



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Hearing Date: June 21, 2018

To: Humboldt County Planning Commission

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

SUBJECT: **Viltrakis Lot Line Adjustment and Zone Boundary Adjustment**
Application Number 13907
Case Numbers LLA-17-027, ZBA-17-002
Assessor's Parcel Numbers 206-081-001, 206-091-046, 206-101-003,
206-101-030
335 Wilder Road, Carlotta Area

Table of Contents	Page
Agenda Item Transmittal Form	2
Executive Summary	3
Draft Planning Commission Resolution	5
Maps	
Location Map	7
Zoning Maps	8
Assessor Parcel Maps	9
Aerial Map	11
Project Proposal Map	12
Attachments	
Attachment 1: Recommended Conditions of Approval	13
Attachment 2: Staff Analysis of Required Findings	16
Attachment 3: Draft Ordinance for Adoption by the Board of Supervisors	23
Attachment 4: Applicant's Evidence Supporting the Findings	24
Attachment 5: Referral Agency Comments	28

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 21, 2018	Lot Line Adjustment and Zone Boundary Adjustment	Trevor Estlow

Project: A Lot Line Adjustment (LLA) between two parcels of approximately 5 acres and 656 acres resulting in two parcels of approximately 6.2 acres and 654.8 acres. The smaller parcel is developed with a residence and accessory structures and the larger parcel is vacant and utilized for timber production. The purpose of the LLA is to add a flat open area not utilized for timber production to the smaller parcel. A Zone Boundary Adjustment is also required to move the zone boundary to the new property line.

Project Location: The project site is located in the Carlotta area, on the east side of Wilder Road, at the intersection of Wilder Road and School Lane, on the property known as 335 Wilder Road.

Present Plan Designation: Residential Estates (RE); Timber (T). Humboldt County General Plan. Density: RE: one dwelling unit per 2.5-5 acres; T: one dwelling unit per 20 acres; Slope Stability: Low Instability and Moderate Instability.

Present Zoning: Agriculture General (AG), Timberland Production Zone (TPZ).

Application Number: 13907

Case Numbers: LLA-17-027, ZBA-17-002

Assessor's Parcel Numbers: 206-081-001, 206-091-046, 206-101-003, 206-101-030

Applicant

Stephen and Michele Viltrakis
335 Wilder Road
Carlotta, CA 95528

Owner(s)

same and Green Diamond
Resource Company
PO Box 68
Korbel, CA 95550

Agent

Ontiveros and Associates
Ken Johnston
404 N. Fortuna Blvd.
Fortuna, CA 95540

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.

VILTRAKIS LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT

Case Numbers LLA-17-027, ZBA-17-002

Assessor's Parcel Numbers 206-081-001, 206-091-046, 206-101-003, 206-101-030

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 two parcels to result in two parcels of 6.2 acres and 654.8 acres in size. APN 206-091-046 was created by Parcel Map No. 2818 and is developed with a single family residence. APNs 206-081-001, 206-101-003 and 206-101-030 make up one legal parcel owned by Green Diamond Resource Company and utilized for timber production. The purpose of the LLA is to adjust a portion of the land owned by Green Diamond onto the Viltrakis parcel in order to ultimately construct a shop building. The land to be adjusted does not meet the definition of Timberland and has been grassland since at least 1954 (see letter dated April 16, 2018 prepared by Craig Compton in Attachment 4).

The proposed LLA also includes a Zone Boundary Adjustment (ZBA) to move the boundary between the Agriculture General (AG) zone and the Timberland Production Zone (TPZ) zone to the adjusted property line. Also included is the addition of a Special Building Site combining zone specifying a five-acre minimum parcel size (B-5(5)) to the smaller parcel to ensure consistency with both underlying plan designations. As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines. The current General Plan designations of Agriculture Suburban (AS) and Timber Production (T) are consistent with both zone designations and would not need to be changed.

The project site is located in the Carlotta area, northwest of State Highway 36. The parcels are varied in topography with an average slope less than 20%.

The ZBA will change approximately 1.2 acres, through an immediate conversion, from Timberland Production Zone (TPZ) into Agriculture General with a Special Building Site combining zone specifying a 5-acre minimum parcel size (AG-B-5(5)). The applicant has provided a letter from a Registered Professional Forester stating that the lands proposed to be zoned AG-B-5(5) do not meet the definition of timberland as defined by the Forest Practice Rules and Act and the California Timberland Productivity Act.

While it is the policy of Calfire not to support immediate rezoning of lands out of TPZ, they have reviewed the facts specific to this project and support the project. The ZBA will remove non-timbered (grassland) land from TPZ but will not result in a loss of timberlands. Staff believes that the immediate rezone is consistent with the required findings for the ZBA, and with Article 4 of the California Government Code, specifically Section 51133, *Immediate Rezone*, including the Board of Supervisors approval process, and is consistent with the Forest Taxation Reform Act of 1976. Calfire has indicated that a Less Than 3-Acre Conversion Exemption is not required due to the fact that the area does not currently meet the definition of timberland. Furthermore, the project was reviewed and approved by the Forestry Review Committee on April 2, 2018 (see Attachment 5)

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.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Numbers LLA-17-027, ZBA-17-002
Assessor Parcel Numbers 206-081-001, 206-091-046, 206-101-003, 206-101-030**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Viltrakis Lot Line Adjustment and Zone Boundary Adjustment.

WHEREAS, Ken Johnston, on behalf of the owners, submitted an application and evidence in support of approving the Lot Line Adjustment between two parcels, and to make a zone boundary adjustment to adjust the zone boundary between the Agriculture General (AG) and Timberland Production Zone (TPZ) zone coincidental with the relocated property line including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with both underlying plan designations; and

WHEREAS, the proposed Zone Boundary Adjustment may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with the General Plan; and

WHEREAS, the immediate rezone may be approved if it can be found to be consistent with the Forest Taxation Reform Act of 1976 and with the requirements of Article 4, specifically Section 51133 et seq. of the California Government Code [*immediate TPZ rezone*]; and

WHEREAS, the County Planning Commission has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Viltrakis Lot Line Adjustment and Zone Boundary Adjustment;

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The Planning Commission finds the project to be categorically exempt per Class 5, Section 15305(a) and Section 15061(b)(3) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
3. The proposed LLA and ZBA is consistent with the General Plan;
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-17-027, ZBA-17-002 based on the submitted evidence; and
5. The Planning Commission approves the proposed LLA and ZBA application as recommended and considered in the Planning Division Staff Report for Case Numbers LLA-17-027, ZBA-17-002.

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 Carlotta area [ZBA-17-002, Viltrakis] so that the zone boundary between AG and TPZ is coincidental with the relocated property line including the addition of a Special Building Site combining zone (specifying a five-acre minimum parcel size) to the smaller parcel to ensure consistency with both underlying plan designations.
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 June 21, 2018.

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

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

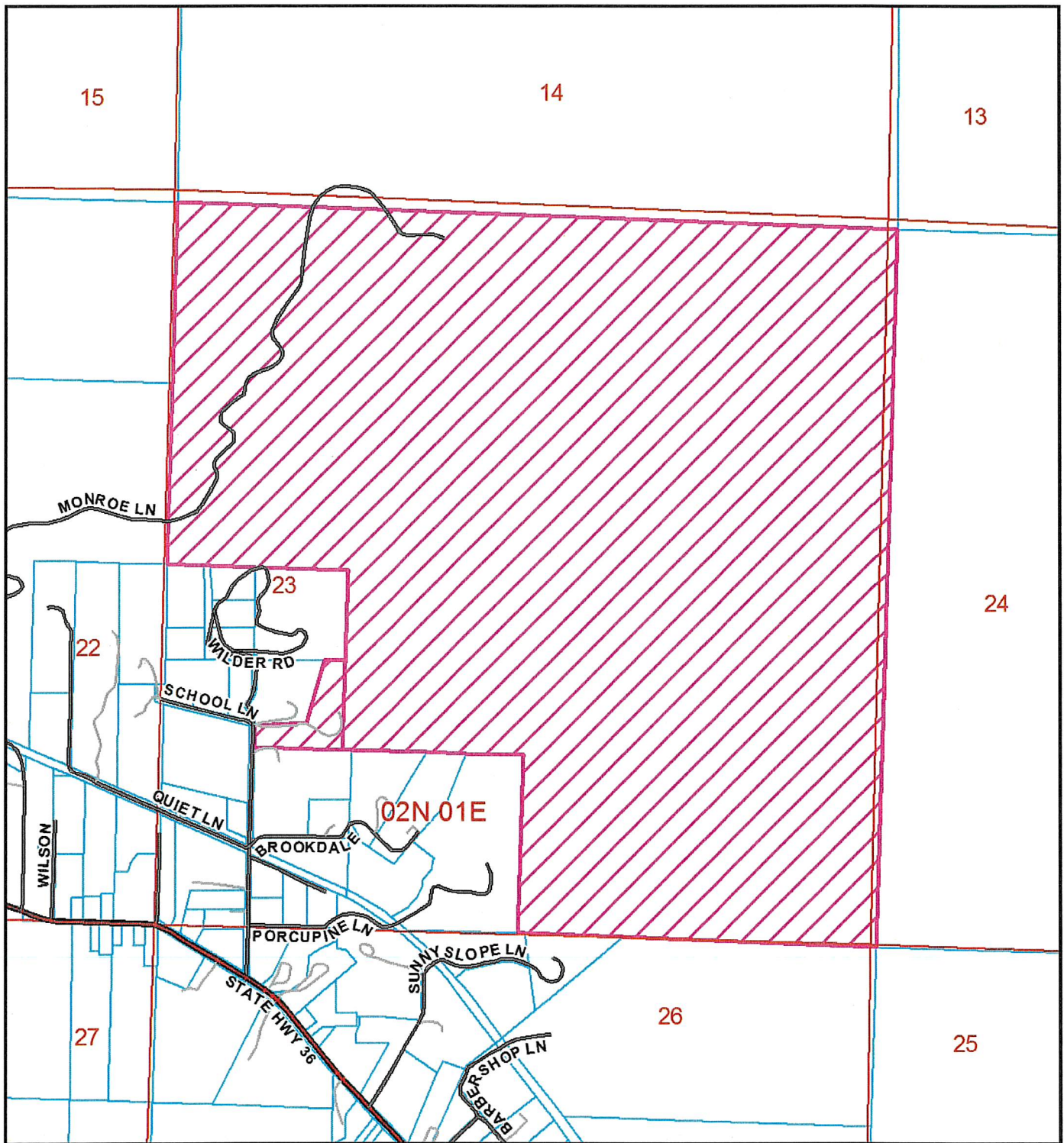
ABSENT: Commissioners:

DECISION:

Robert Morris, Chair

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

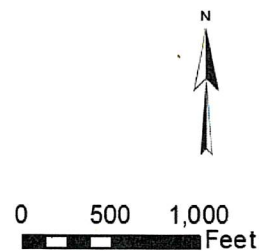
**PROPOSED VILTRAKIS
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
CARLOTTA AREA**

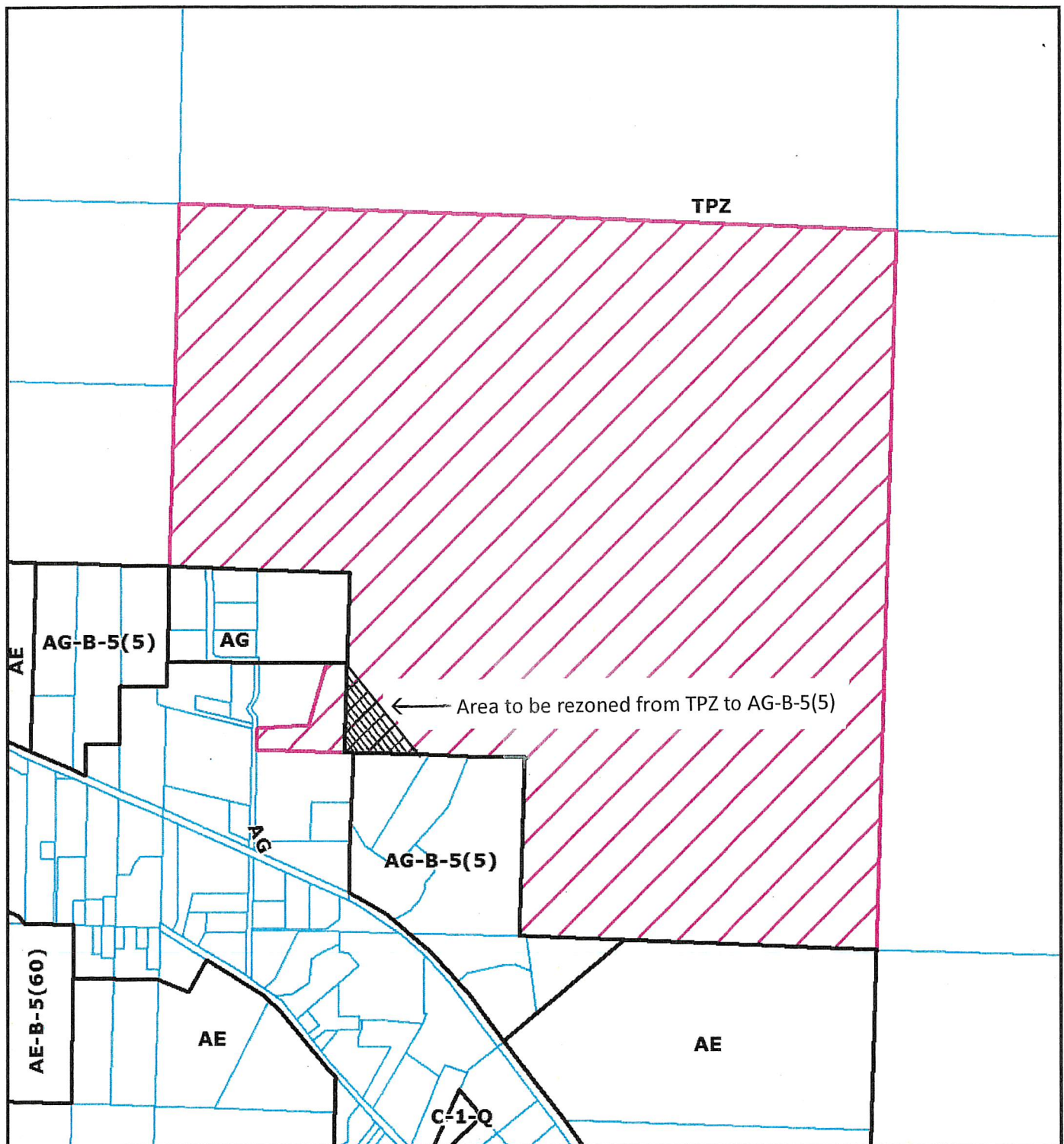
LLA-17-027/ZBA-17-002

**APN: 206-091-046, 206-081-001
T02N R01E S23 HB&M (Hydesville)**

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.






ZONING MAP

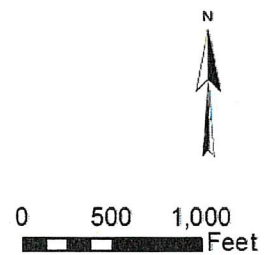
PROPOSED VILTRAKIS LOT LINE ADJUSTMENT & ZONE BOUNDARY ADJUSTMENT CARLOTTA AREA

LLA-17-027/ZBA-17-002

**APN: 206-091-046, 206-081-001
T02N R01E S23 HB&M (Hydesville)**

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.

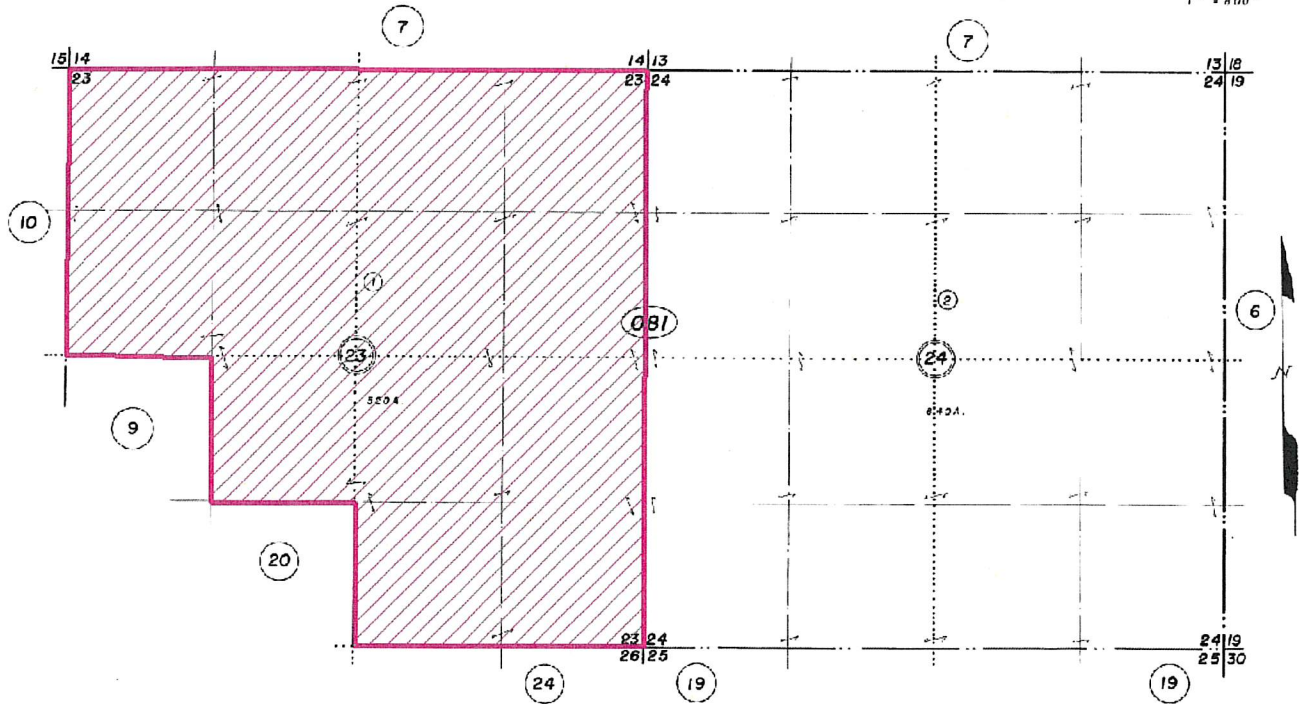


SEC 23 & 24 2N 1E

206-08

T.C.A.

1" = 800'



ASSESSOR PARCEL MAP

PROPOSED VILTRAKIS
LOT LINE ADJUSTMENT &
ZONE BOUNDARY ADJUSTMENT
CARLOTTA AREA
LLA-17-027/ZBA-17-002

APN: 206-091-046, 206-081-001
T02N R01E S23 HB&M (Hydesville)

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.

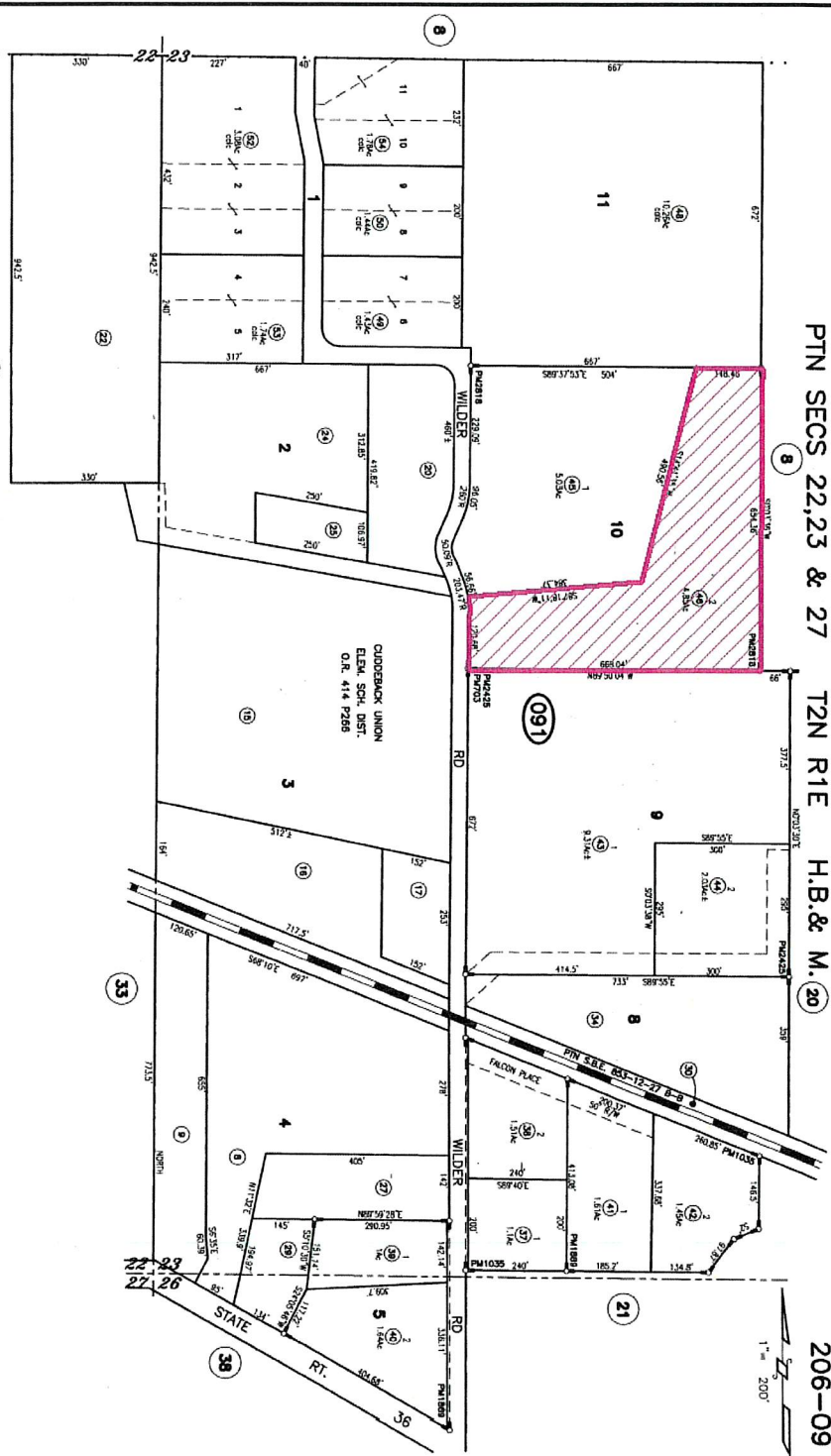
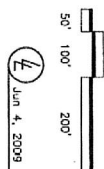


MAP NOT TO SCALE

THIS MAP WAS PREPARED FOR THE ASSESSOR'S OFFICE BY THE COUNTY OF HUMBOLDT, CALIFORNIA, AND IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE ASSessor's OFFICE HAS NOT CONDUCTED A FIELD SURVEY OF THE BUILDING SET BACKS.

PM 1035 of PM Bk. 9, Pg. 43
 PM 1889 of PM Bk. 16, Pg. 85
 PM 1889 of PM Bk. 16, Pg. 111
 PM 4225 of PM Bk. 21, Pg. 102
 PM 2818 of PM Bk. 25, Pg. 105

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.
 Assessor's Map Bk. 206, Pg. 09
 County of Humboldt, CA.



PTN SECS 22,23 & 27

T2N R1E

H.B. & M. 20

206-09

ASSESSOR PARCEL MAP

PROPOSED VILTRAKIS
 LOT LINE ADJUSTMENT &
 ZONE BOUNDARY ADJUSTMENT
 CARLOTTA AREA
 LLA-17-027/ZBA-17-002

APN: 206-091-046, 206-081-001
 T02N R01E S23 HB&M (Hydesville)

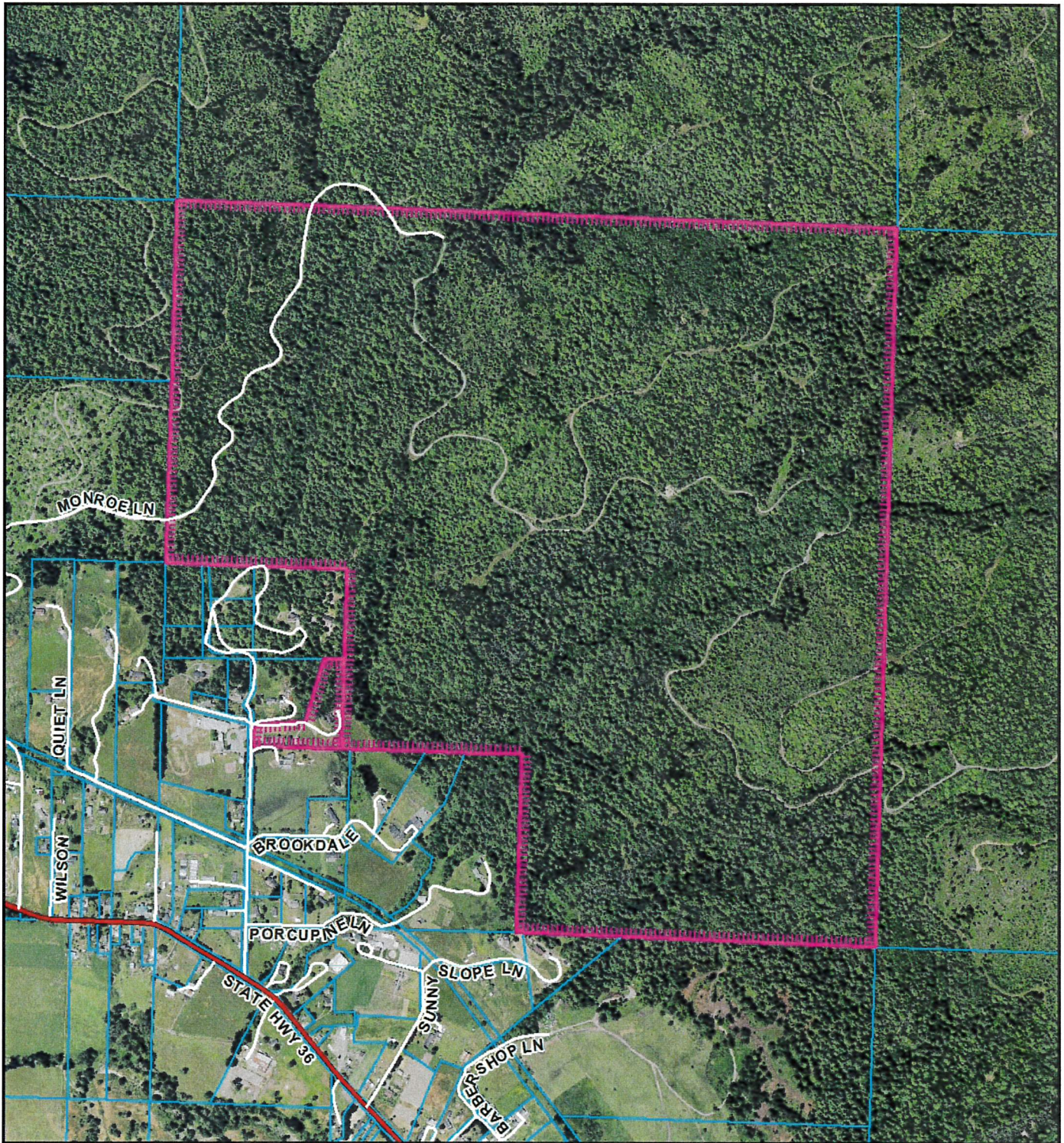
Project Area =



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.



MAP NOT TO SCALE



AERIAL MAP

PROPOSED VILTRAKIS LOT LINE ADJUSTMENT & ZONE BOUNDARY ADJUSTMENT CARLOTTA AREA

LLA-17-027/ZBA-17-002

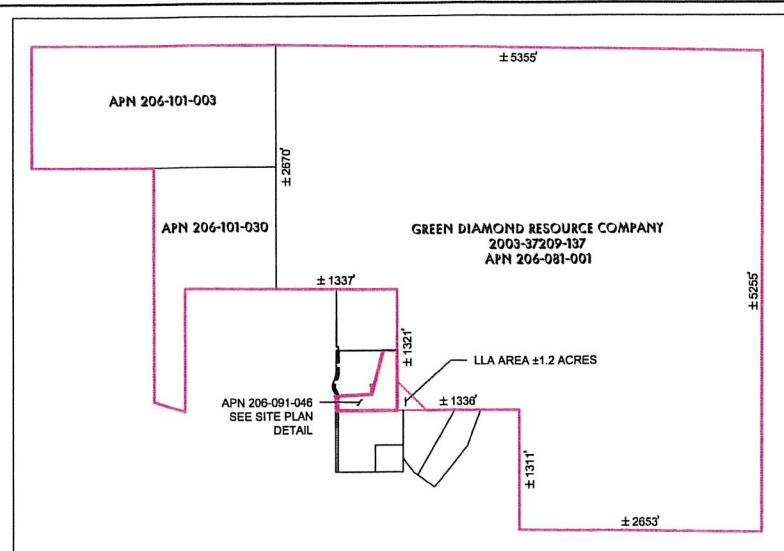
APN: 206-091-046, 206-081-001
T02N R01E S23 HB&M (Hydesville)

Project Area = 

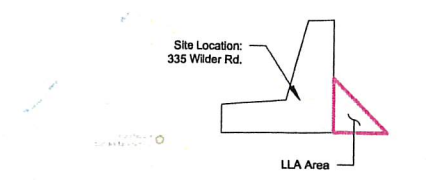
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 500 1,000
Feet



Site Plan
SCALE: 1" = 1000'



Vicinity Map
NTS

OWNER/APPLICANT:
Stephan and Michele Vittrakis
335 Wilder Rd
Carlotta, CA 95528
(707) 768-1988

AGENT/SURVEYOR:
Ontiveros & Associates, Inc.
404 North Fortuna Boulevard
Fortuna, CA 95540
(707) 725-7410
Contact: Ken Johnston

SITE INFORMATION:
335 Wilder Rd
Carlotta, CA 95528

APN 206-091-046

Zoned AG
± 5 Acres
Water: Well
Sewer: On Site Sewage Disposal System

Building Setbacks
Front - 20'
Rear - 20'
Sides - 6'

OWNER:
Green Diamond Resource Company
P.O. Box 68
Korbel, CA 95550
(707) 888-4400
Contact: Craig Compton

APN 206-081-001

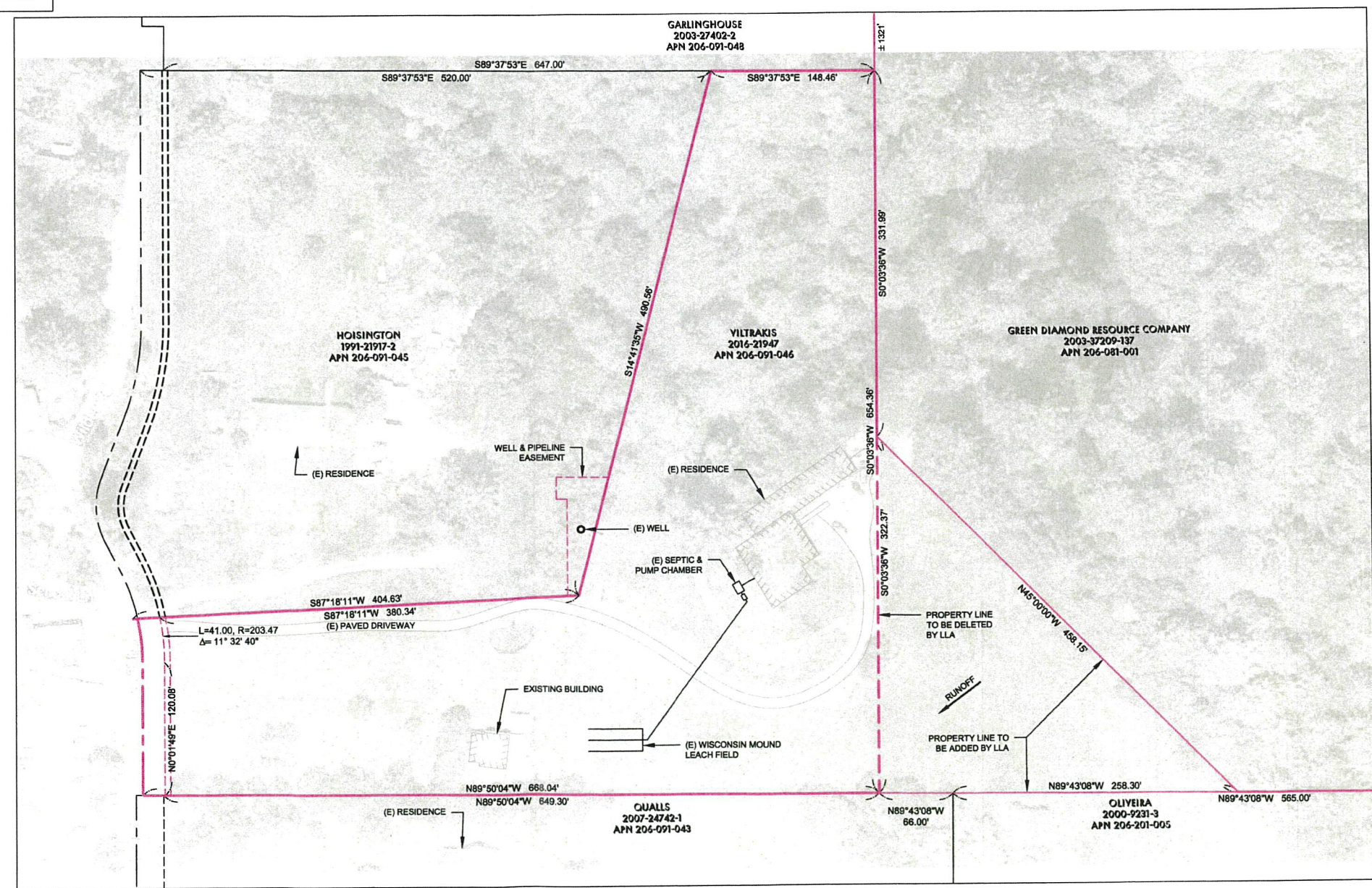
Zoned TPZ
± 528 Acres
Water: N/A
Sewer: N/A

Building Setbacks
Front - 20'
Rear - 30'
Sides - 20'

PROJECT DESCRIPTION:
The purpose of this application is to perform a Lot Line Adjustment between APN 206-091-046 and APN 206-081-001. A Zone Boundary Adjustment will also occur to move the new area added to APN 206-091-046 into AG zoning.

- No known Easements.
- No Trees to be Removed.
- No Grading is Proposed.
- No Known historical buildings or known archaeological or paleontological resources.
- Information shown hereon is derived from Humboldt County GIS, Humboldt County APN maps, aerial photo, and owner supplied information. No topographic information was collected or shown on this map.
- Calculated property lines are shown, a boundary survey is currently in progress by Ontiveros & Associates.

Lot Area Table		
Lot APN	(E) Area	(N) Area
206-091-046	± 5 Acres	± 6.2 Acres
206-081-001	± 528 Acres	± 524.8 Acres
TOTAL AREA=	± 531 Acres	± 531 Acres



Site Plan Detail
SCALE: 1" = 60'

O&A
ONTIVEROS & ASSOCIATES
INC.
CONSULTING ENGINEERS AND SURVEYORS
404 N. Fortuna Blvd. • Fortuna, CA 95540
Phone (707) 725-7410 • Fax (707) 725-7411
Ontiveros.Assoc@att.net



CONTRACTOR

PROJECT NAME
Stephan and Michele Vittrakis LLA

335 Wilder Road
Carlotta, CA 95528
APN: 206-091-046

SHEET TITLE

Tentative Map
for a
Lot Line
Adjustment

PLOT INFORMATION
CAD DWG FILE: P111-078_VITTRAKIS LLA TENTATIVE MAP
(2018-06-04).DWG
PLOT DATE: 6/4/2018 3:08 PM
SAVE DATE: 6/4/2018 2:41 PM

REVISIONS		
1	6/4/18	Modifications per Plan Check

MARK DATE DESCRIPTION
PROJECT NO: 17-078
DATE: 10/24/2017
DRAWN BY: JAP
CHK'D BY: KRJ

SUBMITTAL STATUS
PERMIT SUBMITTAL

T1
SHEET 1 OF 1

ATTACHMENT 1
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 \$386.00 per notice plus \$271.00 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 \$80.00 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 Reclassification)

APPROVAL OF THE ZONE RECLASSIFICATION 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 TPZ into AG-B-5(5) for review and approval by the County Land Surveyor. The applicable review fee (currently \$271.00) 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
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.

A. Lot Line Adjustment

The following tables provide evidence in support of the required findings for the Lot Line Adjustment:

1. The Lot Line Adjustment application is complete;
2. The project is consistent with the Subdivision Map Act;
3. The project conforms to zoning and building ordinances, and conforms to all applicable standards and requirements of the coastal zoning regulations;
4. The project is consistent with the General Plan; and
5. 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.

B. Zone Boundary Adjustment

Section 312-50.3 of the Humboldt County Code (H.C.C.) specifies the findings that must be made in order to grant approval of a Zone Boundary Adjustment. The required findings needed to approve the ZBA are as follows:

1. The proposed change is in the public interest; and
2. The proposed change is consistent with the General Plan.

In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:

3. a) The project either is categorically or statutorily exempt; or

b) There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or

c) An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.
4. Furthermore, per Section 312-50.8.2, *Rezoning From Timberland Production to a Different Zone*, rezoning of the land shall be in conformance with the requirements of the Forest Taxation Reform Act of 1976. Immediate rezoning out of TPZ must be consistent with the requirements of Article 4, *Immediate Rezone*, of the California Government Code,

specifically Section 51133:

5. a) The board or council may tentatively approve the immediate rezoning after notice and hearing and only if by a four-fifths vote of the full body; and:
 - (1) A public hearing is held with notice of the hearing being given to all owners of lands situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed.
 - (2) The board or council makes written findings that immediate rezoning is not inconsistent with the purposes of subdivision (j) of Section 3 of Article XIII of the Constitution and of this Chapter (refer to Attachment 1A) and with the provisions of the Timber Yield Tax Law (Sections 51130 through 51134 of the California Government Code).
 - (3) The board or council makes written findings that immediate rezoning is in the public interest.
- b) The board or council shall forward its tentative approval to the State Board of Forestry, together with the application for immediate rezoning, a summary of the public hearing and any other information required by the State Board of Forestry.

A.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
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 (Project Description)	✓

A.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.

PARCELS	CREATION DOCUMENT	LEGAL STATUS
206-091-046	Parcel 2 of Parcel Map No. 2818 filed in Book 25 of Parcel Maps.	Legal parcel
206-081-001, 206-101-003, 206-101-030	Lot Line Adjustment LLA-42-81.	Legal 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.

A.3. Conformance with Zoning and Building Ordinances: The following tables identify the evidence which supports the finding 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
Agriculture General (AG) Timberland Production Zone (TPZ)	General agriculture and single family residential is principally permitted in both zones.	The project will adjust the parcel lines between two parcels to add approximately 1.2 acres to the residentially developed parcel. Although the land to be adjusted is zoned TPZ, it does not meet the definition and consists of flat grassland. The smaller, developed parcel is served with on-site water (well) and an on-site wastewater treatment system. The larger parcel is vacant and utilized for timber production.
Development Standards		
Minimum Parcel Size	AG-B-5(5): 5 acres TPZ: 160 acres	Parcel 1: 6.2 acres Parcel 2: 654.8
Minimum Lot Width	AG: 60 feet TPZ: n/a	All parcels comply with their respective requirements.
Minimum Yard Setbacks within SRA:	30 feet from all property lines	One existing structure on Parcel 1 is approximately 20 feet from the property line, however, it was constructed prior to the implementation of the FireSafe Ordinance. The larger parcel is vacant. Future development must comply with zone standards and building regulations.
Maximum Lot Coverage	AG: 35% TPZ: n/a	Parcel 1: $\pm 1\%$ Parcel 2: vacant

A.4. The proposed development must be consistent with the General Plan. 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.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Residential Estates (RE): Lands adjacent to urban areas or rural communities with limited public services but suitable for single-family residential use. Density range is 2.5 – 5 acres/unit</p> <p>Timberland (T): Land that is primarily suitable for growing, harvesting and production of timber. Density range is 40 – 160 acres/unit</p>	<p>The project will adjust the parcel lines between two parcels to add approximately 1.2 acres to the residentially developed parcel. The smaller, developed parcel is served with on-site water (well) and an on-site wastewater treatment system. The larger parcel is vacant and utilized for timber production. The zone boundary between the two parcels will be adjusted to follow the new property line dividing the two parcels. The current plan designations support general agriculture and low density residential uses.</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-PX1. Site Suitability, S-P6. Structural Hazards</p>	<p>The site is in an area of low to moderate slope instability and outside of any Alquist-Priolo Fault Hazard Area.</p>

<p>Safety Element Chapter 14</p> <p>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-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>According to FIRM Map Panel 1245, the property is approximately 1,200 feet away from the nearest 100-year flood zone associated with the Van Duzen River.</p>
<p>Safety Element Chapter 14</p> <p>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</p> <p>Related policies: S-P15, 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. The parcel is also within the Carlotta Community Services District who provides structural fire protection as well as responding to medical emergencies.</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 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 a study. The Bear River Band of the Rohnerville Rancheria was also consulted and recommended approval with the standard condition regarding inadvertent discovery. This is included in the conditions of approval.</p>

Conservation and Open Space Chapter 10 Biological Resources Section 10.3	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) Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.	Redwood Creek is located just east and south of the subject property on the east side of Highway 101 and the Pacific Ocean is located approximately one and one-half miles west of the subject property. 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.
---	--	---

A.5 Public Health Safety and Welfare and Environmental Impact:

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§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.
§15305(a) CEQA	Categorically exempt from State environmental review.	Based on the above discussion, the Lot Line Adjustment is categorically exempt from State environmental review per Section 15305(a).

B. Zone Boundary Adjustment

B.1. Public Interest

The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Agriculture General (AG) and Timberland Production Zone (TPZ). The zone boundary is proposed to be coincidental with the new lot line as adjusted and avoid a mixed-zone condition. In addition, a combining zone specifying a five acre minimum parcel size (B-5(5)) will be added to the smaller parcel to ensure consistency with both general plan densities. Both resultant parcels will remain conforming to the zone. Planning staff believes that the ZBA is in the public interest in that it supports the existing use of the land and is minor in nature.

B.2. General Plan Consistency

The properties involved in the ZBA are planned both Residential Estates and Timber by the Humboldt County General Plan. These designations and the implementing zoning (AG-B-

5(5)/T) support low density residential uses as well as general agriculture and timber production. The ZBA is consistent with General Plan policies and standards as noted in the above discussion (A.4). The adjustment supports the LLA and land exchange which results in logical use of the land.

B.3. Environmental Impact

As the principal zone and allowed uses for both parcels remain unchanged and no change to land use or density will result, the Planning Division believes that the ZBA has no potential for causing a significant effect on the environment, and that it can be seen with certainty that there is no possibility that the rezone would have a significant effect on the environment, and is exempt per Section 15061(b)(3) of CEQA.

ATTACHMENT 3

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF
CALIFORNIA**
Certified copy of portion of proceedings, Meeting on _____, 2018

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE CARLOTTA AREA
[ZBA-17-002 (VILTRAKIS)]

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 adjusting the zone boundary between Agriculture General including the addition of a Special Building Site combining zone specifying a five-acre minimum parcel size (AG-B-5(5))) and Timberland Production Zone (TPZ) coincidental with the proposed property lines. The area described is also shown on the Humboldt County zoning map chcpz2 and on the map attached as Exhibit A.

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 _____, 2018, 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 4

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)
- Detailed Plot Plan (Attached)
- Present Owners' Deeds (On File)
- Preliminary Title Reports (On File)
- Creation documents (On File)
- Purpose Statement (On File)
- Letter from Craig Compton (RPF #2663) dated April 16, 2018 (Attached)

April 16, 2018

Trevor Estlow
Senior Planner, Humboldt County
Planning and Building Department
3015 H Street
Eureka, CA 95501



RE: Viltrakis Lot Line Adjustment and Zone Boundary Adjustment Case Numbers: LLA-17-027, ZBA-17-002; Assessor Parcel Numbers: 206-091-046, 206-081-001; Carlotta area.

Dear Mr. Estlow:

I am writing this letter in the capacity as California Registered Professional Forester (RPF) and as a representative of Green Diamond Resource Company (GDRCo) a party to Viltrakis Lot Line Adjustment and Zone Boundary Adjustment.

It is my understanding that the Forest Review Committee (FRC) met on April 2, 2018 and as part of New Business considered the above referenced project, specifically Case Number ZBA-17-002. It is also my understanding that the FRC requested that a Registered Professional Forester assess that portion of GDRCo property, subject to the Zone Boundary Adjustment (the "Property"), to verify that it is in fact not Timberland as defined by The Forest Practice Rules and Act, and the California Timberland Productivity Act.

I personally inspected the Property on April 10, 2018 and found the Property to be grassland (Figure 1). There was no evidence of stumps observed on the Property. A review of historical aerial photographs shows that the Property has been occupied by grass since at least 1954 (Figure 2).

Figure 1.



Based upon my personal inspection of the Property and the evidence presented in historic aerial photographs it is my professional opinion that the Property was incorrectly classified as Timberland and was incorrectly enrolled in the Timber Production Zone (TPZ) classification.

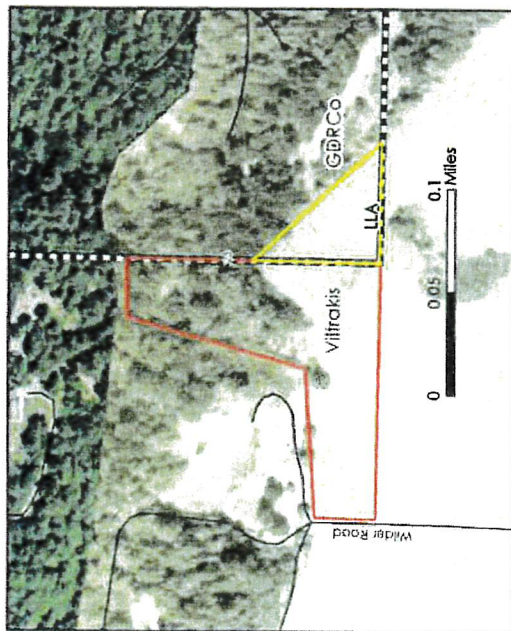
Please feel free to contact me if you have any questions or require additional information.

Sincerely,

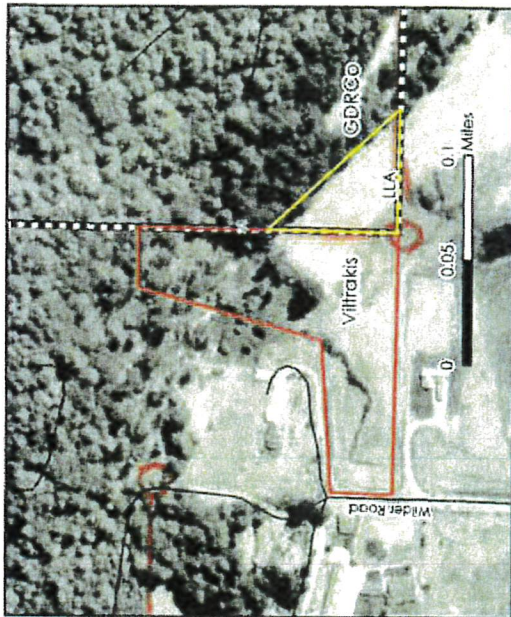


Craig A. Compton, RPF #2663
Manager, Land Management

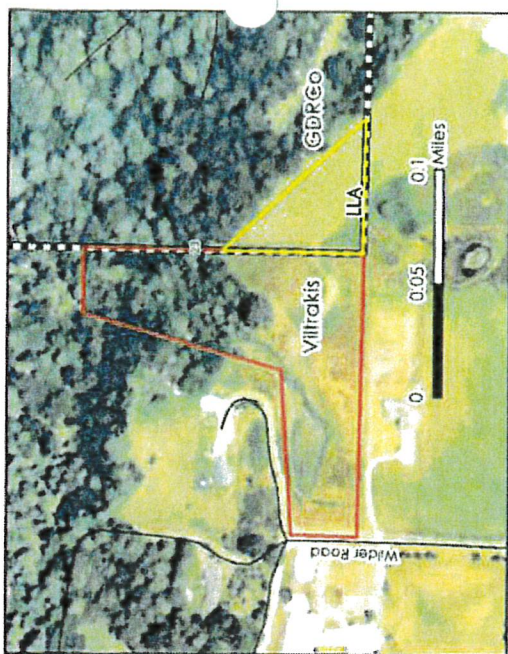
Figure 2: Viltrakis LLA Historic Photos



August 1954: Photo Label 9N_127



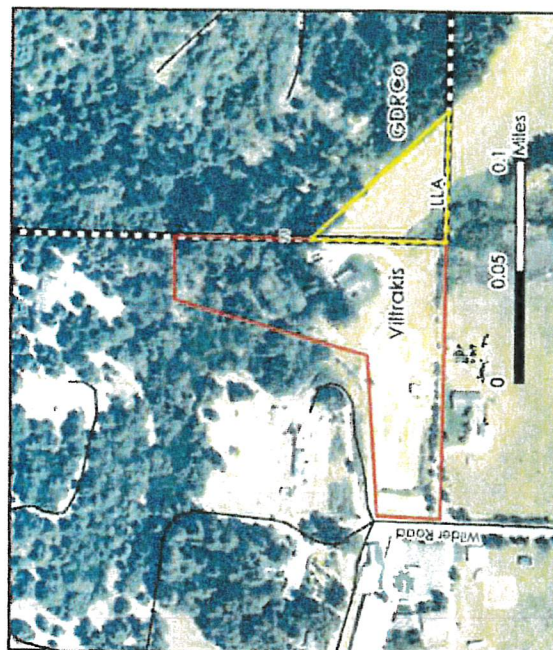
July 1978: Photo Label 15-8



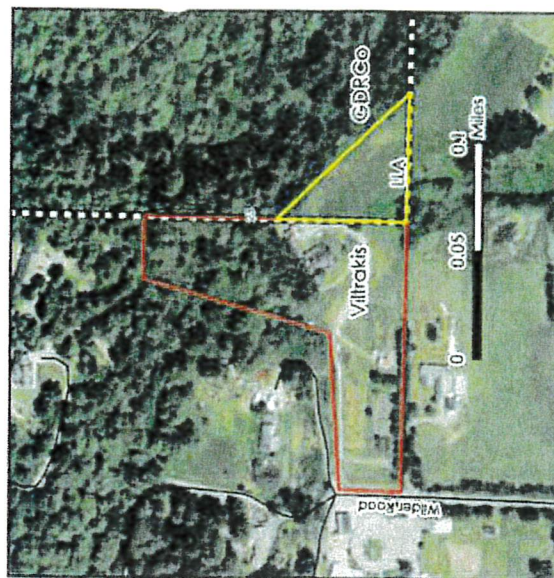
July 1988: Photo Label A57-5



August 1997: Photo Label 20-42



August 2004: Photo Label 128-8



NAIP 2016

ATTACHMENT 5

Referral Agency Comments

Referral Agency	Recommendation	Location
County Assessor	Approval	On file
County Building Inspection Division	Approval	On file
Department of Public Works, Land Use Division	Comments	On file
Division of Environmental Health	Approval	On file
Carlotta Community Services District	No comment	
Calfire	Comments	On file
Ca. Dept. of Fish and Wildlife	No comment	
Northwest Information Center	Recommend Study	On file
Bear River Band of the Rohnerville Rancheria	Conditional Approval – no study required	On file