



COUNTY OF HUMBOLDT

Legislation Text

File #: 20-1485, **Version:** 2

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

McKee/Hafenecker-Dodge/Bullock Joint Timber Management Plan and Lot Line Adjustment (4/5 Vote Required)

APNs: 223-071-017, 223-074-004, 223-74-006, 223-074-010

Case No.: PLN-2019-15386

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 State CEQA Guidelines and make all of the required findings (Attachment C) to approve the Lot Line Adjustment subject to the recommended Conditions of Approval (Attachment D);
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;
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 Robert McKee covering approximately 646 acres of which approximately 161 acres are Timberland Production Zone (TPZ) land; and an application for a Lot Line Adjustment (LLA) to reconfigure three parcels.

The reconfigured parcels would result in the division of Timberland Production Zone (TPZ) zoned land that contains less than 160 acres of Timberland Production Zone (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 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 three existing legal parcels (consisting of four Assessor parcels) containing various amounts of land zoned TPZ and reconfigure them into three resultant parcels, all of which will contain less than 160 acres of TPZ. While the adjustment is to create better management units, it is a division under statute requiring approval of a JTMP concurrent with the LLA.

The project is located in the Garberville area. The LLA would result in three separate, legal parcels of approximately 204 acres, 214 acres and 228 acres in size and adjusts the boundaries between them to result in three timber management units of approximately 26 acres, 52 acres and 83 acres. The JTMP indicates that the property is comprised of stands consisting primarily of tanoak, madrone, Douglas-fir, and other hardwoods consisting of liveoak and big-leafed maple. The average age of the second-growth conifer stand is 55-60 years. Planning staff believes that the findings for the LLA can be made based on upon the submitted evidence (Attachment C).

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 Timberland Resource Consultants. The County's Forestry Review Committee (FRC) reviewed and recommended approval of the JTMP on April 11, 2019. 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 reconfigured by LLA 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 supporting business, workforce development and creation of private-sector jobs .

OTHER AGENCY INVOLVEMENT:

The Williamson Act Advisory Committee, at its meeting of September 30, 2020, reviewed the application and recommended that the Board of Supervisors find project to be consistent with the County Williamson Act Guidelines and approve the application.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could deny the project if it believes the required findings cannot be made. Staff believes the necessary findings may be made, so staff does not recommend further consideration of this alternative.

ATTACHMENTS:

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

Attachment B: Copy of the Joint Timber Management Plan

Attachment C: Lot Line Adjustment Findings and Maps

Attachment D: Lot Line Adjustment Recommended Conditions of Approval

PREVIOUS ACTION/REFERRAL:

Board Order No.: [Click or tap here to enter text.](#)

Meeting of: [Click or tap here to enter text.](#)

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