



COUNTY OF HUMBOLDT

Legislation Text

File #: 23-1066, Version: 1

To: Board of Supervisors
From: Planning and Building Department
Agenda Section: Public Hearing
Vote Requirement: 4/5th

SUBJECT:

Green Diamond Resource Company Lot Line Adjustment and Joint Timber Management Plan (4/5th Vote Required)
APNs: 510-011-016, 511-111-056, 511-161-005
Record Number: PLN-2021-17513
McKinleyville area

RECOMMENDATION(S):

That the Board of Supervisors adopt the Resolution to:

1. Open the public hearing, receive and consider the staff report and accept public comment; and
2. Find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305 (a) of the State CEQA Guidelines and make all of the required findings (Attachment 1) to approve the Lot Line Adjustment; and
3. Approve (by 4/5 vote) the Joint Timber Management Plan (Attachment 4) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) and to approve the Lot Line Adjustment; and
4. 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
5. 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. (1100277)

DISCUSSION:

A Lot Line Adjustment (LLA) between four vacant parcels of approximately 80.25 acres, 104 acres, 80.35 acres, and 119.5 acres resulting in four parcels of approximately 144.55 acres, 65.6 acres, 55.35

acres, and 118.6 acres. The purpose of the LLA is to facilitate the acquisition of a community forest and conservation easement, and for lands to remain as part of Green Diamond Resource Company timber production inventory. No development is proposed and the LLA will not result in a net loss of Timber Production Zone (TPZ) lands. A JTMP is required due to the resultant parcels containing less than 160 acres of TPZ.

Project Location: The project is in the McKinleyville area, on either side of Murray Road, approximately 1.3 miles from the intersection of Central Avenue and Murray Road, on lands situated in Sections 28, 29, and 33 of Township 07 North, Range 01 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Timberland (T) and Timberland Subject to Airport Safety Review (T,AP), Humboldt County General Plan (GP). Density: 40-160 acres per dwelling unit respectively. Slope Stability: Parcels in many zones (M).

Present Zoning: Timberland Production Zone with combining zone designations Airport Safety Review, Noise Impact, and Streamside Management Areas and Wetlands (TPZ-AP-N-WR). Agriculture Exclusive with combining zone designations Noise Impact, and Streamside Management Areas and Wetlands (AE-N-WR).

Environmental Review: The project is exempt from environmental review pursuant to Sections 15061(b)(3) and 15305(a) of the State CEQA Guidelines.

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

Major Issues: None

Executive Summary: This project consists of two parts: a Joint Timber Management Plan (JTMP) prepared for Green Diamond Resource Company covering approximately 385 acres of both Timberland Production Zone (TPZ) and Agriculture Exclusive (AE) lands on APNs 510-011-016, 511-111-056, and 511-161-005; and an application for a Lot Line Adjustment (LLA) to reconfigure four parcels of approximately 80.25 acres, 104 acres, 80.35 acres, and 119.5 acres resulting in four parcels of approximately 144.55 acres (Parcel A), 65.6 acres (Parcel B), 55.35 acres (Parcel C), and 118.6 acres (Parcel D). All four parcels are vacant and are managed for timber production. The purpose of the LLA is to facilitate the acquisition of a community forest and conservation easement, and for lands to remain as part of Green Diamond Resource Company timber production inventory.

A review of creation documents to determine the legal status of the parcels found that the four involved parcels were created in compliance with the Subdivision Map Act per Certificate of Subdivision Compliance, Instrument No. 2022-00955.

The reconfigured parcels will each contain less than 160 acres of land zoned TPZ. Therefore, a JTMP is required to demonstrate that the resulting parcels can be managed as separate units and provide periodic sustainable return while balancing growth and yield over time.

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.

Parcel A will be approximately 144.55 acres in size and will be entirely zoned TPZ. Parcel B will be approximately 65.6 acres in size and will be entirely zoned TPZ. Parcel C will be approximately 55.35 acres in size and contain approximately 50.45 acres of TPZ. Parcel D will be approximately 118.6 acres in size and contain approximately 98.2 acres of TPZ. The JTMP indicates that the timbered areas on the parcels currently contain approximately 18,455 board feet of conifer species per acre with a diameter range of 1.8 - 24.5 inches, and an approximate total conifer volume of 848,939 board feet. The findings for the LLA can be made based on upon the submitted evidence (Attachment 6).

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

Consistent with Section 51119.5 of the California Government Code, a JTMP was prepared by Craig A. Compton, Registered Professional Forester. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on February 8, 2023. 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 concludes that the JTMP shows that the resultant parcels can be managed consistent with these requirements.

APPLICANT AND PLANNER INFORMATION:

Applicant

Green Diamond Resource Company

c/o Craig Compton

PO Box 68

Korbel, CA 95550

Owner

Same as applicant

Agent

Kelly-O'Hern Associates
c/o Mike O'Hern
3240 Moore Avenue
Eureka, CA 95501

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

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 February 8, 2023.

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 unit within the LLA resultant parcels can be managed for continued timber production.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Lot Line Adjustment Map
2. Location Map
3. Draft Declaration of Covenants, Conditions and Restrictions Implementing Joint Timber Management Plan
4. Joint Timber Management Plan
5. Forestry Review Committee Draft Minutes, February 8, 2023
6. Applicant's Evidence in Support of the Required Findings
7. Referral Agency Comments and Recommendations

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: N/A

File No.: N/A