



COUNTY OF HUMBOLDT

Legislation Text

File #: 23-1067, **Version:** 1

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

Vote Requirement: 4/5th

SUBJECT:

Korejko Lot Line Adjustment and Joint Timber Management Plan (4/5th Vote Required)
APNs: 501-161-003 and 501-161-017
Record Number: PLN-2023-18099

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.) (Note: A 4/5 vote is required) 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 two parcels of approximately 58.7 acres and 227 acres resulting in two parcels of approximately 43.6 acres and 242.2 acres. The smaller parcel (Parcel A) is developed with a residence and accessory structures and the larger parcel (Parcel B) is managed for timber production. The purpose of the LLA is to correct an encroachment on Green Diamond property

and to transfer ownership of timberland west of Washington Gulch to Green Diamond for better management of timberland resources. A Joint Timber Management Plan has been prepared for Parcel A.

Project Location: The project is located in the Bayside area, on the south side of Graham Road, approximately 0.5 miles southeast from the intersection of Lindholm Lane and Graham Road, on the property known as 2750 Graham Road.

Present Plan Land Use Designations: Timberland (T) and Residential Agriculture (RA 5-20); Humboldt County General Plan (GP), Density: 40-160 and 5-20 acres per dwelling unit respectively. Slope Stability: Parcels in many zones (M).

Present Zoning: Agriculture Exclusive (AE), Timberland Production Zone (TPZ).

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 Michael Korejko and Barbara Rohr covering approximately 43.6 acres of both Timberland Production Zone (TPZ) and Agriculture Exclusive (AE) lands on APN 501-161-003 (Parcel A); and an application for a Lot Line Adjustment (LLA) to reconfigure two parcels of approximately 58.7 acres and 227 acres resulting in two parcels of approximately 43.6 acres and 242.2 acres. The smaller parcel (Parcel A) is developed with a residence and accessory structures and the larger parcel (Parcel B) is managed for timber production. The purpose of the LLA is to correct an encroachment on Green Diamond property and to transfer ownership of timberland west of Washington Gulch to Green Diamond for better management of timberland resources.

A review of creation documents to determine the legal status of the parcels found that the two involved parcels were created in compliance with the Subdivision Map Act. APN 501-161-003 is a separate legal parcel created by Deed, in Book of Deeds, Page 294, dated October 9, 1925. APN 501-161-017 is a separate legal parcel described as Parcel One per Notice of Lot Line Adjustment and Certificate of Subdivision Compliance, Instrument No. 2021-017531.

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

The JTMP fulfills a required finding that the resultant Parcel A is 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 Parcel A meets minimum stocking requirements, has adequate access to public roads and recorded access to private access roads, where needed, and is 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 43.6 acres in size and contain approximately 41.2 acres zoned TPZ. Parcel B will be approximately 242.2 acres in size and contain approximately 221 acres of TPZ. The JTMP indicates that the timbered areas on Parcel A currently have approximately 125 conifer trees per acre with a diameter range of 1-46 inches and an approximate total conifer volume of 588,060 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 Holmgren Forestry. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on May 25, 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 Parcel A can be managed consistent with these requirements.

APPLICANT AND PLANNER INFORMATION:

Applicant

Michael Korejko & Barbara Rohr
PO Box 114
Orleans, CA 95556

Owners

501-161-003

Same as applicant

501-161-017

Green Diamond Resource Co.
c/o: Craig Compton
PO Box 68
Korbel, CA 95550

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 May 25, 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 Parcel A 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, May 25, 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