



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 15, 2021

To: Humboldt County Planning Commission

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

SUBJECT: **Blanc Lot Line Adjustment and Zone Boundary Adjustment**
Record Number PLN-2021-16919
Assessor Parcel Numbers 316-205-006, 316-206-002, 316-206-009, 316-212-003
Guy Kerr Ranch Road, Korbel Area

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Please contact Trevor Estlow, Senior Planner, at 268-3740 or via email at testlow@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 15, 2021	Lot Line Adjustment and Zone Boundary Adjustment	Trevor Estlow

Project: A Lot Line Adjustment (LLA) between three parcels resulting in three parcels of approximately 10.0 acres, 146.5 acres and 179.5 acres. Also part of the project is a Zone Boundary Adjustment that would adjust the zone boundary between the Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) and Timberland Production Zone (TPZ) boundary to follow the new parcel line. This would involve rezoning approximately 3.09 acres from TPZ to AE-B-5(160). Additionally, approximately 6.2 acres of AE-B-5(160) will be rezoned into TPZ. The smaller parcel is developed with a single-family residence and the larger parcels are managed for timber production. The purpose of the LLA is to provide a greater buffer for the residentially developed parcel to the adjoining timberlands. No development is proposed.

Project Location: The project site is located in the Korbelt area, on both sides of Guy Kerr Ranch Road, approximately 1.55 miles northeast from the intersection of Guy Kerr Ranch Road and Murphy Meadows Road, on the properties known to be in the southwest and southeast quarters of the northwest quarter, the southwest and southeast quarters of the northeast quarter, the northeast quarter of the southwest quarter, and the northeast and northwest quarters of the southeast quarter of Section 19 of Township 05 North, Range 04 East, Humboldt Base & Meridian.

Present Plan Designation: 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 Instability.

Present Zoning: Timberland Production Zone (TPZ), Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)).

Record Number: PLN-2021-16919

Assessor's Parcel Numbers: 316-205-006, 316-206-002, 316-206-009, 316-212-003

Applicant	Owner(s)	Agent
Victor Blanc 1326 Koster Street Eureka, CA 95501	same as applicant and Sierra Pacific Land & Timber Co. R.H. Emmerson & Son, LLC PO Box 496028 Redding, CA 96049-6028	Western Timber Services Ron Hunt PO Box 1136 Arcata, CA 95518

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.

BLANC LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT

Record Number PLN-2021-16919

Assessor's Parcel Numbers 316-205-006, 316-206-002, 316-206-009, 316-212-003

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 based on evidence in the staff report and public testimony, and recommend the project 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) between three parcels resulting in three parcels of approximately 10.0 acres, 146.5 acres and 179.5 acres. Also part of the project is a Zone Boundary Adjustment that would adjust the zone boundary of the resultant 10-acre parcel such that the entire parcel is zoned Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)). This action would rezone approximately three acres from TPZ to AE-B-5(160). The Zone Boundary Adjustment would also rezone approximately six acres of the adjoining parcels from AE-B-5(160) into TPZ, therefore, there would be no loss of TPZ lands. The lands to be rezoned into TPZ were found to meet the inclusion requirements as demonstrated in the letter provided by Ron Hunt, Registered Professional Forester #313 (Attachment 3). The smaller parcel is developed with a single-family residence and the larger parcels are managed for timber production. The purpose of the LLA is to provide a greater buffer for the residentially developed parcel to the adjoining timberlands. No development is proposed.

A review of creation documents to determine the legal status of the parcels found that the three involved parcels were created in compliance with the Subdivision Map Act, and are in fact, three separate legal parcels. APN 316-206-002 was created by a Land Patent to Joseph Lane dated March 1, 1875, including lands identified in a Deed (Kerr to Macy) dated February 18, 1925 (164 OR Page 454) and excluding cut Deed prior to Assessor rolls in 1958. APNs 316-205-006 and 316-206-009 make up one legal parcel which was created by Deed (Eisenhuth to Gundersen) dated July 29, 1920, excepting out the following Deeds: Gundersen to Madison (56 OR page 207) dated July 16, 1948, Gundersen to Gilardoni (15 OR page 76) dated July 24, 1947, Gundersen to Ghidinelli (61 OR page 184) dated July 24, 1947, Gundersen to Richardson (15 OR page 226) dated July 24, 1947, Gundersen to Merryman (271 OR page 579) dated November 9, 1953 and Anvick to Adams (796 OR page 423) dated July 14, 1964. APN 316-212-003 was created by a Deed Gundersen to Ghidinelli (61 OR page 184) dated July 24, 1947.

The proposed project was reviewed and approved by the Forestry Review Committee on May 11, 2021 (see Attachment 4). As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines.

Based on the on-site inspection, 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 and Zone Boundary Adjustment.

ALTERNATIVES:

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.

Guidelines. Section 15061(b)(3) applies to projects when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel

LOT LINE ADJUSTMENT

- 3. FINDING:** The Lot Line Adjustment application is complete
- EVIDENCE:** a) The applicant has submitted a completed and signed application form, copies of present owners' deeds, a preliminary title report, copies of the creation documents for the parcels and a Lot Line Adjustment Plot Plan.
- 4. FINDING:** The project is consistent with the Subdivision Map Act.
- EVIDENCE:** a) All three parcels involved in the Lot Line Adjustment were created in compliance with the Subdivision Map Act and the governing rules at such time the parcels were created.
- 5. FINDING:** The project conforms to zoning and building ordinances.
- EVIDENCE:** a) The parcels are zoned Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) and Timberland Production Zone (TPZ) which both allow general agriculture and single family residential as principally permitted uses. The project will adjust the parcel lines between three parcels with the smallest parcel acquiring approximately nine acres from the two adjoining parcels. The smallest parcel is developed with a residence and the two larger parcels are managed for timber production. All development standards are currently met. The new zone boundary will follow the new property lines.
- 6. FINDING:** The project is consistent with the General Plan.
- EVIDENCE:** a) General Plan Ch. 4: The Agriculture Grazing (AG) 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. The Timberland (T) designation applies to land that is primarily suitable for growing, harvesting and production of timber. The smaller parcel will continue to be utilized for rural residential uses and the larger parcels will continue to be utilized for timber production and grazing.
- b) General Plan Ch. 10: The Open Space (OS) land use designation provides for land which is essentially unimproved and devoted to opens space uses, conservation of natural resources and habitat, managed production of resources, outdoor recreational uses, and for protection of public safety in areas subject to flooding or unstable slopes. All three parcels are planned and zoned for timber and agricultural uses. The smallest parcel was created in 1947, prior to any land use designation or zoning and is considered legal nonconforming with respect to parcel

size. No development is proposed with the LLA, and future development and uses on the project parcels will have minimal impacts on lands planned for preservation and conservation of Open Space.

- c) General Plan Ch. 10.4 (Biological Resources). 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. Lake Prairie Creek, a tributary to Redwood Creek is located just south of the subject parcels. No sensitive habitat was identified on site. The project was referred to the Eureka office of the California Department of Fish and Wildlife, however, they did not respond with any concerns.
- d) General Plan Ch. 10.6 (Cultural Resources). 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. The Department does not have record of any culturally sensitive sites located in or around the project location. The referral comments from NWIC indicated that their office had no record of any previous cultural resource studies and recommended consultation with the local tribes. The Bear River Band of the Rohnerville Rancheria did not respond with any concerns. Additionally, no development is proposed as the LLA is intended to provide additional buffer to the industrial timberlands. Nonetheless, the standard inadvertent discovery condition is included in the conditions of approval.
- e) General Plan Ch. 14: 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. The site is in an area of moderate slope instability and outside of any Alquist-Priolo Fault Hazard Area. According to FIRM Map Panel 1675, the property is approximately 4.5 miles away from the nearest 100-year flood zone associated with the Mad River. 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. The parcel is outside of a mapped fire district but within the response area of the Blue Lake Fire Department who provides structural fire protection as well as responding to medical emergencies.

7. FINDING:

The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

EVIDENCE:

- a) 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.

8. FINDING: 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.

EVIDENCE: a) As lead agency, the Planning and Building Department found the LLA to be categorically exempt per Class 5, Section 15305(a) of the CEQA Guidelines. The LLA does not result in a change in land use or overall density and is intended to remedy an inconsistency with the underlying General Plan designation. Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

ZONE BOUNDARY ADJUSTMENT

9. FINDING: The proposed project is in the public interest.

EVIDENCE: a) The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) and Timberland Production Zone (TPZ). The ZBA would adjust the zone boundary of the resultant 10-acre parcel such that the entire parcel is zoned Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)). This action would rezone approximately three acres from TPZ to AE-B-5(160). The Zone Boundary Adjustment would also rezone approximately six acres of the adjoining parcels from AE-B-5(160) into TPZ. The LLA will provide the smaller parcel an additional buffer to the adjacent industrial timberlands. The zone boundary is proposed to be coincidental with the new lot line as adjusted and avoid a mixed-zone condition. The Planning Division believes that the ZBA is in the public interest in that it accurately zones property and is minor in nature.

10. FINDING: The proposed change is consistent with the General Plan.

EVIDENCE: a) The properties involved in the ZBA are planned both Agriculture Grazing (AG) and Timber (T) by the Humboldt County General Plan. According to the Zoning Consistency Matrix of the Humboldt County General Plan, both the AG and T plan designations are both compatible with the AE and TPZ zoning.

11. FINDING: There is no substantial evidence that the project will have a significant effect on the environment.

EVIDENCE: a) As lead agency, the Planning and Building Department found the ZBA to be exempt per Section 15061(b)(3) 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.

12. FINDING:

The proposed development 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 unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

EVIDENCE

- a) These parcels were not utilized by the Department of Housing and Community Development in determining compliance with housing element law. The project has no impact on overall density.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Lot Line Adjustment and Zone Boundary Adjustment for Victor Blanc (16919), based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law.
2. Adopt the necessary findings prepared by Planning Staff.
3. Approve the Lot Line Adjustment and Zone Boundary Adjustment.
4. Adopt Ordinance No.____ amending Section 311-7 of the Humboldt County Code by reclassifying property in the Korbel area [PLN-2021-16919, Blanc] so that the zone boundary between AE-B-5(160) and TPZ is coincidental with the relocated property lines.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

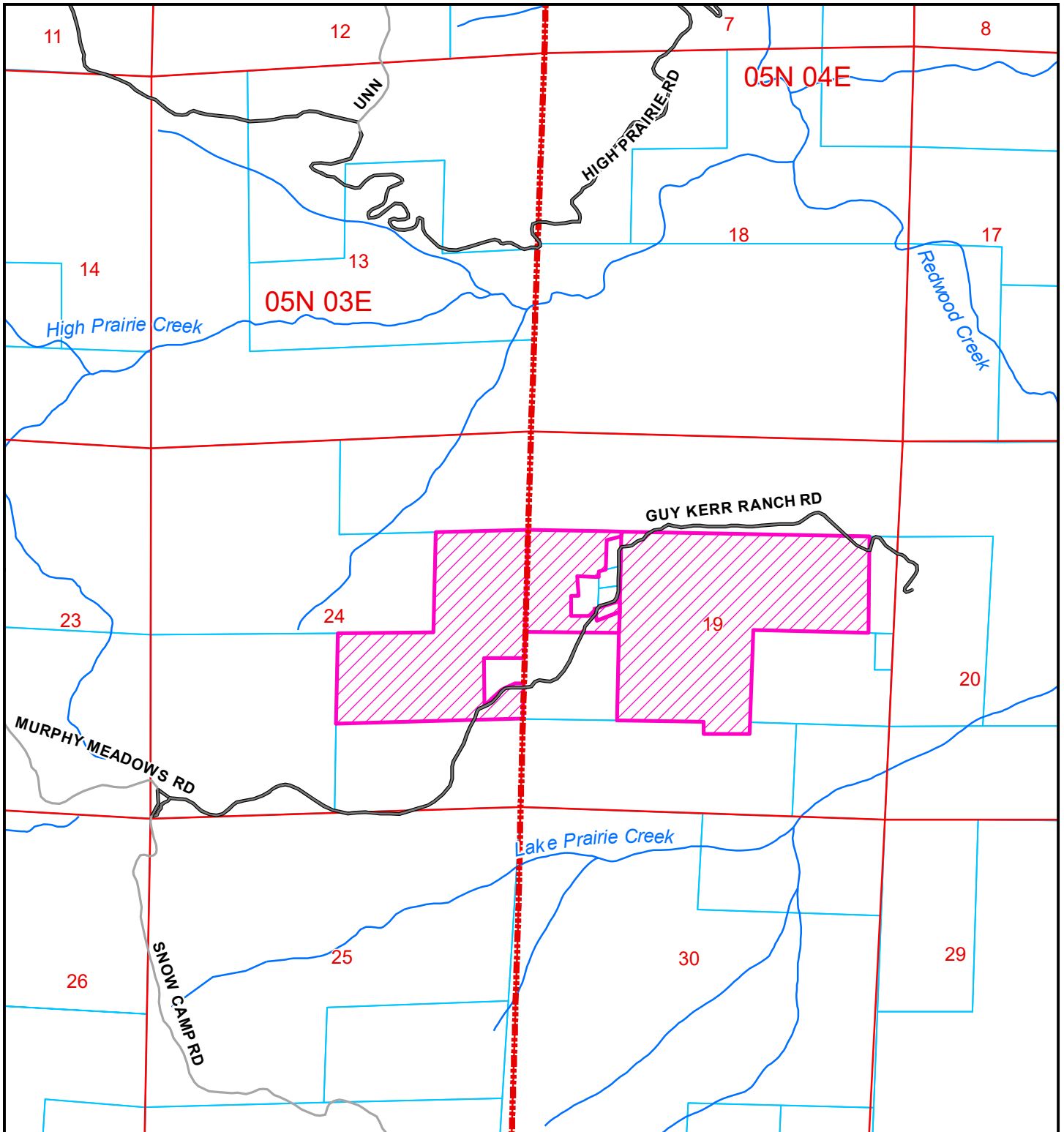
Adopted after review and consideration of all the evidence on **July 15, 2021**

The motion was made by COMMISSIONER and seconded by COMMISSIONER and the following ROLL CALL vote:

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

I, John Ford, Secretary 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.

John H. Ford
Director, Planning and Building Department



LOCATION MAP

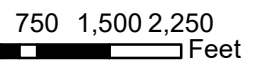
**PROPOSED BLANC
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
KORBEL AREA
PLN-2021-16919**

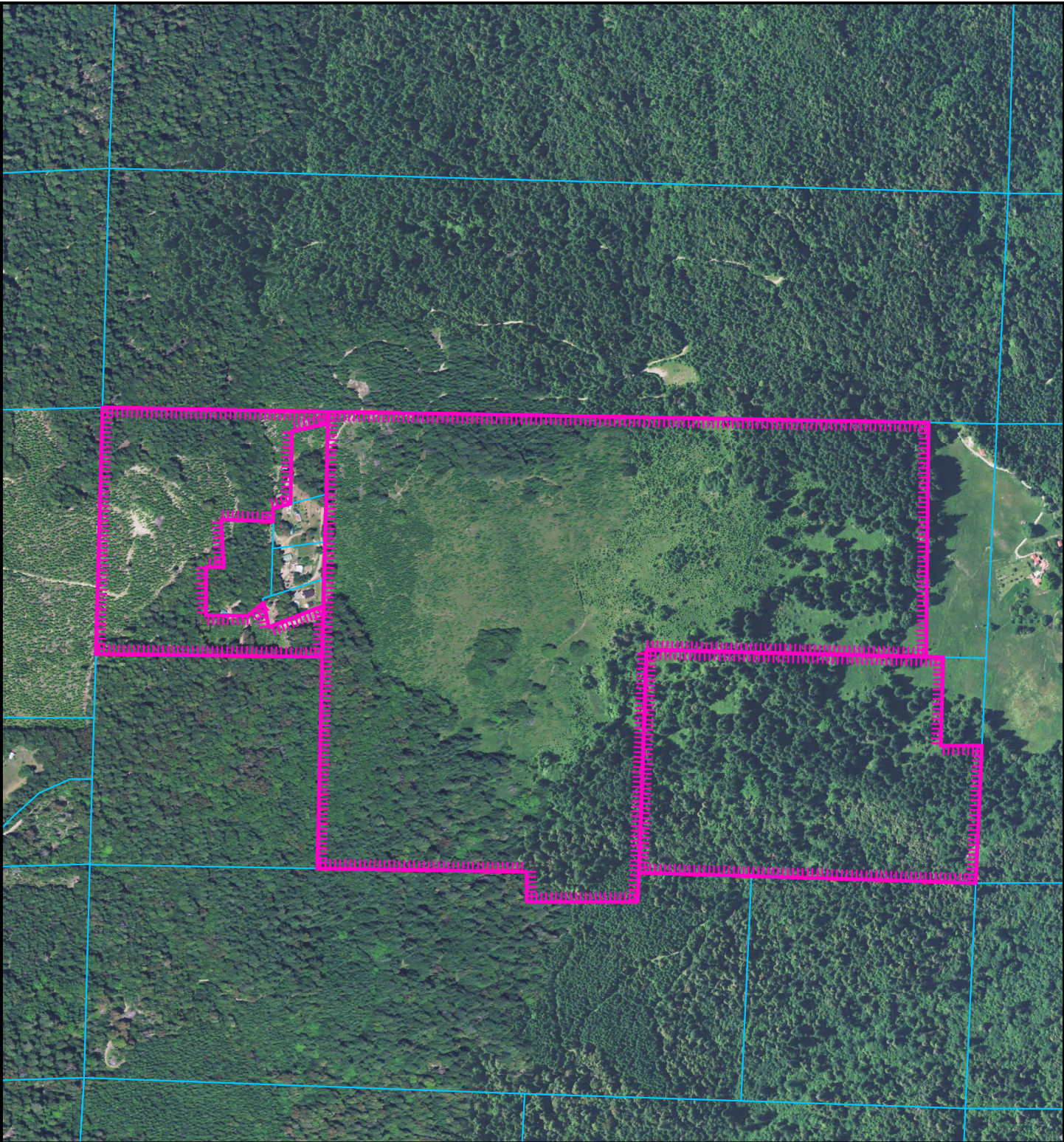
Project Area = 

Coastal Zone Boundary 

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: 316-205-006, 316-212-003, 316-206-002, & -009
T05N R03E S19 & 24 HB&M (Maple Creek)**





AERIAL MAP

**PROPOSED BLANC
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
KORBEL AREA**

PLN-2021-16919


**APN: 316-206-002, -003, & -009
T05N R03E S19 HB&M (Maple Creek)**



Project Area = 

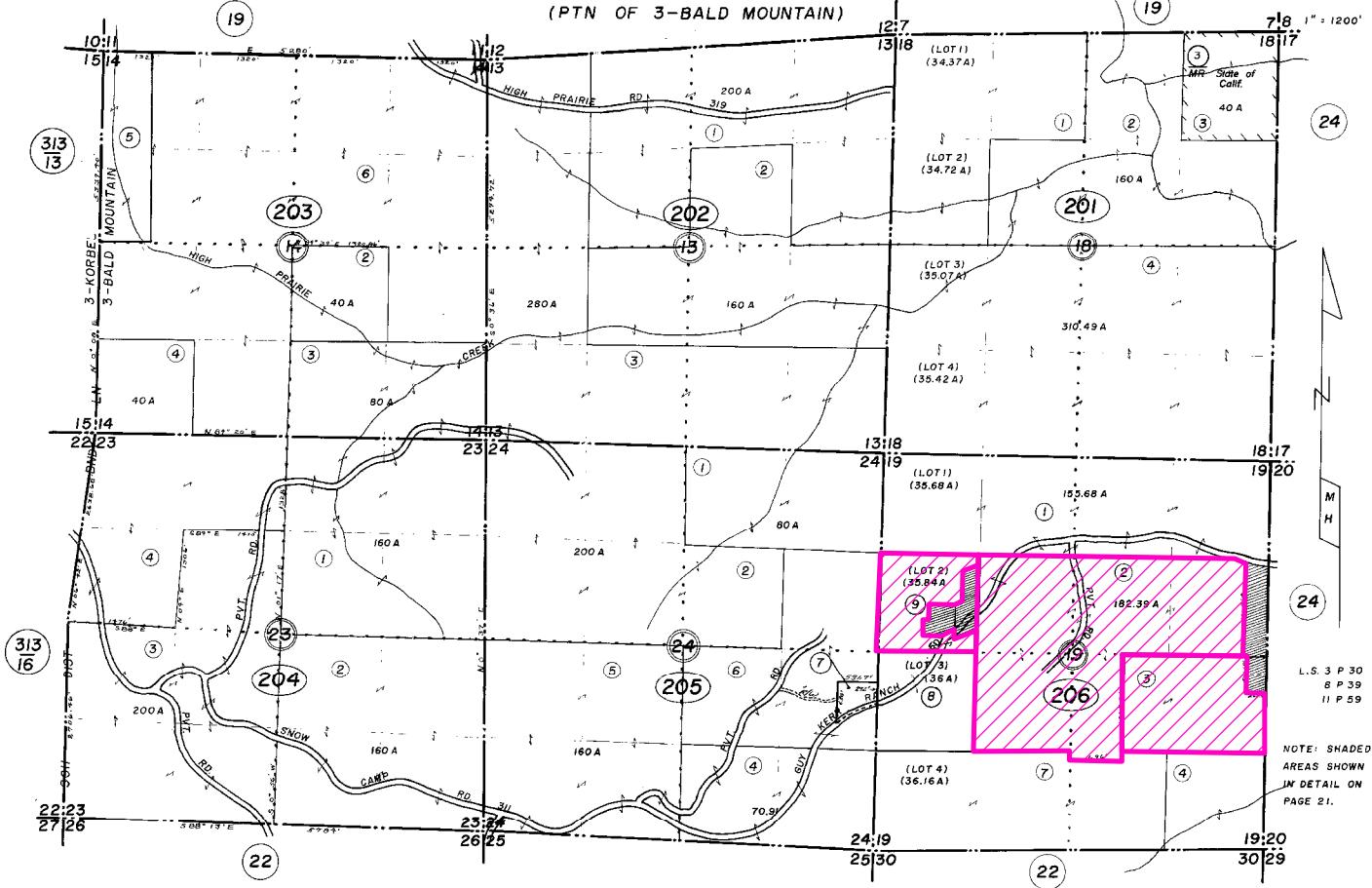
Coastal Zone Boundary 

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.

0 250 500 750 1,000
 Feet

SECS 13, 14, 23, & 24, 5N, 3E & SECS 18, & 19, 5N, 4E
(PTN OF 3-BALD MOUNTAIN)

316-20



ASSESSOR PARCEL MAP

**PROPOSED BLANC
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
KORBEL AREA**

PLN-2021-16919

**APN: 316-206-002, -003, & -009
T05N R03E S19 HB&M (Maple Creek)**

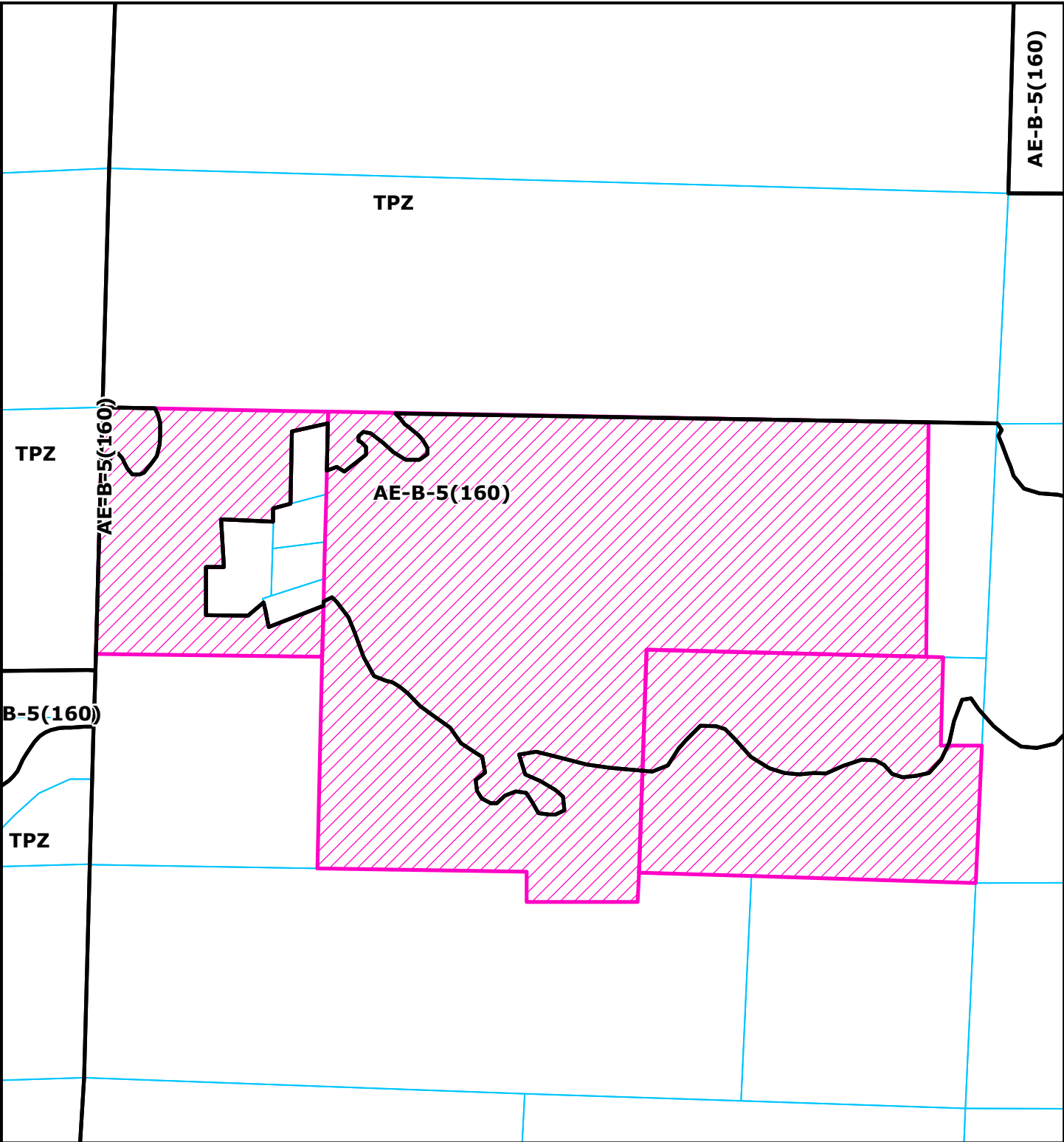
Project Area = 

Coastal Zone Boundary 

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.



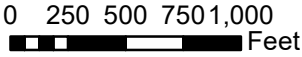
MAP NOT TO SCALE



ZONING MAP

**PROPOSED BLANC
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
KORBEL AREA
PLN-2021-16919**

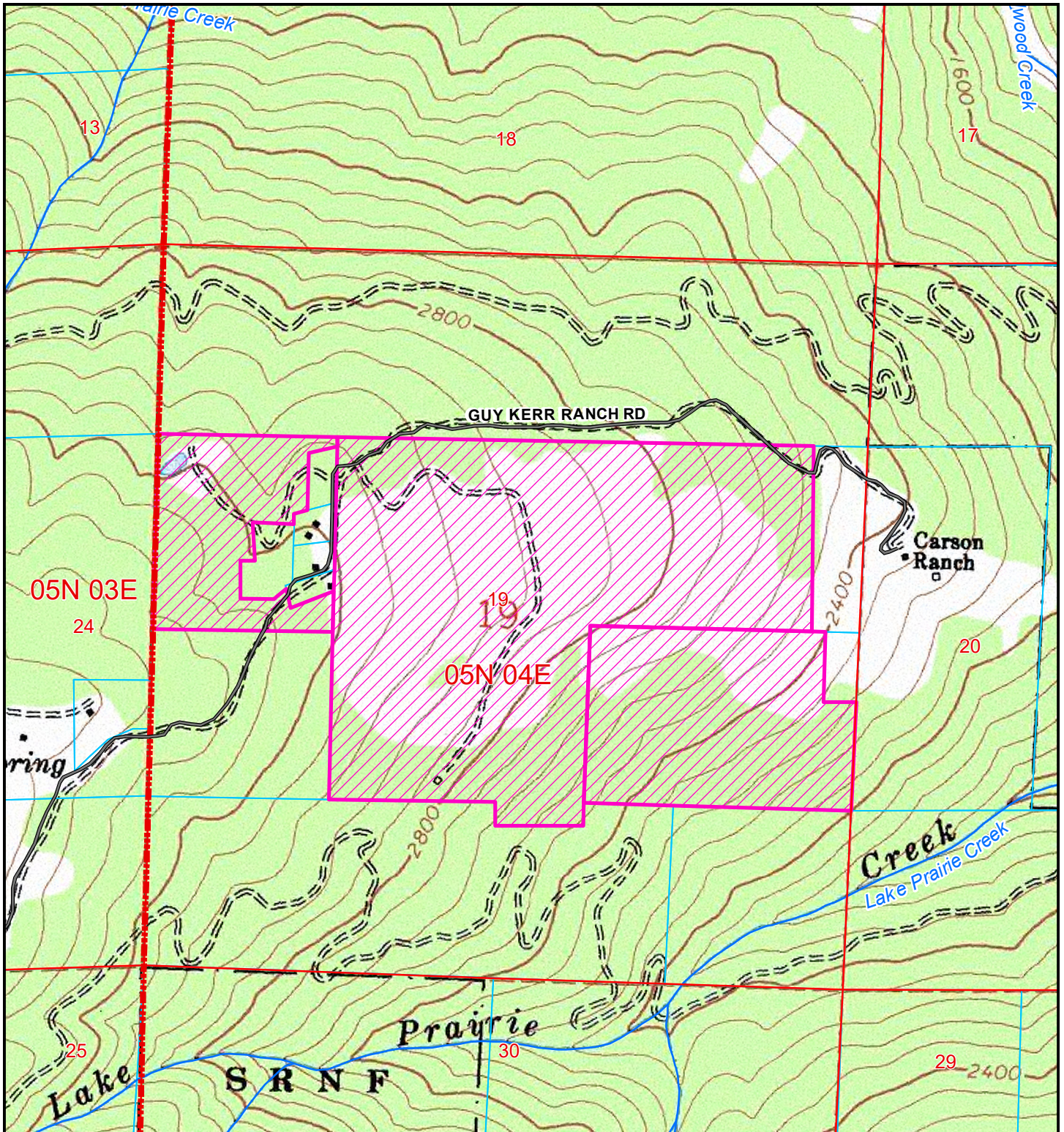
**APN: 316-206-002, -003, & -009
T05N R03E S19 HB&M (Maple Creek)**



Project Area = 

Coastal Zone Boundary 

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.



TOPO MAP

**PROPOSED BLANC
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
KORBEL AREA**

PLN-2021-16919


**APN: 316-206-002, -003, & -009
T05N R03E S19 HB&M (Maple Creek)**

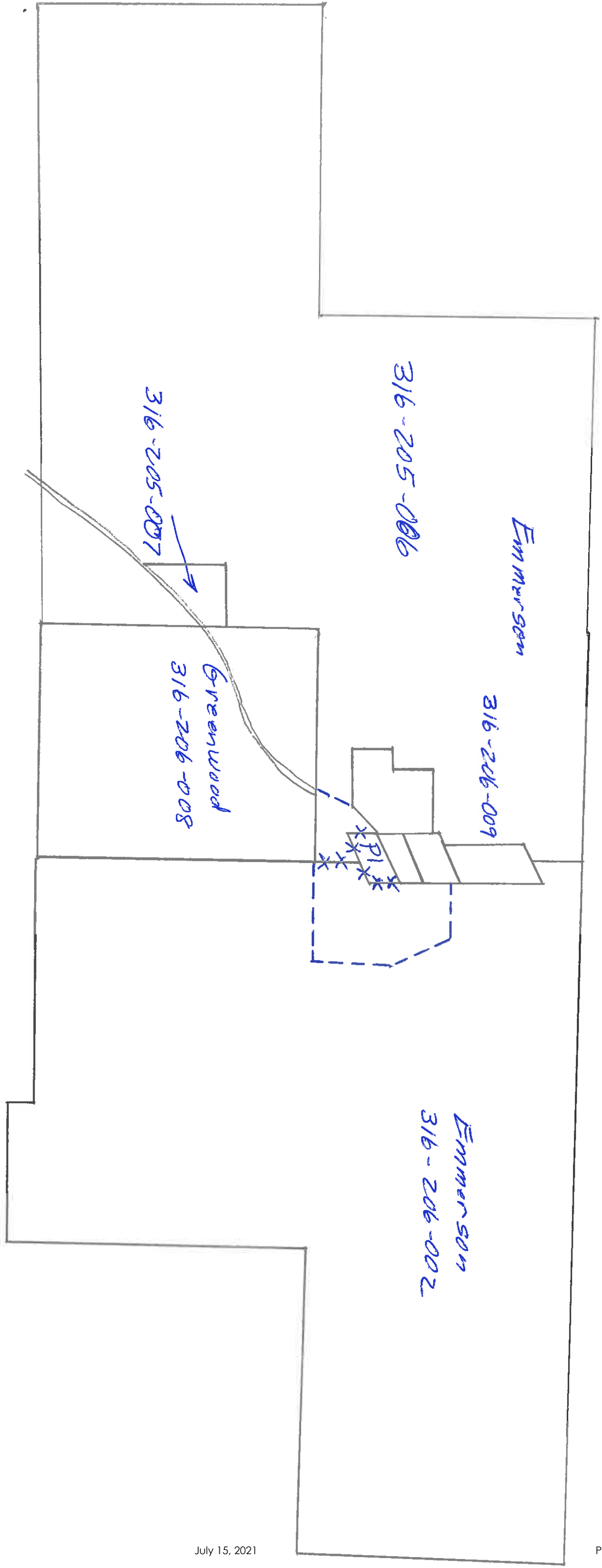
Project Area = 

Coastal Zone Boundary 

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.



0 250 500 750 1,000 250
 Feet



~~---~~ ~~x~~ Property line to be deleted
 --- Property line to be added

P1 Blanc 316-212-003

Tentative Map
 For
 Via Blanc
 R.H. Emmerston

- RESULTING PARCEL LINE
- AREA TO GO INTO TPZ
- AREA OUT OF TPZ TO AG

P1 - 316-212-003
 VICTOR AND DOLORES BLANC
 BOX 987
 FORTUNA CA 95540

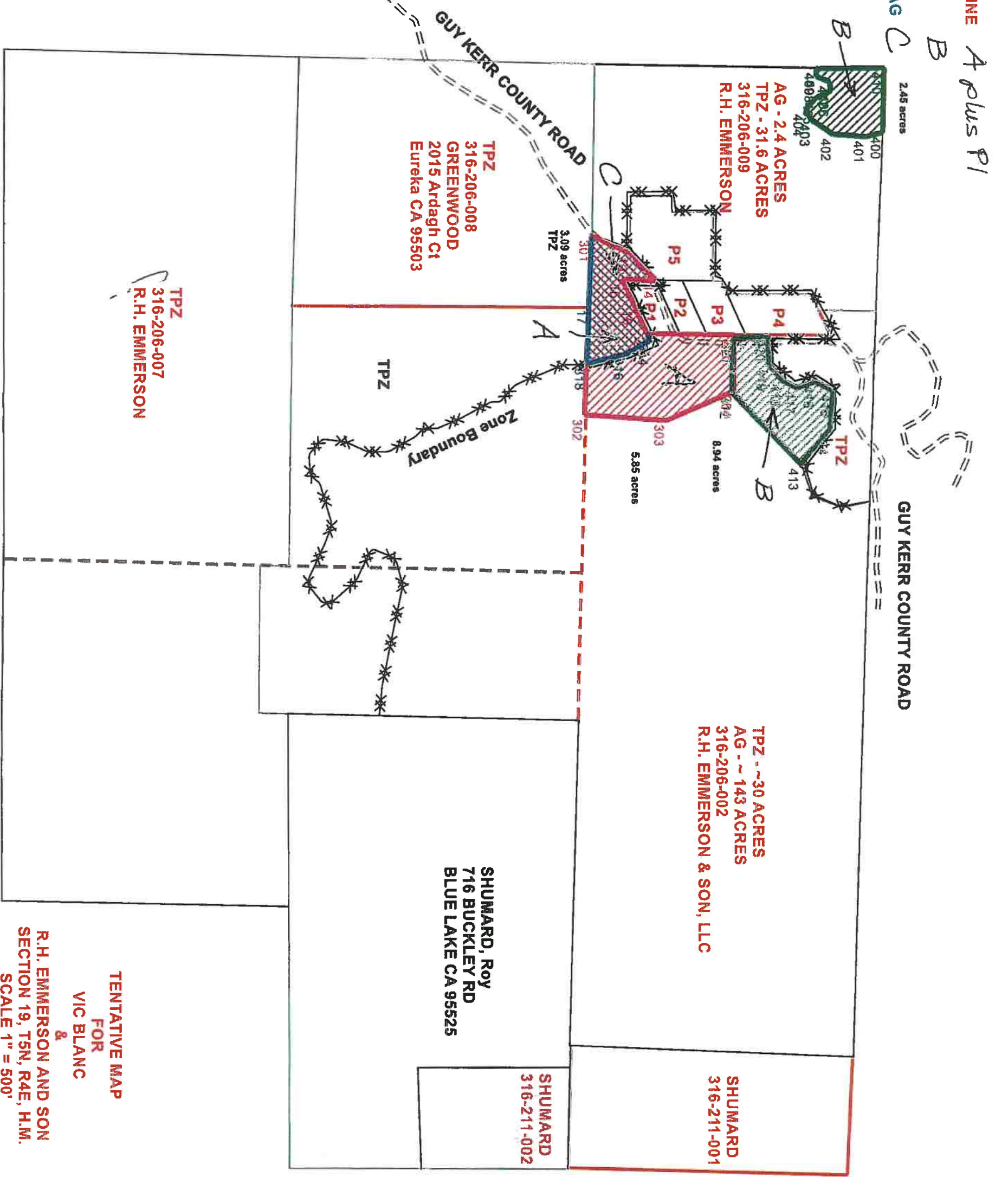
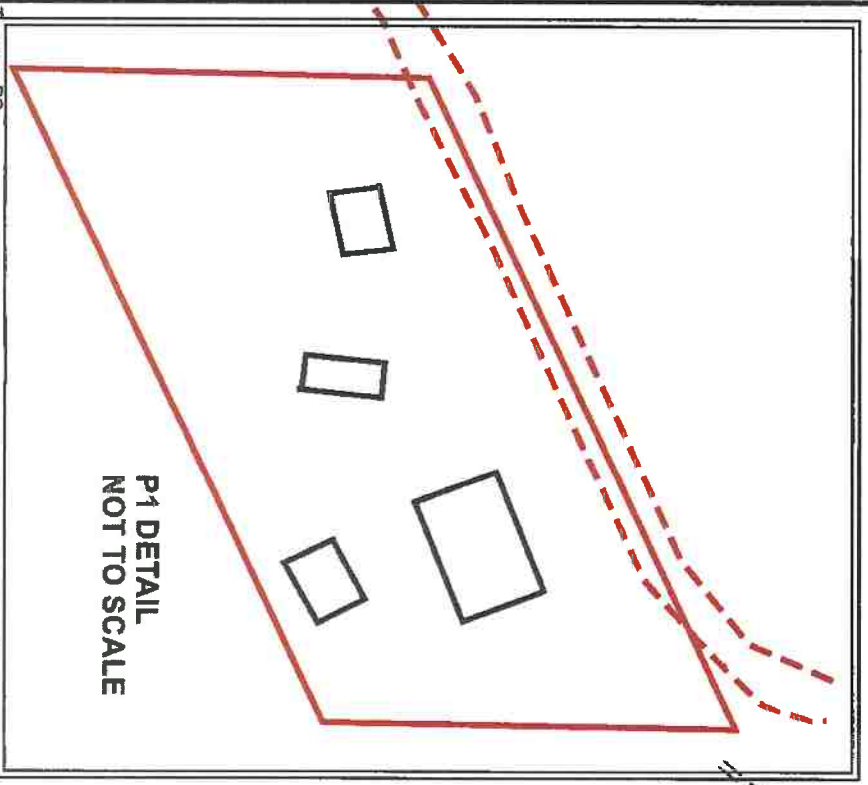
P2 316-212-004
 STEVEN KITCHEN
 20837 137TH DRIVE
 O'BRIEN FL 32071

P3 316-212-005
 CHRISTOPHER LEHTO
 1820 MONTECITO WAY
 EUREKA CA 95501

P4 316-212-001
 KIM STIGLICH
 BOX 1347
 BLUE LAKE CA 95525

P-5 316-213-001
 STANLEY & JEFFREY EISENEN
 728 DRIVER ROAD
 TRINIDAD CA 95570

A plus P1



TENTATIVE MAP
 FOR
 VIC BLANC
 &
 R.H. EMMERSON AND SON
 SECTION 19, T5N, R4E, H.M.
 SCALE 1" = 500'



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 \$427.00 per notice plus \$292.00 for each additional legal description 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 \$75.00 per parcel) as required by the County Assessor shall be paid to the Humboldt County Planning Department, 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 property owner(s) shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment Regarding Agricultural Activities in Humboldt County" as required by Section 314-43.2 of the Humboldt County Code. Contact the Planning Division for a copy of the required document.
7. 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.
8. Applicant shall obtain Board of Supervisors approval for the associated Zone Boundary 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).

CONDITIONS OF APPROVAL (Zone Boundary Adjustment)

APPROVAL OF THE ZONE BOUNDARY ADJUSTMENT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE ZONE RECLASSIFICATION CAN BE SCHEDULED FOR ACTION BY THE BOARD OF SUPERVISORS:

Conditions of Approval:

1. The applicant shall submit a legal description of the area to be rezoned from AE-B-5(160) into TPZ and the area to be rezoned from TPZ to AE-B-5(160) for review and approval by the County Land Surveyor. The applicable review fee (currently \$292.00) must accompany the legal description. The legal description must be approved by the County Land Surveyor prior to the Zone Boundary Adjustment being scheduled for a decision by the Board of Supervisors.

ATTACHMENT 2

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on _____, 2021

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE KORBEL AREA
[PLN-2021-16919 (BLANC)]

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by reclassifying the property described in the Attached Exhibit A as follows: approximately 6.2 acres of Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) into Timberland Production Zone (TPZ) and approximately 3.09 acres of TPZ into AE-B-5(160).

The area described is also shown on the Humboldt County Zoning Maps [Q-23 and R-23] and on the map attached as Exhibit B.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2021, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:
Kathy Hayes
Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Deputy

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)
- Overall Site Plan (**Attached** with Maps)
- Detail Site Plan (**Attached** with Maps)
- Zone Boundary Adjustment Detail Map (**Attached** with Maps)
- Present Owners' Deeds (On File)
- Preliminary Title Reports (On File)
- Creation documents (On File)
- Purpose Statement (On File)
- TPZ Inclusion Letter (**Attached**)

WESTERN TIMBER SERVICES, Inc.

Serving California - Oregon - Washington

P. O. BOX 1136
ARCATA, CALIFORNIA 95518-1136
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Trevor Estlow, Senior Planner
County of Humboldt
Planning Division
3015 H Street
Eureka, CA. 95501

April 12, 2021

Re: Lot Line Adjustment #16919, APN 316-206-002 and 009, and 316-212-003, between Blanc and Sierra Pacific.

Dear Trevor

This Lot Line Adjustment requires that 3.09 acres of Timber Production Zoned land be taken out of TPZ to become part of APN 316-212-003 and zoned Agriculture. To prevent the loss of any TPZ land, this project proposes to replace the lost 3.09 acres of TPZ with 2.4 acres of APN 316-206-009 and 3.8 acres of APN 316-206-002 being rezoned to TPZ. The location of these areas can be seen on the project Tentative Map.

For an area to be zoned TPZ it must be capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. As a Registered Professional Forester, I can verify that the area to be rezoned to TPZ is more than capable of this growth. In fact, both of these areas are fully stocked with a stand of Douglas-fir and White Fir.

Please call if you have any questions.

Sincerely,



Ronald Hunt, RPF#313
Western Timber Services
(707) 822-3628

ATTACHMENT 4

Referral Agency Comments

Referral Agency	Recommendation	Location
County Assessor	No response	
County Building Inspection Division	Approval	On file
Department of Public Works, Land Use Division	Conditional Approval	On file
Division of Environmental Health	Approval	On file
Calfire	No response	
Ca. Dept. of Fish and Wildlife	No response	
Northwest Information Center	Comments	On file
Bear River Band of the Rohnerville Rancheria	No response	
Forestry Review Committee	Approval	Attached

Draft Minutes

May 11, 2021 Meeting

I. Attendance

FRC Members Present: Thomas Blair, Chris Carroll, Gary Rynearson, Kurt McCray, Mark Distefano, Yana Valachovic, Mari Wilson

FRC Members Absent: Jim Able, Mark Andre

Staff Present: John Ford, Director, Planning and Building Department, Mari Wilson, Assessor, Trevor Estlow, Planning and Building Department, Cliff Johnson, Planning and Building Department, Steven Santos, Planning and Building Department, Natalie Duke, County Counsel

The Committee welcomed guests: Nick Robinson, Cybelle Immitt, Public Works Department, Ron Hunt, Todd Truesdell, Michelle Bushnell, Rex Bohn

II. Public Appearances: None.

III. Approval of Minutes from the November 18, 2020.

On a motion by Chris Carroll, seconded by Thomas Blair, the minutes of the November 18, 2020 meeting were approved by a vote of 5-0 (Mark Distefano abstained).

IV. New Business (in order of items heard):

- 1. Eitzen Lot Line Adjustment and Joint Timber Management Plan** Record Number: PLN-2020-16862; Assessor Parcel Numbers 303-161-012, 303-161-013; Eureka area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between two parcels of approximately 18.7 acres and 20.3 acres. The proposed LLA is an equal area exchange of approximately one acre, therefore, parcels will remain the same size after the LLA is complete. The purpose of the LLA is to adjust the parcel line to follow an existing road and to provide a greater buffer for APN 303-161-012.

At this time, the Chair opened the meeting to public comments. There were questions regarding potential access issues to a triangular piece of the property. It was identified that the adjustment may facilitate better access. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Gary Rynearson, seconded by Kurt McCray, the Eitzen project was approved by a vote of 5-0 (Thomas Blair abstained).

- 2. Gradin Conditional Use Permit for existing cannabis cultivation** Record Number: PLN-10542-CUP; Assessor's Parcel Number 222-083-005; Briceland area.

Steven Santos provided the staff report and staff recommendations. The project involves a continued operation of 21,106 square feet of existing outdoor cannabis cultivation, 6,000 square feet of existing mixed light cannabis cultivation, as well as ancillary nursery and processing activities. The project considered today includes the relocation of the cannabis that occurred in the southern clearing and under the forest canopy to the northern clearing. In recognition of these requirements and following specific guidance provided by planning staff, the applicant retained Chris Carroll from

Timberland Resource Consultants to prepare a report assessing the conversion activities. The Registered Professional Forester (RPF) Report identifies two understocked areas: an old log landing and an area with historic skid roads. When added together the two areas total 3.08 acres which meets the 2:1 ratio. The questions to be considered by this Committee are 1) Is the analysis of the RPF Report sound; 2) Taken as a whole, does the proposed project result in a benefit to the environment; and 3) If the project does not result in a net benefit, are there amendments that the Committee would support.

At this time, the Chair opened the meeting to public comments. There were questions regarding the conversion area and restocking requirements. The Committee also had questions on how the County can assure restocking survival and success criteria. John Ford and Cliff Johnson indicated that the conditions of approval require the project to meet the success criteria. A question was raised regarding who reviews the RPF report and staff indicated it was done at a staff level. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Yana Valachovic, seconded by Thomas Blair, the Committee determined that the RPF submitting the report is sufficient. The project was approved by a vote of 4-1 (Kurt McCray voted no and Chris Carroll abstained).

Gary Rynearson made a second motion, seconded by Yana Valachovic, to reflect the fact that additional action by the County is required to notify CALFIRE regarding the reforestation plan for the illegally converted area to assure consistency with state law before the project is presented to the decision-maker (Zoning Administrator or Planning Commission). This motion was approved by a vote of 5-0 (Chris Carroll abstained).

3. Blanc Lot Line Adjustment and Zone Boundary Adjustment Record Number: PLN-2021-16919; Assessor Parcel Numbers 316-206-002, 316-206-003, 316-206-009; Korbel area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between three parcels resulting in three parcels of approximately 10.0 acres, 31.5 acres and 179.5 acres. Also part of the project is a Zone Boundary Adjustment that would adjust the zone boundary between the Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) boundary to follow the new parcel line. This would involve rezoning approximately 3.09 acres from TPZ to AE and approximately 6.2 acres of AE into TPZ. Therefore, there will be no net loss of TPZ lands. The purpose of the LLA is to provide a greater buffer for the residentially developed parcel to the adjoining timberlands.

At this time, the Chair opened the meeting to public comments. There was no discussion on the project. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Kurt McCray, seconded by Chris Carroll, the Morris project was approved by a vote of 6-0.

4. Sullivan Lot Line Adjustment and Joint Timber Management Plan Record Number: PLN-2021-17109; Assessor Parcel Numbers: 313-101-001, 313-111-016; Korbel area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between four existing parcels resulting in two parcels.

Three of the parcels are owned and managed as industrial timberland by Green Diamond Resource Company. The fourth parcel is approximately 37.2-acre in size and under separate ownership (Sullivan). The lot line adjustment will modify the shared boundaries between the separate ownerships to follow an existing access road and watercourse (tributary to Cañon Creek). The purpose of the Lot Line Adjustment is to improve land management opportunities by using the creek and road as property lines. None of the parcels are developed at this time.

At this time, the Chair opened the meeting to public comments. There were questions regarding the proposal, however, the LLA map clarified them. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Thomas Blair, seconded by Gary Ryneerson, the Morris project was approved by a vote of 5-0 (Gary Ryneerson abstained).

5. Discussion of County requirements and process for evaluating timber harvest exemptions relative to County land use.

The Committee discussed the County's role in reviewing various timber harvest exemptions related to the Streamside Management Area and Wetland Ordinance (SMAWO). After discussion, it was recommended that an ad-hoc committee be formed to review the process and come back to the FRC for discussion.

V. Future Agenda Items

None.

VII. Adjournment

The meeting was adjourned at 5:15 p.m.