



# COUNTY OF HUMBOLDT

For the meeting of: 6/25/2019

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File #: 19-835

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**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Public Hearing

**SUBJECT:**

French Lot Line Adjustment (LLA), Zone Boundary Adjustment and Joint Timber Management Plan (4/5 Vote Required)  
File No.: APNs 108-301-001 (por.), 221-251-001 (por.)  
Case No.: LLA-18-011, ZBA-18-001, JTMP-18-003  
Ettersburg Area

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Introduce Ordinance No. \_\_\_\_\_ (Attachment 2) by title and waive further reading;
2. Open the public hearing, receive and consider the staff report, the Planning Commission's findings and accept public comments;
3. Close the public hearing;
4. Find the project exempt from California Environmental Quality Act (CEQA) pursuant to Section 15305(a), 15061(b)(3) and 15264 of the CEQA Guidelines;
5. Adopt the Resolution making the necessary findings for the proposed lot line adjustment, zone boundary adjustment and joint timber management plan;
6. Adopt Ordinance No. \_\_\_\_\_ (Attachment 2) amending Section 311-7 of the Humboldt County Code by reclassifying approximately six acres in the Ettersburg area from Unclassified (U) to Timberland Production Zone (TPZ) to conform to the reconfigured lot lines approved with the LLA (4/5<sup>th</sup> vote required);
7. Approve the Joint Timber Management Plan (JTMP) and Guide (Attachment 7) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C);
8. Approve Lot Line Adjustment Case No. LLA-18-011, subject to the recommended conditions in Attachment 5;
9. Direct the Clerk of the Board to record Certification of Rezoning (Notice of Timberland Production Zone Status) (Attachment 3) pursuant to Sections 51117 and 51141 of the California Government Code, after attaching a copy of the fully executed Ordinance (Attachment 2);
10. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption of the ordinance;
11. Direct the Clerk of the Board to give notice of the decision to the applicant/owner, the County

- Assessor's Office and any other interested party, and
12. Direct Planning and Building Department to record the Declaration with the JTMP with the Notice of Lot Line Adjustment and file a Notice of Exemption pursuant to CEQA.

SOURCE OF FUNDING:

Applicant fees.

DISCUSSION:

This project consists of three parts: a Lot Line Adjustment, a Zone Boundary Adjustment (ZBA) and a Joint Timber Management Plan. The LLA will adjust the boundary between four parcels to result in four parcels of approximately 83 acres, 107 acres, 77 acres and 2,227 acres. The ZBA will rezone approximately six acres of APN 108-301-001 into Timberland Production Zone concurrently with the LLA. The JTMP is required pursuant to the county's TPZ regulations (§314-7.4) and the state TPZ statute (Government Code Section 51119.5) when land zoned TPZ within an Assessor Parcel or lot is altered by conveyance, adjustment or map resulting in units containing less than 160 acres of land zoned TPZ.

**Required Findings**

Section 312-50 of the Humboldt County Code Zoning Regulations, *Required Findings for All Amendments*, amendments may be approved only if the following findings are made:

1. The amendment is in the public interest;
2. The amendment is consistent with the County General Plan; and
3. The amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

In addition, C.G.C. Section 51113.5 establishes findings for additions to TPZ lands:

1. Must be in the same ownership and contiguous to TPZ zoned timberlands to which the non-TPZ timberlands are to be added; and
2. Must be devoted to, and used for, growing and harvesting timber and compatible uses and capable of growing an average volume of wood fiber of at least 15 cubic feet per acre.

*Planning Commission Recommendation:* Based on the information contained in the Planning Commission staff report (Attachment 4), the Planning Commission recommended that the required findings be made and the proposed Lot Line Adjustment and Zone Boundary Adjustment be approved. Furthermore, the project was found consistent with the Humboldt County General Plan. Specifically, the Planning Commission found:

- The Zone Boundary Adjustment is in the public interest, and is consistent with a comprehensive view of the General Plan;
- That the project is exempt from environmental review per Section 15305(a) and Section 15061(b)(3) of the CEQA; and

- The findings necessary for approval of the project can be made as indicated in the Planning Commission staff report.

The JTMP fulfills a required finding that the resultant parcels are consistent with the purpose of the TPZ, i.e., for the continued growing and harvesting of timber. The purpose of the JTMP is to ensure that the resultant parcels meet minimum stocking requirements, have adequate access to public roads and recorded access to private access roads, where needed, and are covered by a management guide which describes recommended silvicultural techniques, cutting cycle, stand regulation and regeneration, immediate stand treatments, fire protection, and other similar management practices.

Consistent with Section 51119.5 of the C.G.C., a JTMP was prepared by Timberland Resource Consultants. The county's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on September 17, 2018. Pursuant to Section 51119.5, the JTMP must receive a 4/5's affirmative vote of the Board of Supervisors to become effective.

FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents .

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either recommended approval or conditional approval.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the project. Satisfactory evidence has been provided in the project record to support making the requisite findings. Therefore, further consideration of this alternative is not recommended.

ATTACHMENTS:

- Attachment 1 Resolution No. \_\_\_\_\_
- Attachment 2 Ordinance No. \_\_\_\_\_, Exhibit A (legal description), Exhibit B (map)
- Attachment 3 Certificate of Rezoning (Notice of Timberland Production Status)
- Attachment 4 Post-Adoption Summary of Ordinance
- Attachment 5 Conditions of Approval for Lot Line Adjustment No. LLA-18-011
- Attachment 6 Declaration of Covenants, Conditions and Restrictions Implementing the Richard and Sally French Joint Timber Management Plan and Guide
- Attachment 7 Copy of the Joint Timber Management Plan
- Attachment 8 Copy of the Planning Commission Staff Report of February 21, 2019
- Attachment 9 Planning Commission Resolution No. 19-17

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PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A