



COUNTY OF HUMBOLDT

For the meeting of: 7/20/2023

File #: 23-1036

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Chuck Wright Lot Line Adjustment, Zone Boundary Adjustment, and Joint Timber Management Plan
Assessor Parcel Numbers: 316-134-005, 316-135-005, 316-135-004
Record Number: PLN-2023-18059
Korbel area

A Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 284 acres (Parcel A) and 40 acres (Parcel B) and a Zone Boundary Adjustment (ZBA) to adjust the zone boundary between the Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) boundary on Parcel B. An acre of property zoned Agriculture Exclusive will be converted to Timber Production Zone, to meet the 40-acre minimum TPZ area requirement on Parcel B. A Joint Timber Management Plan (JTMP) is required due to Parcel B containing less than 160 acres of TPZ. The smaller parcel (Parcel B) is developed with a single-family residence and associated residential development, and the larger parcel (Parcel A) is managed for timber production. The purpose of the LLA is to facilitate the conveyance of the majority of the timberland to the adjacent landowner. No development is proposed.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 23-__). (Attachment 1) which recommends the Board of Supervisors take the following actions:
 - a) Find the project exempt from further environmental review pursuant to Section 15305(a) and Section 15061(b)(3) of the State CEQA Guidelines; and
 - b) Make the required findings for approval
 - c) Approve the Lot Line Adjustment, Zone Boundary Adjustment and Joint Timber Management Plan.

DISCUSSION:

Project Location: The project is located in in the Korbel area, on the South / West side of Snow Camp

Road, approximately one-half mile South from the intersection of Bald Mountain Road and Snow Camp Road, on the property known as 5214 Snow Camp Road.

Present Plan Land Use Designations: 316-134-005 and 316-135-004: Timber (T); Agriculture Grazing (AG). Humboldt County General Plan. Density: T: 40-160 acres per unit; AG: 20-160 acres per unit. Slope Stability: Moderate to High Instability (E).

316-135-005: Timber (T). Humboldt County General Plan. Density: 40-160 acres per unit. Slope Stability: High Instability (3).

Present Zoning: 316-134-005 and 316-135-004: Timberland Production Zone (TPZ), Agriculture Exclusive (AE).

316-135-005: Timberland Production Zone (TPZ).

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

State Appeal Status: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major Issues: None

Executive Summary: A Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 284 acres (Parcel A) and 40 acres (Parcel B). Also, part of the project is a Zone Boundary Adjustment (ZBA) that would adjust the zone boundary between the Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) boundary on Parcel B. This would involve rezoning approximately one isolated acre of AE to TPZ, essentially absorbing the AE zoned acre into the TPZ zone in order to meet the 40-acre minimum parcel size requirement, resulting in an increase of TPZ lands. The land to be rezoned into TPZ was found to meet the inclusion requirements as demonstrated in the letter provided by Carter Krewson, Registered Professional Forester #3110 (Attachment 3). A Joint Timber Management Plan (JTMP) is required due to the resultant parcels containing less than 160 acres of Timberland Production Zone (TPZ). A Joint Timber Management Plan (JTMP) is required due to the resultant Parcel B containing less than 160 acres of TPZ. The smaller parcel (Parcel B) is developed with a single-family residence and associated residential development, and the larger parcel (Parcel A) is managed for timber production. The purpose of the LLA is to facilitate the conveyance of the majority of the timberland to the adjacent landowner. No development is proposed.

A review of creation documents to determine the legal status of the parcels found that the two involved parcels were created in compliance with the Subdivision Map Act, and are in fact, two separate legal parcels. A portion of APN 316-134-005 and APN 316-135-005 was created by Land Patent, Certificate No. 1248 Issued to John Ryan, May 5, 1897. APN 316-135-004 is a separate legal parcel described as Parcel Two per Certificate of Subdivision Compliance, Instrument No. 2021-010513.

The reconfigured parcels will result in the division of TPZ zoned land, and Parcel B will contain less than 160 acres of land zoned TPZ. Therefore, a JTMP is required to demonstrate that the resulting legal

parcel can be managed as a separate unit and provide periodic sustainable return while balancing growth and yield over time.

The submitted JTMP (Attachment 4) fulfills a required finding that the resultant Parcel B is consistent with the purpose of the TPZ, i.e., for the continued growing and harvesting of timber. As the size of a timberland parcel becomes smaller (below 160 acres), certain factors affecting the viability of the property to continue in a manner meeting the purpose of the zone become more important. The purpose of the JTMP is to ensure that the resultant Parcel B meets minimum stocking requirements, has adequate access to public roads and recorded access to private access roads, where needed, and is 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.

Parcel A will be approximately 284 acres in size and contain approximately 284 acres zoned TPZ. Parcel B will be approximately 40 acres in size and contain approximately 40 acres of TPZ. The JTMP indicates that Parcel B currently has approximately 100% of the parcel stocked with conifers to State standards. The findings for the LLA can be made based on the submitted evidence (Attachment 6).

Section 51119.5 of the California Government Code (C.G.C.) and Section 314-7.4.1.3 of the Humboldt County Code (H.C.C.) require the preparation of a JTMP for the "division" of land into assessor parcels containing less than 160 acres of TPZ. Parcel is defined as "that portion of an assessor's parcel that is timberland" (C.G.C. Section 51104(i)). The JTMP is intended to guide the management and harvesting of timber on these smaller TPZ ownerships that result from the division of assessor parcels zoned TPZ into assessor parcels containing less than 160 acres of 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.

Consistent with Section 51119.5 of the California Government Code, a JTMP was prepared by James L. Able Forestry Consultants, Inc. The County's Forestry Review Committee (FRC) reviewed and recommended conditional approval of the JTMP on February 8, 2023 (Attachment 5). Pursuant to Section 51119.5, the JTMP must receive a 4/5's affirmative vote of the Board of Supervisors to become effective.

On the basis of the FRC's favorable recommendation, Planning Division staff believes that the JTMP shows that Parcel B can be managed consistent with these requirements.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 7)

RECOMMENDATIONS:

Based on a review of Planning Division reference sources and comments from all responding 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 Adjustment, and Joint Timber Management Plan.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Planning Commission could elect not to approve the project. This alternative should be implemented if your 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.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Lot Line Adjustment Map
 - C. Draft Ordinance for Adoption by the Board of Supervisors
2. Location Map Set
3. TPZ Inclusion Letter
4. Joint Timber Management Plan
5. Forestry Review Committee Draft Minutes, February 8, 2023
6. Applicant's Evidence in Support of the Required Findings
7. Referral Agency Comments and Recommendations

Applicant

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Owners

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File #: 23-1036

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Please contact Rodney Yandell, Senior Planner, at 707-445-7541 or by email at ryandell@co.humboldt.ca.us, if you have any questions about the scheduled item.