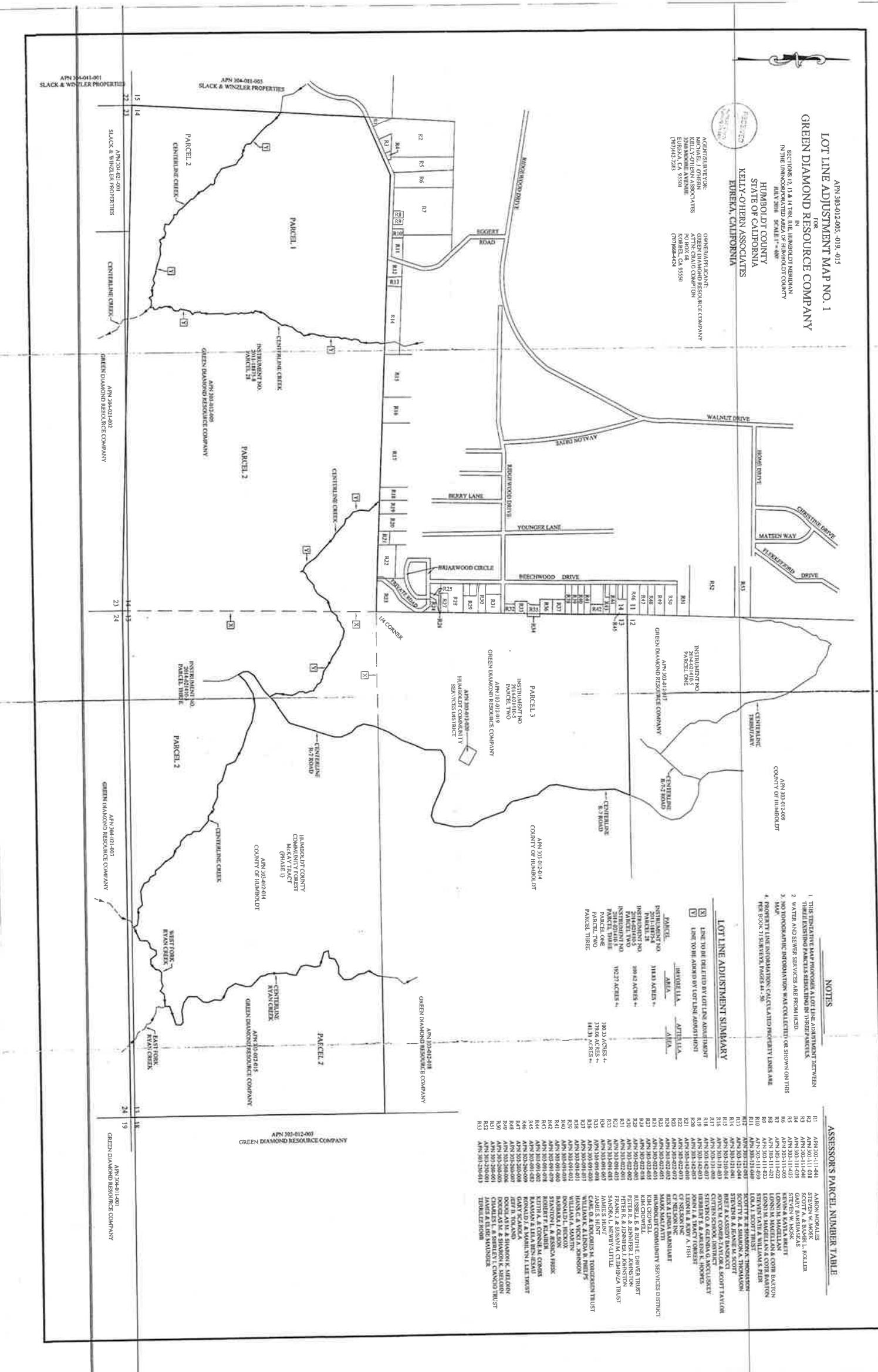
APN: 303-012-005, -015, -019

T04N R01W S12-14 HB&M (Fields Landing)



0 0.25 Miles

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ATTACHMENT 1
CONDITIONS OF APPROVAL (Lot Line Adjustment)

APPROVAL OF THE LOT LINE ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE COMPLETION OF THE PROJECT:

1. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
 - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
 - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
 - c. A completed "Notice of Lot Line Adjustment and Certificate of Compliance" form for each parcel.
 - d. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$209.00 per notice plus applicable recordation fees).
2. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
3. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$70.50) as required by the County Assessor shall be paid to the County Community Development Services, 3015 "H" Street, Eureka. The check shall be made payable to the "County of Humboldt". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
4. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.
5. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition.** Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to

the County's issuance of a building permit or other grant of authority to develop the subject properties.

6. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
7. Applicant shall obtain Board of Supervisors approval for the Joint Timber Management Plan and associated Lot Line Adjustment.

Informational Notes:

1. A Record of Survey as outlined in the Business and Professions Code of the State of California may be required pursuant to Section 8762 of the Land Surveyors Act which states in part, a Record of Survey shall be filed upon "...the establishment of one or more points or lines not shown on any subdivision map, official map, or record of survey...".
2. Approval of this Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed.
3. This permit, including the Lot Line Adjustment shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
4. The Humboldt County zoning map shall be revised to conform to the realigned zone boundary per the zone boundary determination of the Humboldt County Planning Commission (H.C.C. §311-8.2).

ATTACHMENT 2
Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: To approve this project, the Hearing Officer shall determine that the applicants have submitted evidence in support of making all of the following required findings.

A. Lot Line Adjustment

The following tables provide evidence in support of the required findings for the Lot Line Adjustment:

1. The Lot Line Adjustment application is complete;
2. The project is consistent with the Subdivision Map Act;
3. The project conforms to zoning and building ordinances, and conforms to all applicable standards and requirements of the coastal zoning regulations;
4. The project is consistent with the General Plan; and
5. The project, and the conditions under which it may be operated or maintained, will not adversely impact the environment; and the required CEQA findings can be made for any development which is subject to the regulations of CEQA.

A.1. The application is Complete: The following table identifies the evidence which supports the finding that the applicant has submitted the information which is required by Section 325.5-6(a) of the Humboldt County Code.

Application Requirements	Submitted
Completed and Signed Application Form	✓
Copies of Present Owners Deeds	✓
Preliminary Title Report	✓
Copy of the Creation Documents for the parcels	✓
6 Copies of a Lot Line Adjustment Plot Plan	✓
Required County Fees	✓
A Written Statement Explaining the Reasons For the Adjustment (Project Description)	✓

A.2. Consistency with the Subdivision Map Act: The following table identifies the evidence which supports the finding that the parcels to be adjusted are found to be in compliance with the Subdivision Map Act which is required by Section 325.5-6(b) of the Humboldt County Code.

PARCELS	CREATION DOCUMENT	LEGAL STATUS
303-012-005 (Parcel 1)	Certificate of Subdivision Compliance Instrument No. 2011-18875-8	Legal parcel
303-012-015 (Parcel 2)	Deed Instrument No. 2014-014702-19 and also Certificate of Subdivision Compliance Instrument No. 2011-18875-8.	Legal parcel
303-012-019 (Parcel 3)	Conveyed by deed from McKay & Company to Oscar Lee Williams, recorded in Book 56 of Official Records, page 356; and also Certificate of Subdivision Compliance Instrument No. 2011-18875-8.	Legal parcel

Based upon requirements of the County Lot Line Adjustment Ordinance, and due to requirements in the Subdivision Map Act, a Notice of Lot Line Adjustment must be recorded for each resultant parcel.

A.3. Zoning Compliance and Development Standards: The following table identifies the evidence which supports finding that the proposed lot line adjustment neither causes non-conformance nor increases the severity of preexisting nonconformities with zoning and building ordinances, that the development is consistent with the purposes of the existing zone, and the proposed development conforms with all applicable standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) Timberland Production (TPZ)	The present use is Timber Production which is defined as an agricultural use and is principally permitted in both AG-B-5(5) and TPZ.	The project will adjust the parcel lines between three parcels to follow the centerlines of creeks and roads for the purpose of creating logical management units to facilitate the existing use of timber production and harvest. No development or other type of use is proposed as part of the Lot Line Adjustment and Zone Boundary Interpretation.
Development Standards		
Minimum Parcel Size	AG-B-5(5): 5 acres TPZ: 160 acres; 40 acres if the provisions of California Government Code Section 51119.5 are met	The Lot Line Adjustment results in Parcels 1 being partially zoned split zoned as TPZ. Parcel 3 is also zoned (TPZ). Lands zoned TPZ have a minimum parcel size of 160 acres. Since each parcel is less than 160 acres, a JTMP is proposed in accordance with the applicable California Government Code. The purpose of the JTMP is to demonstrate that timber production and harvest is feasible on smaller parcels. The JTMP has been reviewed and recommended by the Forestry Review Committee and requires approval by a 4/5ths vote of the Board of Supervisors.
Minimum Lot Width	AG-B-5(5): 60 feet TPZ: n/a	Parcel 1, which is partially zoned as AG-B-5(5) complies. Parcels 2 and 3 are both zoned TPZ.
Minimum Yard Setbacks within SRA:	Structures are required to be 30 feet from all property lines	CalFire's fire safe policies require that habitable structures are 30 feet from all property lines. There are no structures proposed with this project.
Maximum Lot Coverage	AG-B-5(5): 35% TPZ: n/a	The AG-B-5(5) portion of Parcel 1 is undeveloped. All future development must demonstrate continued conformance with this standard.

A.4. The proposed development must be consistent with the General Plan. The following table identifies the evidence, which supports finding that the proposed development is in conformance with all applicable policies and standards of the Eureka Community Plan (ECP), the Framework General Plan (FRWK) and pursuant to the provisions of SB 497 (Sher) effective January 1, 2002.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use:	Timber Production (T) Agricultural Rural (AR)	The project will adjust the parcel lines between three parcels to follow the centerlines of creeks and roads. All of the parcels are currently utilized for timber production and harvesting which is a use that is in strict conformance with the goals and policies of both land use designations of the Eureka Community Plan.
Hazards:	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.	The site is in an area of relatively stable to medium instability. The site is located outside any mapped floodplain.
Cultural Resources	New development shall protect cultural, archaeological and paleontological resources.	The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, and the Wiyot Tribe. The NWIC recommended a study, however, further consultation with the Tribal Historic Preservation Officers (THPOs), determined that the project did not warrant a study provided the standard condition regarding inadvertent discovery is included. The standard informational note has been included in the Conditions of Approval should archaeological resources be found.
Sensitive and critical habitats	New development shall protect designated sensitive and critical resource habitats.	According to the County's Geographical Information System (GIS) Natural Diversity Database (NDDB) data, the three parcels are part of a forest that has documented positive observations and an activity center of the spotted owl. The proposed Line Adjustment and Zone Boundary Interpretation will not impact this species because there is no associated development or tree harvesting as an element of this proposal. Any future proposals that may impact the species will be analyzed to incorporate the appropriate measures to protect the species.

A.5. and A.6. PUBLIC HEALTH SAFETY & WELFARE AND ENVIRONMENTAL IMPACT:

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1	The proposed Lot Line Adjustment and Zone Boundary Interpretation will not adversely impact the environment, and will not be detrimental to the public health, safety or welfare and will not be materially injurious to properties or improvements in the vicinity.	The Lot Line Adjustment between three parcels will result in three reconfigured parcels. All reviewing referral agencies have approved or conditionally approved the proposed project. The project will not result in changes in land use, there is no proposed development so density is not a factor, and the proposal will not create additional parcels that are significantly substandard in size.
§15305(a) CEQA	Categorically exempt from State environmental review.	Based on the above discussion, the Lot Line Adjustment is categorically exempt from State environmental review per Section 15305(a).

B.1 Zone Boundary Interpretation

To approve the Zone Boundary Interpretation, the Hearing Officer must determine that the applicant has demonstrated they have met the required rules for establishing a zone boundary. Section 311-8 of the Humboldt County Code (H.C.C.) specifies the criteria to resolve "Uncertainties in Zone Boundaries":

Section 311-8 of the Zoning Ordinance: *Where uncertainty exists as to the boundaries of any districts shown on the zoning maps, the Hearing Officer, in reviewing a discretionary permit, shall apply the following rules to resolve such uncertainty:*

311-8.8.5: *Where a boundary line is indicated as following a watercourse, it shall be construed as the centerline of the watercourse.*

311-8.8.6: *Where further uncertainty exists, the Planning Commission, upon written application or by its own motion, shall determine the location of the boundary in question, giving due consideration to the location indicated on the Zoning Map and the purposes set forth in the Principal Zoning district regulations.*

The LLA involves a Zone Boundary Interpretation (ZBA) between lands zoned Timberland Production Zone (TPZ) and Agriculture General with a five-acre minimum parcel size (AG-B-5(5)). The land consists of acreage which has not been divided into lots or blocks. A watercourse is the single topographic feature lying between the two zone districts and the request is to interpret the zoning map to align with this feature. If this boundary is recognized and the zone is interpreted to coincide with the watercourse, the TPZ portion will increase by roughly 0.90 acres. There is no proposed change the use of the parcel which is historically and currently utilized for timber production. There will be no loss of agriculture production because Timber is defined as an agricultural product. Furthermore, the requested Zone Boundary Interpretation conforms to the Joint Timber Management Plan prepared for the property that utilizes watercourses as management boundaries for the identified timber unit (see Attachment 3).

ATTACHMENT 3

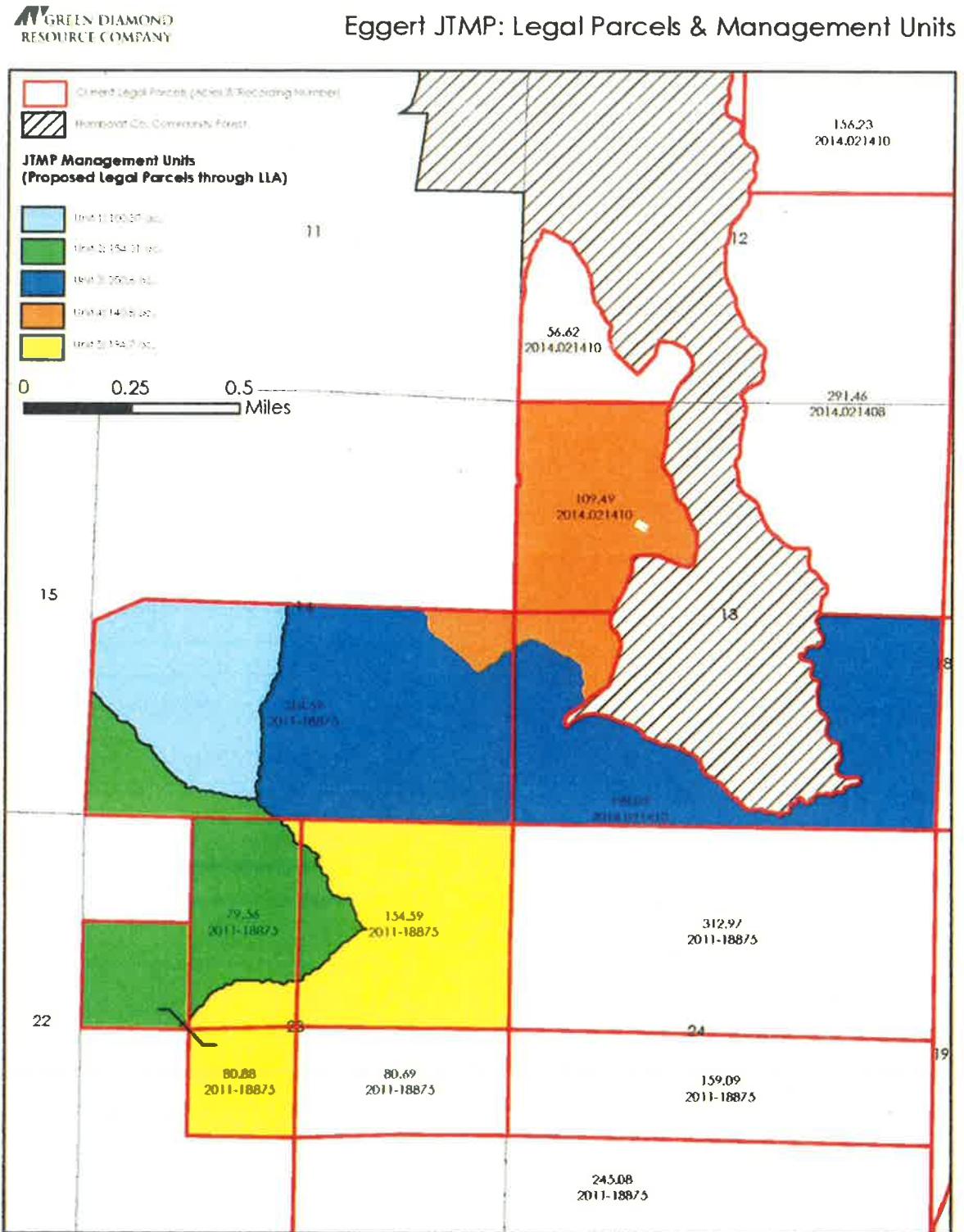
Applicant's Evidence In Support of the Required Findings

Attachment 4 includes a listing of all written evidence that has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division unless otherwise noted:

- Application Form (On File)
- Plot Plan/Tentative Map Checklist (On File)
- Detailed Plot Plan (Attached)
- Present Owners' Deeds (On File)
- Preliminary Title Reports (On File)
- Creation documents (On File)
- Eggert Joint Timber Management Plan (On File)
- JTMP Management Boundary Map (Attached)

Eggert JTMP

Figure 1. Existing Legal Parcels within JTMP



ATTACHMENT 4**Referral Agency Comments**

Referral Agency	Recommendation	Location
County Building Inspection Division	Recommend approval	On file
Department of Public Works, Land Use Division	No impact	On file
Division of Environmental Health	Recommend Approval	On file
Calfire	Comments	On file
Ca. Dept. of Fish and Wildlife	No Response	
Northwest Information Center	Conditional Approval	On file
Wiyot Tribe	Conditional Approval	On File
Bear River Tribe	Conditional Approval	On file