

**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.

<b>Application Requirements</b>	<b>Submitted</b>	<b>Not Submitted</b>
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).

<b>Parcel</b>	<b>Creation Document</b>	<b>Legal Status</b>
223-044-010	Tract One of Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded as Document No. 2017-012414 on July 10, 2017.	One legal, separate parcel.
223-045-007	Determination of Status letter dated October 19, 1978.	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.

<b>Zoning Section</b>	<b>Summary of Applicable Requirement</b>	<b>Evidence That Supports the Zoning Finding</b>
§314-7.4 (HCC) Timberland Production Zone (TPZ)	TPZ: Principally permitted uses include growing and harvesting of timber and general agriculture.	The lot line adjustment will adjust two parcels to result in two parcels of 90 acres and 253 acres in size. This will utilize the centerline of an unnamed creek as the property line and to create more logical management units. The LLA will also result in the creation of a parcel less than 160 acres. The parcels are currently managed for timber production.
<b>Development Standards</b>		
Minimum Parcel Size	160 acres (40 acres with a Joint Timber Management Plan)	One of the resultant parcels will contain less than 160 acres of TPZ. Parcel 2 is currently substandard with respect to minimum amount of TPZ lands as it contains approximately 41 acres. The LLA will decrease the amount of TPZ lands on Parcel 1 to approximately 253 acres and increase the amount of TPZ on Parcel 2 to approximately 90 acres. Therefore, the LLA will not cause a non-conformance or increase the severity of pre-existing nonconformity. 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.
Maximum Building Height	None specified	No new development is proposed as part of this lot line adjustment.
Minimum Yard Setbacks:  SRA Standards	<b>Front:</b> 30 feet  <b>Rear:</b> 30 feet  <b>Side:</b> 30 feet	No new development is proposed. Existing development meets this standard.

Maximum Ground Coverage	Residences and the associated accessory structures and uses shall not exceed two (2) acres per parcel	No new development is proposed. Existing development meets this standard.
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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 Humboldt County General Plan and pursuant to the provisions of SB 497 (Sher) effective January 1, 2002.

<b>Plan Section</b>	<b>Summary of Applicable Goal, Policy or Standard</b>	<b>Evidence Which Supports Making the General Plan Conformance Finding</b>
Land Use Chapter 4  Land Use Designations Section 4.8	<b>Timberland (T):</b> Lands primarily suitable for the growing, harvesting and production of timber. Allowable uses include timber production, general agriculture, timber/agricultural products processing, natural resources uses, other uses  Density range is 40 -160 acres/unit	No new development is proposed as part of this lot line adjustment. The purpose of the lot line adjustment is to adjust the parcels to utilize the centerline of an unnamed creek as the property line and to create more logical management units. The LLA will also result in the creation of a parcel less than 160 acres. The parcels are currently utilized for the growing and harvesting of timber.
Conservation and Open Space Chapter 10  Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1,CO-G3)  Related policies: CO-P1, Conservation and Open Space Program; CO-P8, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program	The proposed project is located within the Open Space Plan because the project site is planned Timberland and is zoned Timberland Production Zone. The project can be found consistent with the Open Space Action Program because the proposed project is consistent with the allowable uses of the Land Use Designations. The project does not propose any changes to the current uses of timber production and is consistent with the use of Open Space land for managed production of resources.

<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>There are two tributaries to the South Fork Eel River that flow through the subject properties. No development is proposed and existing development maintains the required setbacks to these watercourses. Therefore, no impacts to these resources is anticipated as a result of the Lot Line Adjustment.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</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 (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation]</p>	<p>The project was referred to the Northwest Information Center (NWIC) the Intertribal Sinkyone Wilderness Council and the Bear River Band of the Rohnerville Rancheria. The NWIC has recommended a cultural resource study, however, given that the purpose of the lot line adjustment is 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. The standard inadvertent discovery condition is included among the recommended conditions of approval in the Informational notes.</p>

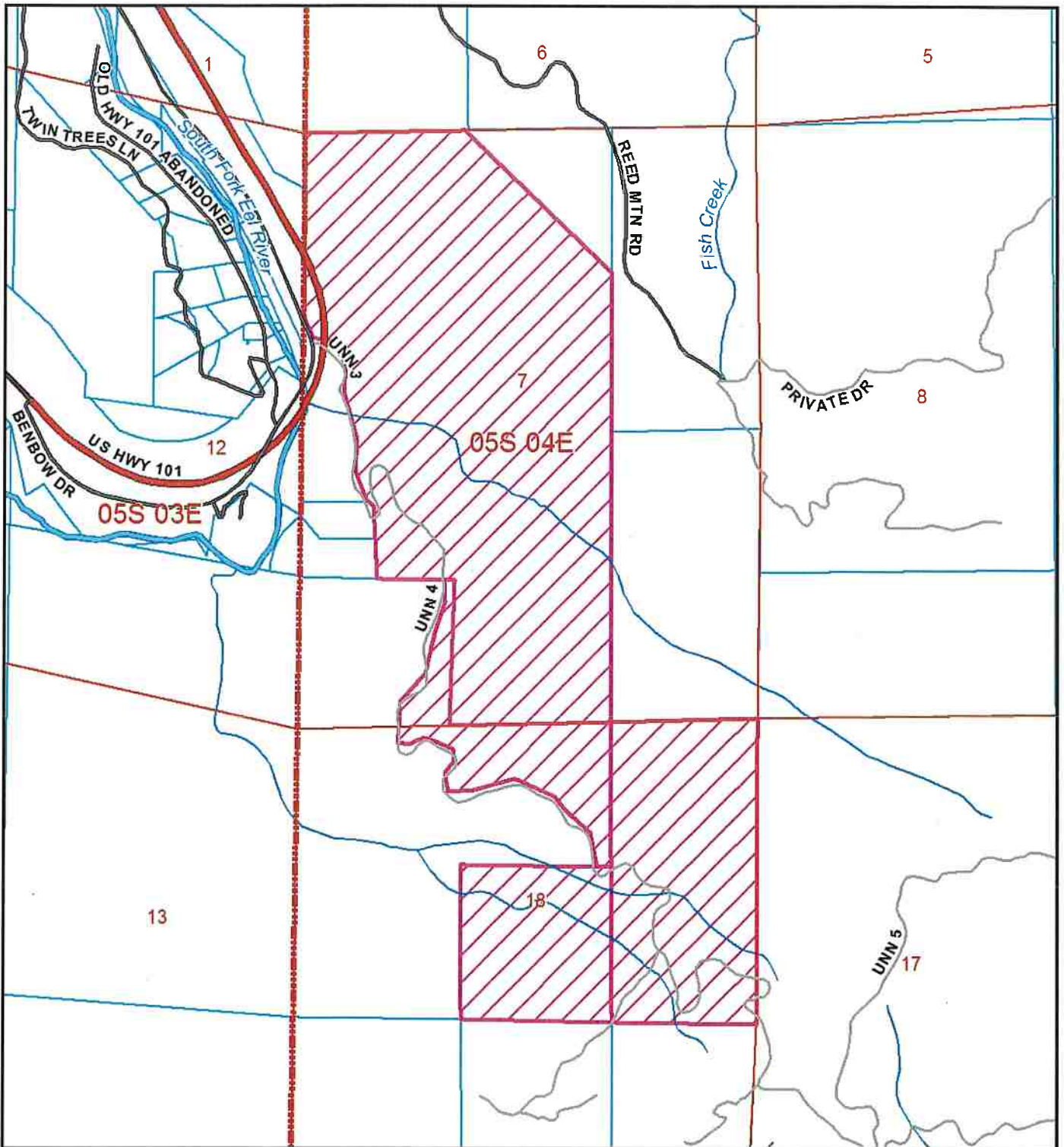
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9); and</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-P42. Erosion and Sediment Control Measures.</p>	<p>There are two unnamed tributaries to the South Fork Eel River that flow through the property. No development is proposed as part of this Lot Line Adjustment, however, any future development will be required to comply with erosion and sediment control requirements associated with future building permits.</p>
<p>Safety Element Chapter 14</p> <p>Geologic and Seismic</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: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The parcels are located within an area of moderate slope instability and outside of any Alquist-Priolo Fault Hazard Area. The parcels are currently utilized for timber production.</p>

<p>Safety Element Chapter 14 Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>A small portion of the subject property is within a mapped flood hazard area associated with the South Fork Eel River. The project site is not within a mapped dam or levee inundation area and, at approximately 13 miles distance from the coast and approximately 1,000 feet above mean sea level, is outside the areas subject to tsunami run-up. No development is proposed as part of this LLA.</p>
<p>Safety Element Chapter 14 Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential risk of wildfire.</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</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. CAL FIRE comments recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas. In addition, although the site is outside of a Fire Protection District, it is within the response area of the Garberville Fire Protection District who provides structural fire protection and responds to medical emergencies. No development is proposed with this Lot Line Adjustment.</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.

<b>Code Section</b>	<b>Summary of Applicable Requirements</b>	<b>Evidence that Supports the Required Finding</b>
§312-17.1	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.	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.
§15061(b)(3) and §15305(a), CEQA	Categorically exempt from State environmental review.	The LLA does not result in a change in land use or density, and is intended to improve existing resource management units. Therefore, the project is exempt pursuant to Sections 15061(b)(3) and 15305(a) of the CEQA Guidelines. 15061(b)(3) applies to projects that can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

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



**LOCATION MAP**

**PROPOSED HOWARD  
LOT LINE ADJUSTMENT &  
JOINT TIMBER MANAGEMENT PLAN  
BENBOW AREA**

**LLA-18-013/JTMP-18-004**

**APN: 223-044-003 et seq**

**T05S R04E S07,18 HB&M (Garberville)**

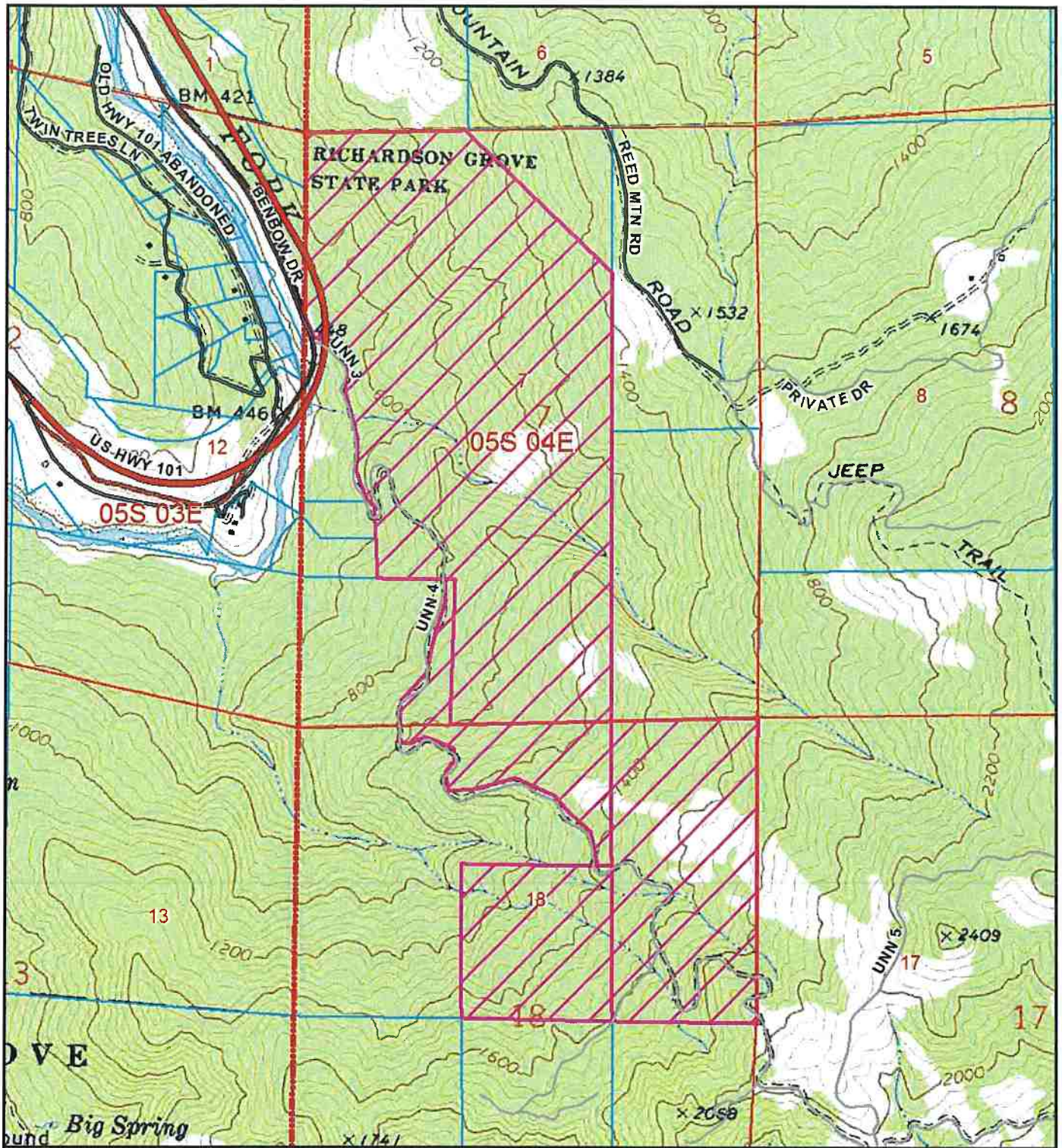
Project Area = 

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.



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 Feet





**TOPO MAP**

**PROPOSED HOWARD  
LOT LINE ADJUSTMENT &  
JOINT TIMBER MANAGEMENT PLAN  
BENBOW AREA**

**LLA-18-013/JTMP-18-004**

**APN: 223-044-003 et seq**

**T05S R04E S07,18 HB&M (Garberville)**

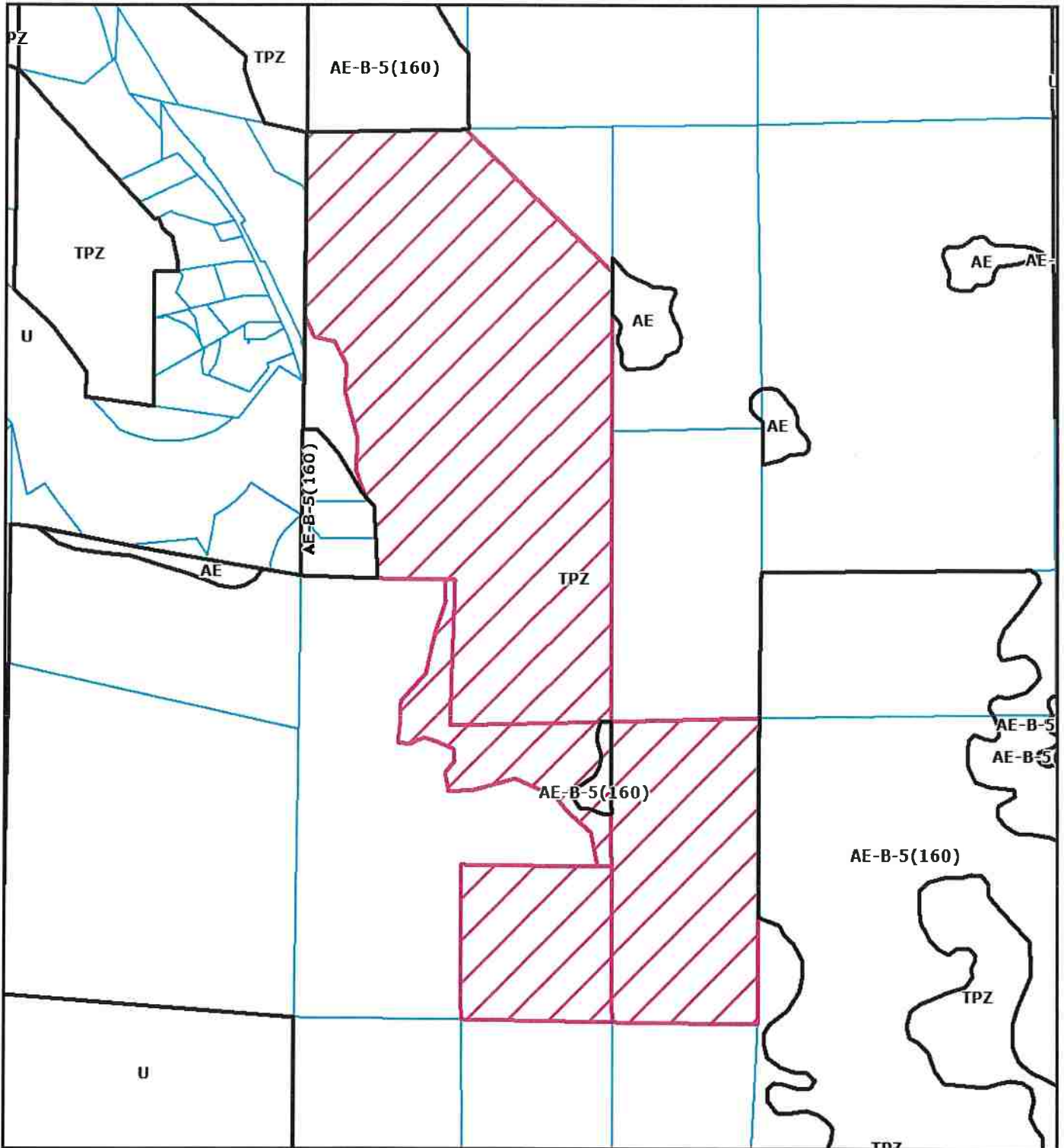
Project Area = 

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**ZONING MAP**

**PROPOSED HOWARD  
LOT LINE ADJUSTMENT &  
JOINT TIMBER MANAGEMENT PLAN  
BENBOW AREA**

**LLA-18-013/JTMP-18-004**

**APN: 223-044-003 et seq**

**T05S R04E S07,18 HB&M (Garberville)**

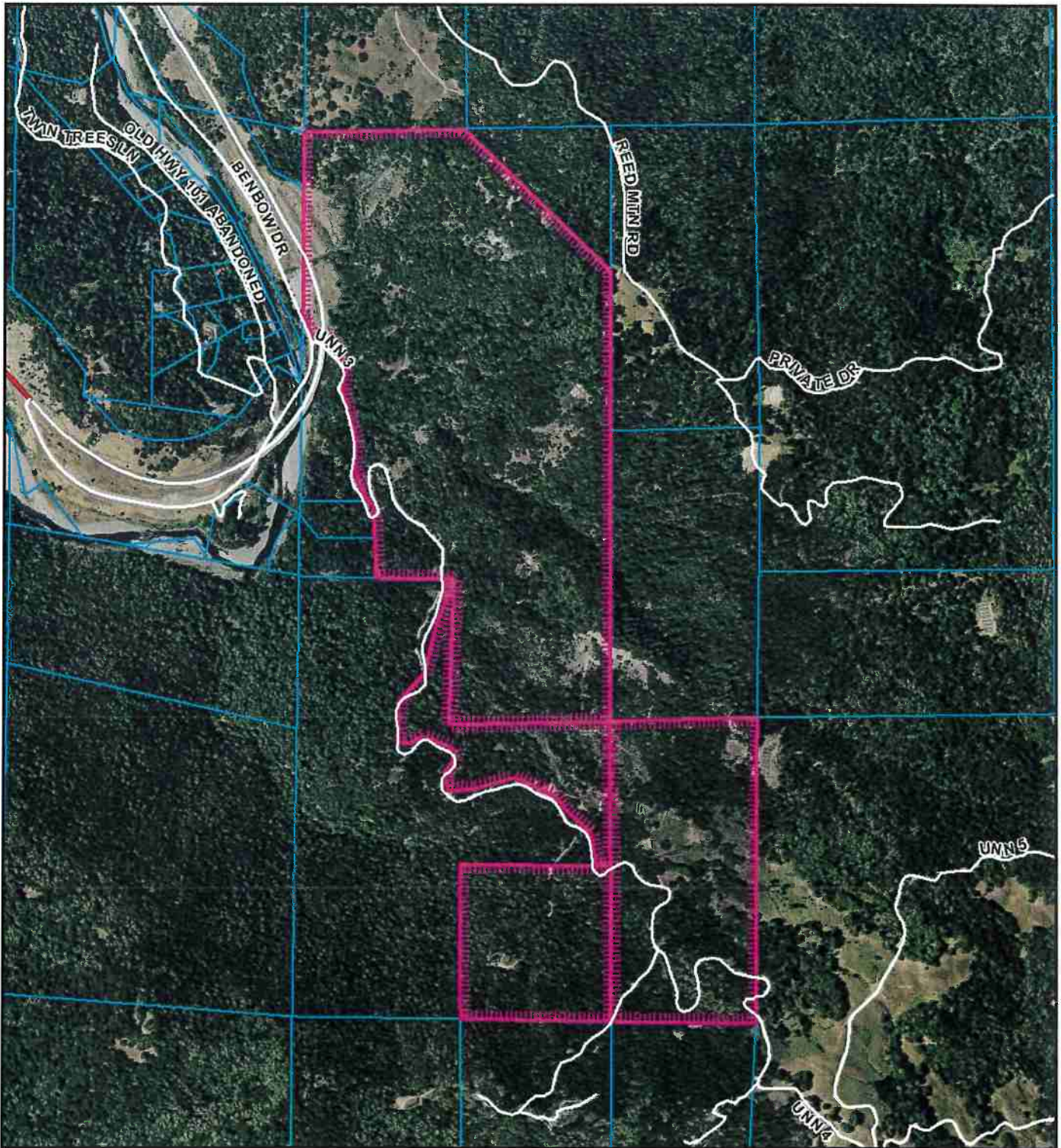
Project Area = 

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**AERIAL MAP**

**PROPOSED HOWARD  
LOT LINE ADJUSTMENT &  
JOINT TIMBER MANAGEMENT PLAN  
BENBOW AREA**

**LLA-18-013/JTMP-18-004**

**APN: 223-044-003 et seq**

**T05S R04E S07,18 HB&M (Garberville)**

Project Area = 

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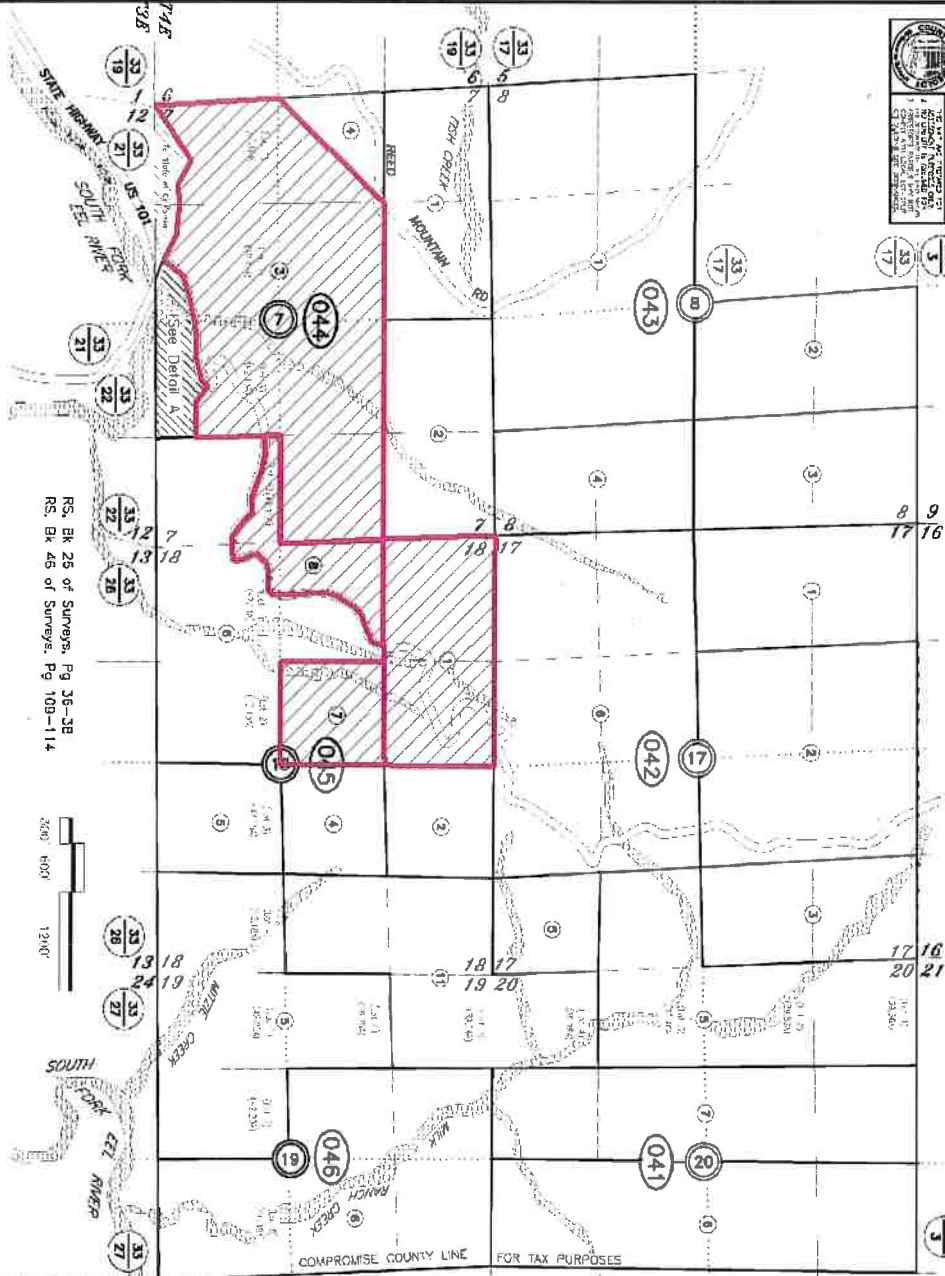
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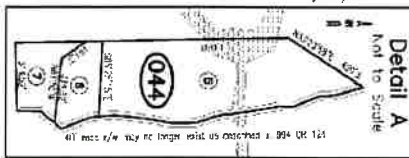
NOTE - Assessor's Block Numbers Shown in Ellipse

Assessor's Range Numbers Shown in Square



NOTE: COMPROMISE COUNTY LINE FOR TAX PURPOSES AGRICULTION BY BOTH COUNTIES 2/20/59

HUMBOLDT--MENDOCINO COUNTY LINE



Jan 7, 2016

**ASSESSOR PARCEL MAP**

**PROPOSED HOWARD  
 LOT LINE ADJUSTMENT &  
 JOINT TIMBER MANAGEMENT PLAN  
 BENBOW AREA**

**LLA-18-013/JTMP-18-004**

**APN: 223-044-003 et seq**

**T05S R04E S07,18 HB&M (Garberville)**

Project Area = 

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**MAP NOT TO SCALE**

**EASEMENT NOTES**

- EASEMENTS/ENCUMBRANCES AFFECTING BOTH PARCELS:**  
Right of public to portion of land covered by water, including public right of access to water
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-001:**  
779 granted to Ed River Swamlls, Inc.
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-002:**  
David and Angela Bushnell
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-003:**  
1/4 granted to Yak, Dmitriid Co.
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-004:**  
Lack of rights of access to public highway abutting the property which were severed by 1096 OR 346
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-005:**  
Access for right of way over a 50 foot strip of land per 1419 OR 15 and 1419 OR 18.
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-006:**  
Access for right of way over a 50 foot strip of land per 1720 OR 74, granted to David L. Bushnell and Angela A. Bushnell
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-007:**  
Access for right of way over a 50 foot strip of land per 1813 OR 301 granted to Robert Kim Browning and Loretta Jean Browning
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-008:**  
Access for ingress, egress, public utilities and lighting over 60 foot strip and 30 foot strip of land per 1844 OR 282
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-009:**  
Road agreements executed by Ed River Swamlls, Inc per 1844 OR 286
- EASEMENTS/ENCUMBRANCES AFFECTING PARCEL 223-045-010:**  
109-114 were granted per the following documents:  
1842 OR 352 to Perichs OR 46  
1843 OR 353 to Meyerswaks, LLC  
1857 OR 1106 to Ronald Zemel  
1875 OR 2371 to Lake Search Partners  
Doc: 1989-26945 to Robert Kim Browning & Loretta Jean Browning  
Doc: 2005-18773 to Tom Long Junction, LLC  
Doc: 2005-18793 to Oak Blossom, LLC  
Doc: 2005-18847 to The Earth Operating, LLC  
Doc: 2005-18941 to Kim Ester  
Doc: 2005-18941 to Kim Ester  
Doc: 2005-17345 to Chad Mussey  
Doc: 2005-17345 to Chad Mussey  
Doc: 2006-24713 to Willow Street Mosquitoer

**PROJECT NOTES**

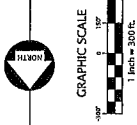
- The map illustrates a proposed Lot Line Adjustment between APNs 223-044-003, 223-045-001 and 223-045-008 as one legal parcel as the result of a Lot Line Adjustment, LLA 14-116, with the resulting parcel described in Document 2017121814 as noted above. The map also shows the proposed Lot Line Adjustment. This creek has been approximately located using aerial imagery for this application.
- Boundary lines for the subject parcels and existing easements of record are based on Title Reports prepared by Humboldt Land Title Company, Order No. 001823-001-081 dated 10/20/17. The subject parcels are shown in yellow. The subject parcels were distributed by the 30 record instruments from the 2002-2017 period as noted on Page 109-114, Humboldt County Records. All pertinent easements of record are shown on this prior plan. See "Statement Notes" on this sheet for additional information.

**LOT AREAS & INFORMATION**

**EXISTING PARCELS**  
APNs: 223-044-003 (0.0640 ac), 223-045-001 & 223-045-008  
Existing Area: 302 acres  
Service Plan Designation: AG  
Zoning Designation: T1Z  
APN: 223-045-007  
Existing Area: 41.0 acres  
General Plan Designation: AG  
Zoning Designation: T1Z  
**PROPOSED PARCELS**  
Resultant North Parcel: 90 acres  
Resultant South Parcel: 253 acres

**PROJECT DATA**

**Agent:** Michael Puller  
Points West Surveying Company  
5201 Carlton Park Drive Suite 3  
707-840-9510  
Phone: 707-840-9510  
Email: Mpuller@pointswestsurveying.com  
**Owners / Applicants:** Bob Howard  
Bob Howard  
Contact Person  
Mailing Address: Corbinville, CA 95542  
Phone: 707-883-0204



**LOT LINE ADJUSTMENT**

for  
**BOB HOWARD**  
SECTION 7, 8, 13, 17, T.5S, R.4E  
HUMBOLDT MERIDIAN

IN THE UNINCORPORATED AREA OF BERRROW,  
HUMBOLDT COUNTY, STATE OF CALIFORNIA  
DECEMBER 2017

SCALE: 1" = 300' SHEET 1 OF 1

