

ATTACHMENT C

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.

- 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	Not 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	✓	

- 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 (See also Sections 4 and 5, General Plan Conformance per SB 497).

Parcel	Creation Document	Legal Status
223-071-006 223-071-008 223-074-001 223-074-005	Certificate of Subdivision Compliance Document No. 2017-005373	One legal, separate parcel.
223-071-017 (ptn) 223-074-006	Book 2 of Patents page 508 Book 20 of Patents page 571 Book 387 OR page 143	One legal, separate parcel by operation of law (continued merger).
223-074-004	Certificate of Subdivision Compliance Document No. 2017-005374	One legal, separate 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.

3. **Zoning Compliance and Development Standards.** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations and that the lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformity with zoning and building ordinances.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-7.4 (HCC) Timberland Production Zone	Principally permitted uses include growing and harvesting of timber.	The lot line adjustment will adjust three parcels to result in three parcels of 203.70 acres, 214.22 acres, and 228.13 acres in size. This will provide more logical management units. The parcels are currently utilized for the livestock grazing and the growing and harvesting of timber.
§314-7.1 (HCC) Agricultural Exclusive	Principally permitted uses include general agriculture	
Development Standards		
Minimum Parcel Size	TPZ: 160 acres (40 acres with a Joint Timber Management Plan)	The parcels are mixed zone TPZ and AE-B-5(160). All three parcels will contain less than 160 acres but more than 40 acres of TPZ after adjustment. A Joint Timber Management Plan per California Government Code (CGC) Section 51119.5 was prepared to demonstrate that the resultant parcels are suitable for continued timber production as permitted under zoning. The parcels are part of the Arthur Tooby Class B Agricultural Preserve and are under a Williamson Act land conservation contract due to expire in 2025. The minimum parcel size in a Class B preserve is 160 acres which may be comprised of AE and TPZ land.
314-17.1 Building Site Combining	AE-B-5(160): 160 acres	
Maximum Building Height	None specified	No new development is proposed as part of this lot line adjustment.
Minimum Yard Setbacks: SRA Standards Apply	Front: 30 feet Rear: 30 feet Side: 30 feet	No new development is proposed. The parcels are currently vacant.

Maximum Ground Coverage	Residences and the associated accessory structures and uses shall not exceed two (2) acres per parcel	The parcels are currently vacant.
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4. General Plan Consistency. The following table identifies the evidence, which supports finding that the proposed development is in conformance with all applicable policies and standards of the of the Humboldt County General Plan 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 Chapter 4 Land Use Designations Section 4.8	Agriculture Grazing (AG) This designation applies to dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that are part of the ranching operation, and other non-prime agricultural lands. Residential uses must support agricultural operation. Density: 20 -160 acres/unit.	All three parcels have a land use designation of Agricultural Grazing. The reconfigured parcels will be sufficiently large to meet the 160 acre/unit density standard. This LLA involves the reconfiguration of three resources parcels which are comprised of timber and grazing lands. The parcels are currently enrolled in the Williamson Act Program and portions of these properties are Timberland Production Zone (TPZ). The purpose of the lot line adjustment is to create more logical management units. No new development is proposed with this project; thus, this project has no negative impact on the current land use.

<p>Safety Element Chapter 14</p> <p>Geologic and Seismic</p> <p>Flooding</p> <p>Fire Hazards</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies (Geologic/Seismic): S-P11. Site Suitability, S-P7. Structural Hazards</p> <p>Related policies (Flooding): S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas</p> <p>Related policies (Fire): S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The parcels are located within an area of high slope instability, outside of any Alquist-Priolo Fault Hazard Area. No development is proposed at this time.</p> <p>The subject parcels are located outside of any mapped Flood Zone.</p> <p>The subject property is located within the State Fire Responsibility Area where the State of California has the primary responsibility for the prevention and suppression of wildland fires. No development is proposed with this Lot Line Adjustment. Any future development of the parcels must be in conformance with SRA Fire Safe Regulations.</p>
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<p>Conservation and Open Space Chapter 10</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations as well as mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species.</p>	<p>The project was referred to the Northwest Information Center and they recommended a cultural resource study. The Tribal Historic Preservation Officer was contacted and provided recommendations.</p> <p>A cultural resource study has been prepared on behalf of the applicant in the processing of a cannabis permit on the same property. It has been reviewed and included in the analysis of this project.</p> <p>Given that the purpose of the lot line adjustment is to adjust the parcel boundary to follow topographic features to create more logical management units and no ground disturbing activities are proposed, the project can be viewed as having no likelihood of impacting cultural resources. Nonetheless, the standard inadvertent discovery condition is included among the recommended conditions of approval in the Informational Notes.</p>
<p>Cultural Resources Section 10.6</p>	<p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation</p>	<p>According to the County's Geographical Information System (GIS) Natural Diversity Database (NDDDB) data, the subject parcels are not part of a forest that has documented positive observations and an activity center of rare or endangered species.</p>
<p>Biological Resources Section 10.3</p>	<p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>Two blue-line tributaries flow through the subject properties, Buck Mountain Creek and Panther Creek. No development is proposed as part of this Lot Line Adjustment; however, any future development will be required to comply with the County's Streamside Management Area and Wetlands Ordinance (SMAWO).</p>

<p>Land Use Chapter 4.6 Forest Resources</p>	<p>FR-P13. Lot Line Adjustments. Lot line adjustments of TPZ parcels may be approved in order to consolidate logical timberland management units or facilitate clustered residential development. Such adjustments shall be in keeping with the spirit and intent of TPZ and shall not result in a net reduction of the area of TPZ available for forest management unless a finding is made by the Board of Supervisors that it is in the public interest.</p>	<p>The project proposes a lot line adjustment of three parcels resulting of three parcels of 203, 204 and 228 acres. The forestland is intermixed with grazing land under Williamson Act land conservation contract. The lot line adjustment is intended to use topographic features to create more logical management units. The reconfigured parcels A, B and C will contain less than 160 acres of TPZ land, 26, 52 and 83 acres respectively, requiring that a Joint Timber Management Plan. The JTMP demonstrates that the parcels, post-adjustment, will be able to be effective managed as timberland.</p>
<p>Chapter 4.5 Agricultural Resources</p>	<p>AG-G2. Preservation of Agricultural Lands. Agricultural land preserved to the maximum extent possible for continued agricultural use in parcel sizes that support economically feasible agricultural operations.</p>	<p>The resultant parcels remain of sufficient size such that they may continue to be used to support agricultural grazing activities. No incompatible development is proposed. The parcels will meet the 160-acre individual parcel size requirement of a Class B Grazing Preserve. The Williamson Act Advisory Committee at their meeting of September 30, 2020 recommended approval of the project.</p>

5. Potential for Environmental Impact. The following table identifies the evidence, which supports the finding that the proposed development will not adversely impact the environment.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1 §15305(a), CEQA	The proposed development 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. Categorically exempt from State environmental review.	All reviewing referral agencies have approved or conditionally approved the proposed project. The project will not result in changes in land use or density, and will not create a new parcel. Based on the above discussion, the project is categorically exempt from State environmental review per Section 15305(a).

Referral Agency Comments and Recommendations: All reviewing referral agencies responded with no comment or with a recommendation of approval.