



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Title: Morris Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)
APNs: 208-142-033, 207-142-035
Record Number: PLN-2020-16532

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment A - Declaration.pdf, 3. Attachment B - JTMP.pdf, 4. Attachment C - Draft FRC Minutes 11.18.2020.pdf, 5. Attachment D1 - Findings.pdf, 6. Attachment D2 - Maps.pdf

Date	Ver.	Action By	Action	Result
7/13/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Morris Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)
APNs: 208-142-033, 207-142-035
Record Number: PLN-2020-16532

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve (by 4/5 vote) the Joint Timber Management Plan (JTMP) and Guide (Attachment B) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) (Note: A 4/5th vote is required);
2. Find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305 of the California Environmental Quality Act (CEQA) Guidelines and make all of the required findings (Attachment D) to approve the Lot Line Adjustment;
3. Direct the Planning Division staff to record the Declaration with the JTMP and the Notices of Lot Line Adjustment and Certificate of Subdivision Compliance; and
4. Direct the Clerk of the Board to give notice of the decision to owners, the County Assessor's Office and any other interested party.

SOURCE OF FUNDING:

Applicant fees.

DISCUSSION:

This project consists of two parts: a Joint Timber Management Plan and Guide (JTMP) prepared for M5 Land and Cattle LLC and Carol Morris covering approximately 221 acres of both Timberland Production Zone (TPZ) and Agriculture Exclusive (AE) lands; and an application for a Lot Line Adjustment (LLA) to reconfigure the two involved parcels resulting in two parcels.

The reconfigured parcels will result in the division of TPZ zoned land, and both of the resultant parcels will contain less than 160 acres of land zoned TPZ. Therefore, a JTMP is required to demonstrate that the resulting legal parcels can be managed as separate units and provide periodic sustainable return while balancing growth and yield over time. The JTMP prepared for the project includes the two parcels, however, as a large portion of the project area is zoned AE and contains open meadows, stand data and future growth tables are only provided for the timbered area of the properties.

The JTMP fulfills a required finding that the resultant parcels are consistent with the purpose of the TPZ, i.e., for the continued growing and harvesting of timber. As the size of a timberland parcel becomes smaller (below 160 acres), certain factors affecting the viability of the property to continue in a manner meeting the purpose of the zone become more important. The purpose of the JTMP is to ensure that the resultant parcels meet minimum stocking requirements, have adequate access to public roads and recorded access to private access roads, where needed, and are covered by a management guide which describes recommended silvicultural techniques, cutting cycle, stand regulation and regeneration, immediate stand treatments, fire protection, and other similar management practices.

The LLA will utilize two parcels containing various amounts of land zoned TPZ and reconfigure them into two parcels. Parcel 1 will be approximately 178 acres in size and contain approximately 107 acres zoned TPZ. Parcel 2 will be approximately 43 acres in size and contain approximately 34 acres of TPZ. While the adjustment is to provide adequate access and setbacks to the existing residence on APN 208-142-035 as well as increase the timberlands associated with APN 208-142-033, it is a division under statute requiring approval of a JTMP concurrent with the LLA. The property is located approximately six miles south of Bridgeville, on the east side of Alderpoint Road. The LLA involves two separate, legal parcels of approximately 103 acres and 118 acres in size and adjusts the boundaries between them to result in two parcels of approximately 178 acres and 43 acres. The JTMP indicates that the timbered areas on the parcels contain a Douglas-fir forest type with minor components of knob cone and live oak. Planning staff believes that the findings for the LLA can be made based on upon the submitted evidence (Attachment D).

Section 51119.5 of the California Government Code (C.G.C.) and Section 314-7.4.1.3 of the Humboldt County Code (H.C.C.) require the preparation of a JTMP and Guide for the "division" of land into assessor parcels containing less than 160 acres of TPZ. Parcel is defined as "*that portion of an assessor's parcel that is timberland*" (C.G.C. Section 51104(i)). The JTMP and Guide is intended to guide the management and harvesting of timber on these smaller TPZ ownerships that result from the division of assessor parcels zoned TPZ into assessor parcels containing less than 160 acres of TPZ. Activities that may result in such a division include subdivision, lot line adjustment, and conveyances of existing land units (e.g. land patents) underlying an assessor's parcel zoned TPZ, when any such created lot, reconfigured parcel or parcel to be conveyed contains less than 160 acres of TPZ land.

Such circumstances require the preparation, review and approval of a JTMP and Guide per State law and local ordinance.

Consistent with Section 51119.5 of the C.G.C., a JTMP was prepared by Hohman and Associates Forestry Consultants. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on November 18, 2020. Pursuant to Section 51119.5, the JTMP must receive a 4/5's affirmative vote of the Board of Supervisors to become effective.

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

FINANCIAL IMPACT:

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

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by managing our resources to ensure sustainability of services .

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies, including the FRC which approved the JTMP on November 18, 2020.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the project. Planning Division staff does not recommend this alternative. The JTMP shows that the management units within the LLA resultant parcels can be managed for continued timber production.

ATTACHMENTS:

Attachment A: Declaration of Covenants, Conditions and Restrictions Implementing the Morris Joint Timber Management Plan and Guide

Attachment B: Copy of the Joint Timber Management Plan

Attachment C: County Forestry Review Committee Draft Minutes of November 18, 2020

Attachment D: Lot Line Adjustment Findings and Maps

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A