



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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

Hearing Date: September 5, 2019

To: Humboldt County Planning Commission

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

SUBJECT: **Carolan Lot Line Adjustment and Zone Boundary Adjustment**  
Application Number 14387  
Case Numbers LLA-18-024, ZBA-18-002  
Assessor's Parcel Numbers 220-271-001, 220-282-012, 220-282-013,  
220-301-007  
2800 and 3545 Miller Creek Road and 3480 Elk Ridge Road, Briceland Area

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Please contact Trevor Estlow, Senior Planner, at 268-3740 or via email at [testlow@co.humboldt.ca.us](mailto:testlow@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 5, 2019	Lot Line Adjustment and Zone Boundary Adjustment	Trevor Estlow

**Project:** A Lot Line Adjustment (LLA) between three parcels resulting in three parcels of approximately 83 acres, 155 acres and 140 acres. A Zone Boundary Adjustment (ZBA) is also included to adjust the zone boundary between the Timberland Production Zone (TPZ) and the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) zone to follow the new lines adjusted by the LLA. The entirety of APN 220-271-001 will be zoned FR-B-5(40). The project will also remedy a violation of the Subdivision Map Act by merging APN 220-282-012 into 220-282-013 prior to adjustment. The parcels are developed with single family residences and accessory structures. The parcels are served with on-site water and on-site wastewater systems. The purpose of the LLA is to remedy a situation where a home was built across a property line.

**Project Location:** The project site is located in the Briceland area, along both sides of Miller Creek Road, approximately 2.5 miles northwest of the intersection of Miller Creek Road and Briceland Thorne Road, on the properties known as 2800 and 3545 Miller Creek Road and 3480 Elk Ridge Road.

**Present Plan Designation:** Timber (T); Residential Agriculture (RA40). Humboldt County General Plan. Density: T: 40-160 acres per unit; RA40: one unit per 40 acres. Slope Stability: Moderate Instability.

**Present Zoning:** Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)), Timberland Production Zone (TPZ), Unclassified (U).

**Application Number:** 14387

**Case Numbers:** LLA-18-024, ZBA-18-002

**Assessor's Parcel Numbers:** 220-271-001, 220-282-012, 220-282-013, 220-301-007

**Applicant**

Lorraine Carolan  
2800 Miller Creek Road  
Garberville, CA 95542

**Owner(s)**

same as applicant and  
The Land Group  
Gail Eastwood  
PO Box 86  
Redway, CA 95560

**Environmental Review:** Project is exempt from environmental review per Section 15305(a), Section 15061(b)(3) and Section 15264 of the California Environmental Quality Act (CEQA).

**Major Issues:** None

**State Appeal Status:** Project is not appealable to the California Coastal Commission.

## CAROLAN LOT LINE ADJUSTMENT AND ZONE BOUNDARY ADJUSTMENT

Case Numbers LLA-18-024, ZBA-18-002

Assessor's Parcel Numbers 220-271-001, 220-282-012, 220-282-013, 220-301-007

### 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 three parcels resulting in three parcels of approximately 83 acres, 155 acres and 140 acres. A Zone Boundary Adjustment (ZBA) is also included to adjust the zone boundary between the Timberland Production Zone (TPZ) and the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) zone to follow the new lines adjusted by the LLA. The entirety of APN 22-271-001 will be zoned FR-B-5(40). The project will also remedy a violation of the Subdivision Map Act by merging APN 220-282-012 into 220-282-013 prior to adjustment. The parcels are developed with single family residences and accessory structures. The parcels are served with on-site water and on-site wastewater systems. The purpose of the LLA is to remedy a situation where a home was built across a property line.

According to a Determination of Status (DS-17-013) that reviewed the legal status of the parcels, it was found that two of the four parcels were created in compliance with the Subdivision Map Act and two were not. APN 220-271-001 is an intact patent and a separate, legal parcel. APN 220-301-007 is a separate, legal parcel created lawfully by a Deed (conveyance) in 1971. APN 220-282-012 was created in violation of the Subdivision Map Act when it was conveyed from 220-282-013 in 1973. Prior to that date, APNs 220-282-012 and 220-282-013 made up a separate, legal parcel created by a conveyance in 1970. The proposed LLA will merge APNs 220-282-012 and 220-282-013 to remedy the subdivision violation prior to adjusting with the adjacent parcels. The LLA will then result in three separate, legal parcels.

The proposed LLA also includes a Zone Boundary Adjustment (ZBA) to move the boundary of the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) to encompass the entirety of APN 220-271-001, which is currently zoned Unclassified (U). The ZBA will also move the boundary of the Timberland Production Zone (TPZ) and FR-B-5(40) zone to follow the adjusted parcel lines. This will result in approximately 4.8 acres of FR-B-5(40) lands zoned TPZ and approximately 4.8 acres of TPZ lands zoned FR-B-5(40) to avoid creating a mixed-zone situation. There will be no net loss of TPZ lands. The applicant has provided a letter from a Registered Professional Forester (Attachment 4) stating that the lands proposed to be zoned TPZ meet the inclusion requirements. Additionally, the project was reviewed and approved by the Forestry Review Committee on January 15, 2019 (see Attachment 5). As recommended, the zone boundary would be adjusted to conform to the adjusted lot lines.

The project site covers approximately 380 acres in the Briceland area. The lands are made up of a combination of open areas and timberlands with varying topography with varying slopes of up to 50%.

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 19-**

**Case Numbers LLA-18-024, ZBA-18-002  
Assessor Parcel Numbers 220-271-001, 220-282-012, 220-282-013, 220-301-007**

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

**WHEREAS**, the owners, submitted an application and evidence in support of approving the Lot Line Adjustment between three parcels, and to make a zone boundary adjustment to adjust the zone boundary between the Timberland Production Zone (TPZ) and the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) zone to follow the new lines adjusted by the LLA and to rezone the entirety of APN 220-271-001 FR-B-5(40); 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

**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 Section 15305(a), Section 15061 (b) (3) and Section 15264 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 Carolan 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 Section 15305(a), Section 15061(b)(3) and Section 15264 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
2. The proposed ZR is in the public interest; and
3. The proposed LLA and ZBA are consistent with the General Plan; and
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-18-024, ZBA-18-002 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-18-024, ZBA-18-002.

**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 Briceland area [ZBA-18-002, Carolan] so that the zone boundary between FR-B-5(40) and TPZ is coincidental with the relocated property lines including the rezone of the entirety of APN 220-271-001 to FR-B-5(40).
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 September 5, 2019.

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

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

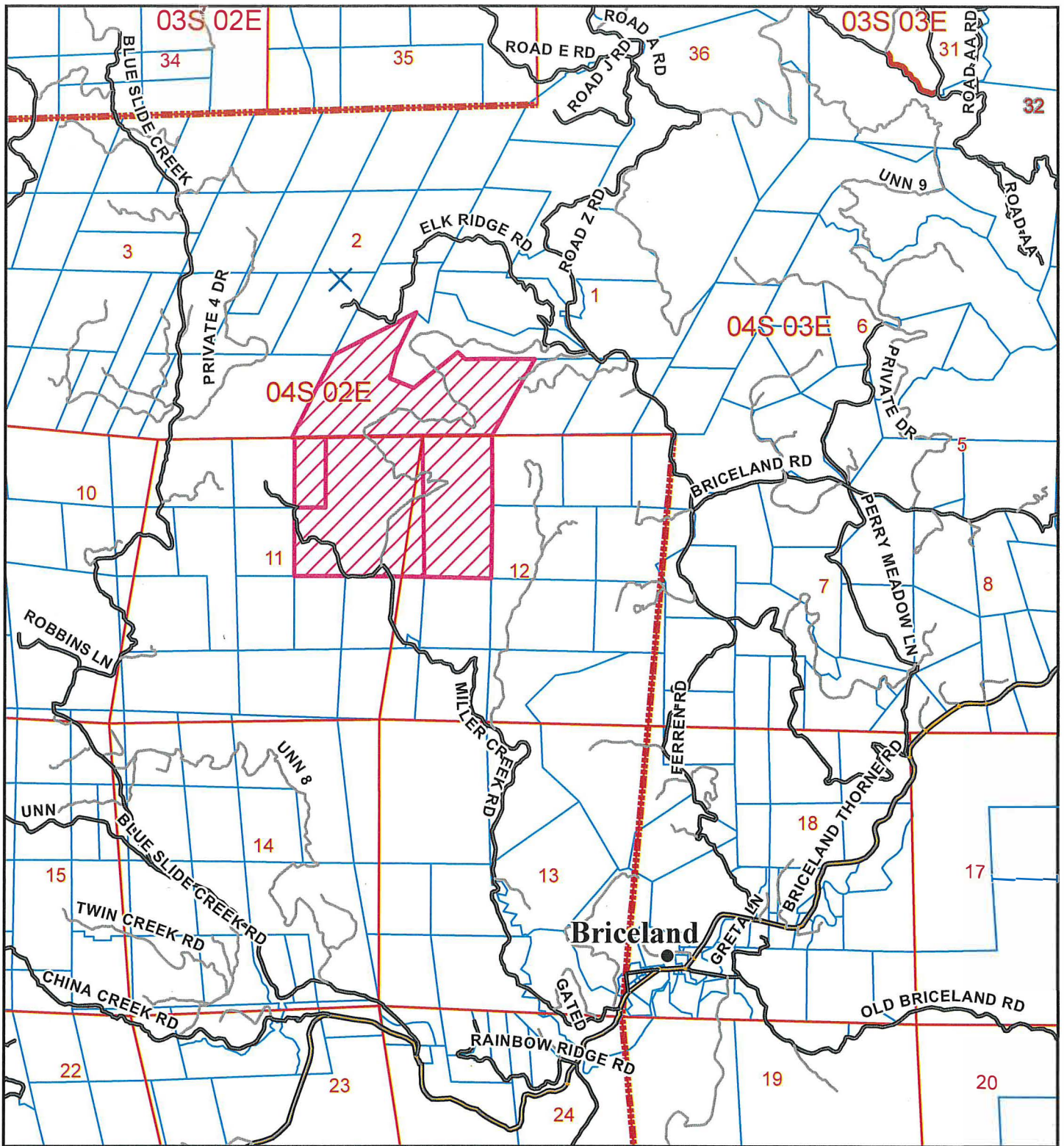
ABSENT: Commissioners:

DECISION:

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.

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John H. Ford  
Director, Planning and Building Department



**LOCATION MAP**

**PROPOSED CAROLAN  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
BRICELAND AREA**

**LLA-18-024/ZBA-18-002**

**APN: 220-271-001 etseq**

**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

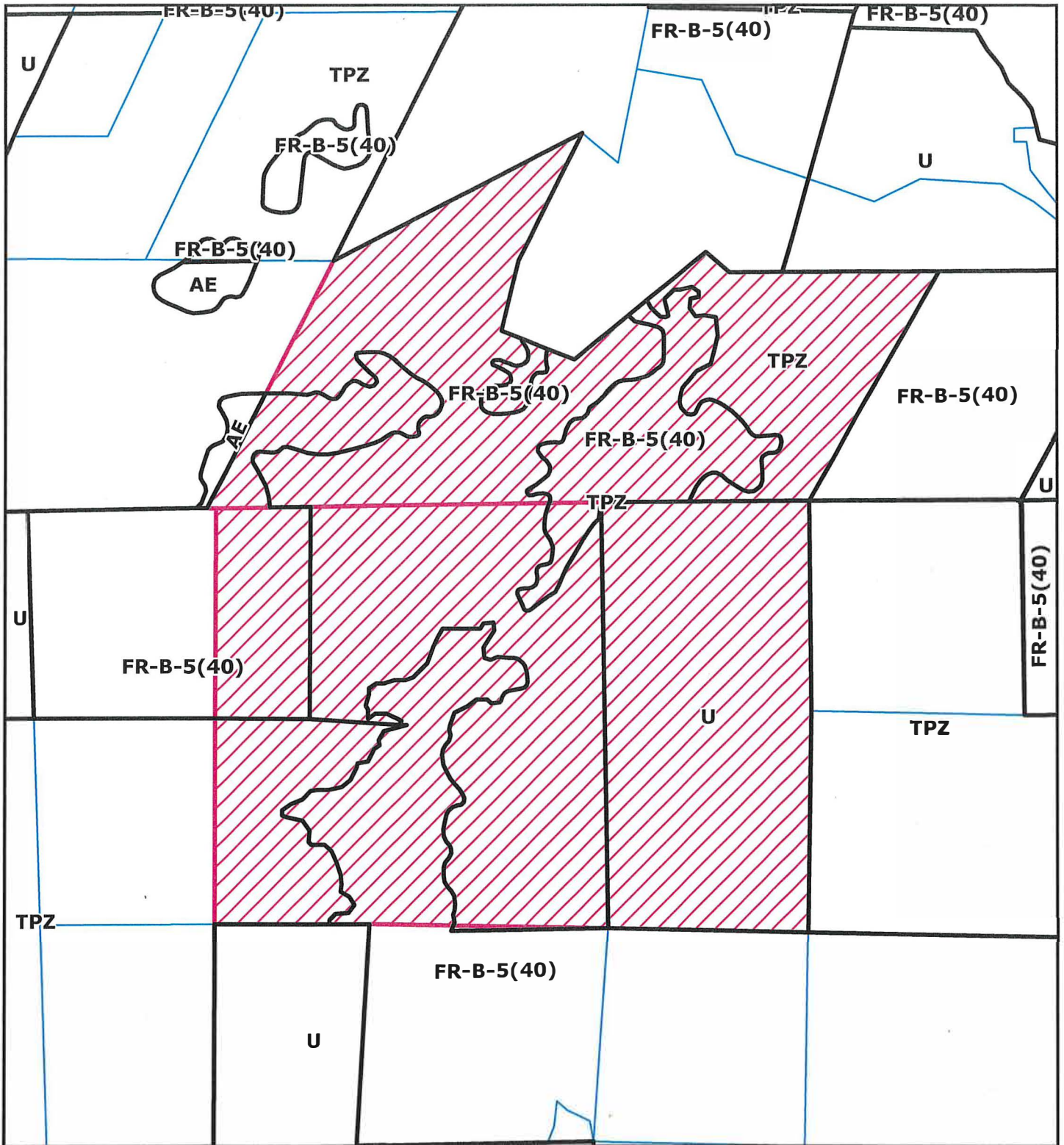
Project Area =



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 0.25 0.5  
Miles



**ZONING MAP**

**PROPOSED CAROLAN  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
BRICELAND AREA**

**LLA-18-024/ZBA-18-002**

**APN: 220-271-001 etseq**

**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

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.



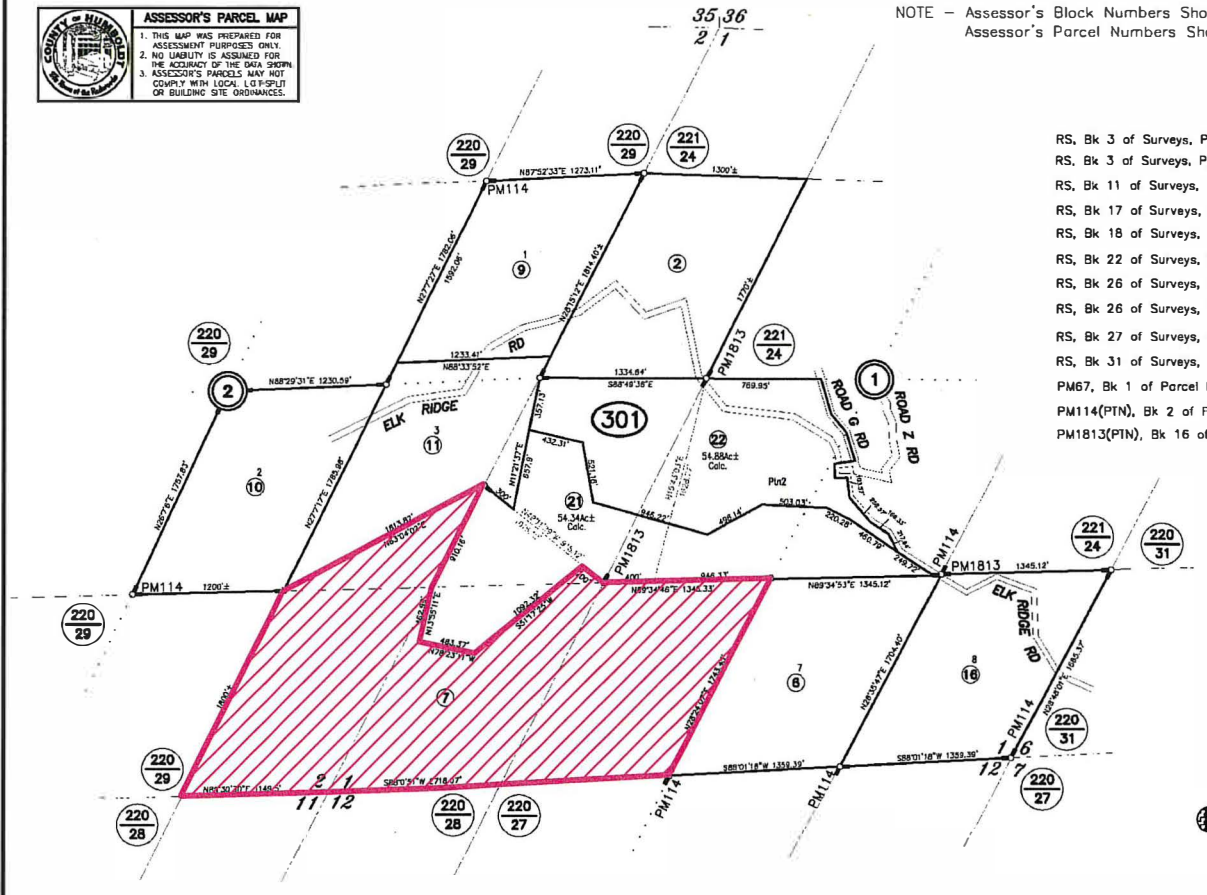
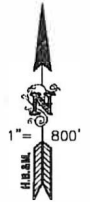




**ASSESSOR'S PARCEL MAP**  
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 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LEGISLATION OR BUILDING SITE ORDINANCES.

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Small Circles

- RS, Bk 3 of Surveys, Pg 25
- RS, Bk 3 of Surveys, Pg 57
- RS, Bk 11 of Surveys, Pg 38
- RS, Bk 17 of Surveys, Pg 39
- RS, Bk 18 of Surveys, Pg 99
- RS, Bk 22 of Surveys, Pg 33
- RS, Bk 26 of Surveys, Pg 11
- RS, Bk 26 of Surveys, Pg 124
- RS, Bk 27 of Surveys, Pg 22 & 23
- RS, Bk 31 of Surveys, Pg 25 & 26
- PM67, Bk 1 of Parcel Maps, Pg 120
- PM114(PIN), Bk 2 of Parcel Maps, Pg 18-21
- PM1813(PIN), Bk 16 of Parcel Maps, Pg 5-7



**ASSESSOR PARCEL MAP**

**PROPOSED CAROLAN  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
BRICELAND AREA**

**LLA-18-024/ZBA-18-002**

**APN: 220-271-001 etseq**

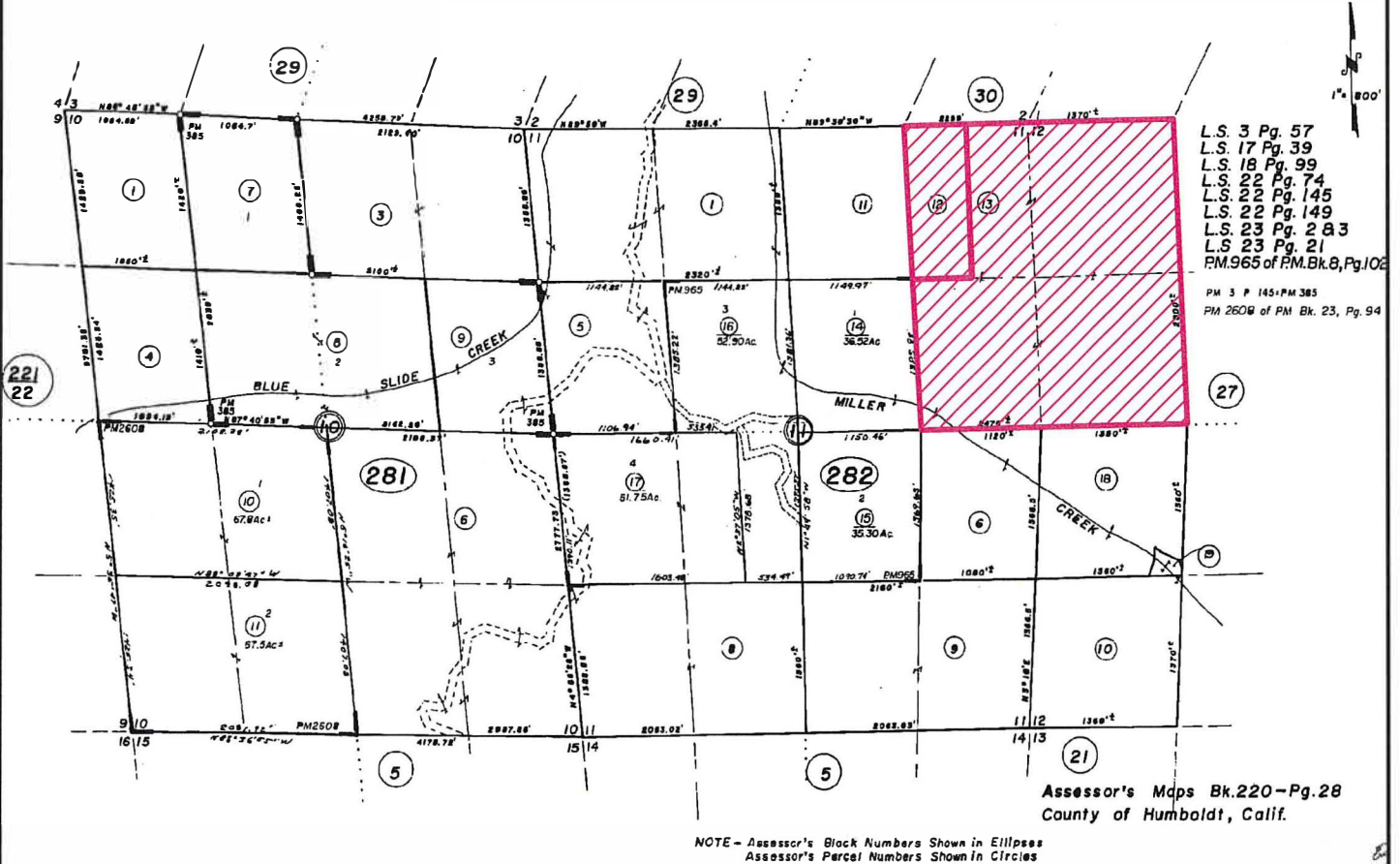
**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

Project Area =

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**MAP NOT TO SCALE**





L.S. 3 Pg. 57  
 L.S. 17 Pg. 39  
 L.S. 18 Pg. 99  
 L.S. 22 Pg. 74  
 L.S. 22 Pg. 145  
 L.S. 22 Pg. 149  
 L.S. 23 Pg. 2 & 3  
 L.S. 23 Pg. 21  
 P.M. 965 of P.M. Bk. 8, Pg. 102  
 P.M. 3 P 145-P.M. 385  
 P.M. 2608 of P.M. Bk. 23, Pg. 94

Assessor's Maps Bk. 220-Pg. 28  
 County of Humboldt, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Circles

**ASSESSOR PARCEL MAP**  
**PROPOSED CAROLAN**  
**LOT LINE ADJUSTMENT &**  
**ZONE BOUNDARY ADJUSTMENT**  
**BRICELAND AREA**  
**LLA-18-024/ZBA-18-002**  
**APN: 220-271-001 etseq**  
**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

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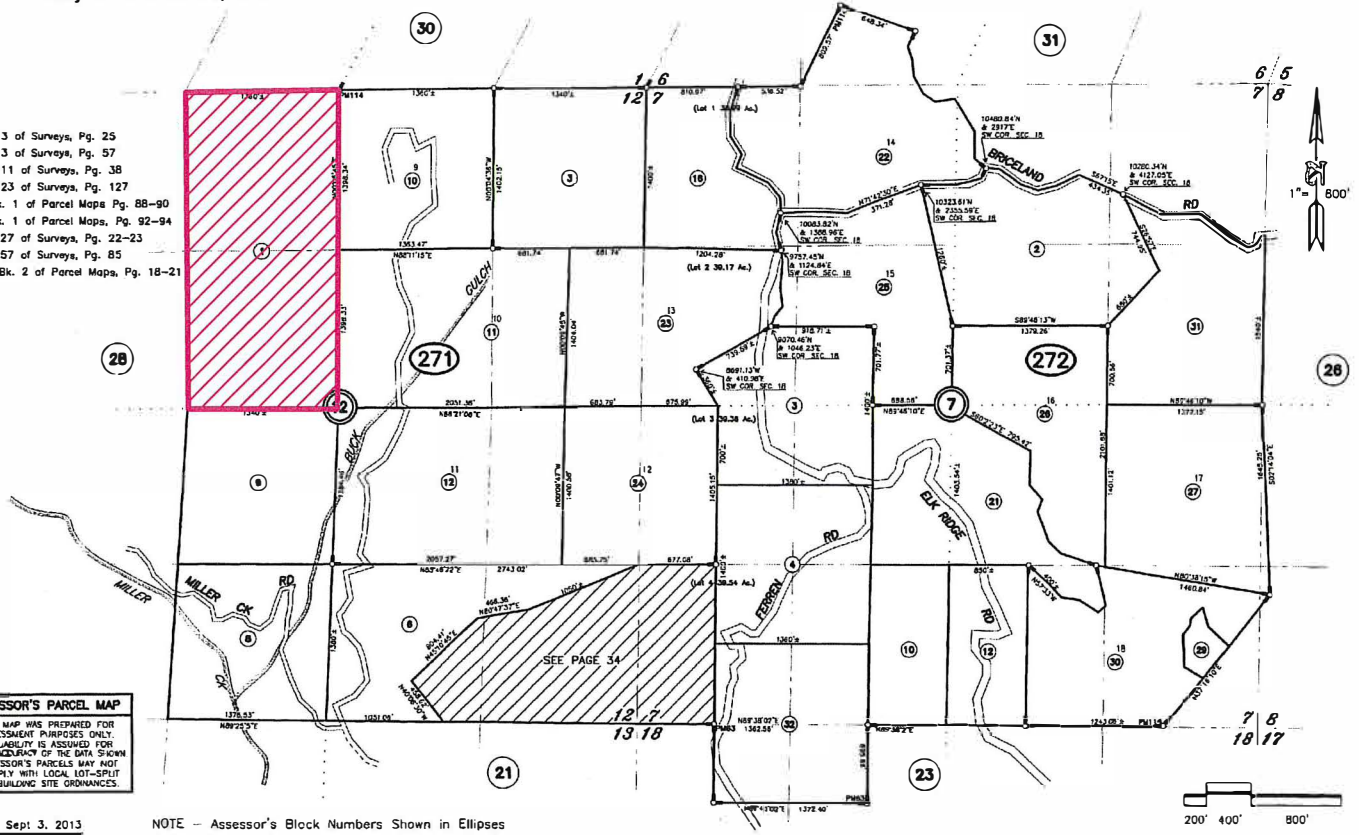
MAP NOT TO SCALE

Assessor's Map Bk. 220, Pg. 27  
County of Humboldt, CA.

POR. SEC. 12, T4S R2E & SEC. 7, T4S R3E, H B & M

220-27

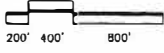
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RS, Bk. 3 of Surveys, Pg. 57  
RS, Bk. 11 of Surveys, Pg. 38  
RS, Bk. 23 of Surveys, Pg. 127  
PM82 Bk. 1 of Parcel Maps Pg. 88-90  
PM83 Bk. 1 of Parcel Maps, Pg. 92-94  
RS, Bk. 27 of Surveys, Pg. 22-23  
RS, Bk. 57 of Surveys, Pg. 85  
PM114, Bk. 2 of Parcel Maps, Pg. 18-21



**ASSESSOR'S PARCEL MAP**  
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Sept. 3, 2013

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Small Circles



**ASSESSOR PARCEL MAP**  
**PROPOSED CAROLAN**  
**LOT LINE ADJUSTMENT &**  
**ZONE BOUNDARY ADJUSTMENT**  
**BRICELAND AREA**

Project Area =

**LLA-18-024/ZBA-18-002**  
**APN: 220-271-001 etseq**

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.

**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

**MAP NOT TO SCALE**





**AERIAL MAP**

**PROPOSED CAROLAN  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
BRICELAND AREA**

**LLA-18-024/ZBA-18-002**

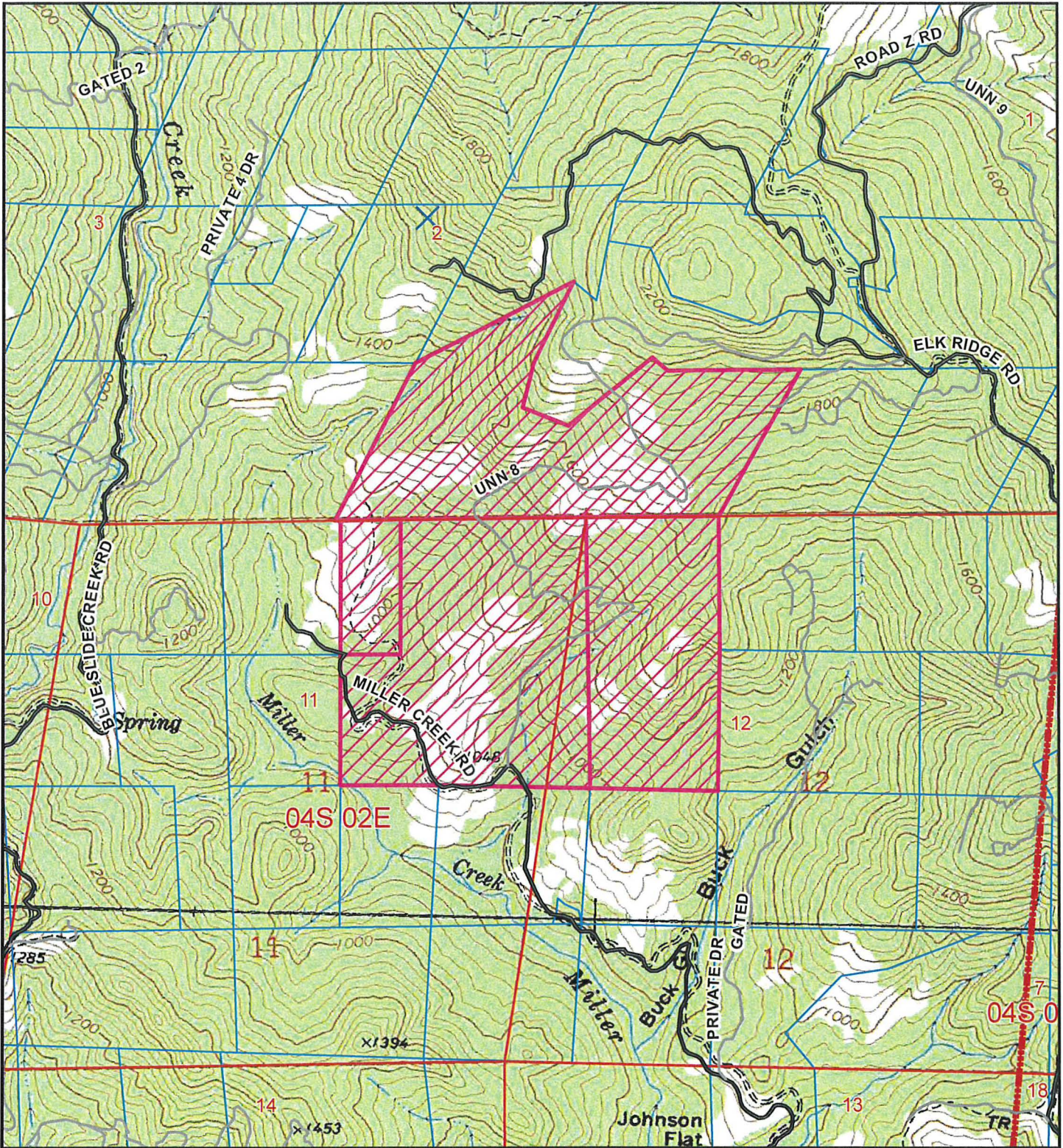
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**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

Project Area = 

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**TOPO MAP**

**PROPOSED CAROLAN  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
BRICELAND AREA**

**LLA-18-024/ZBA-18-002**

**APN: 220-271-001 etseq**

**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

Project Area = 

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Date: July 5th, 2018

Parcel Information

Parcel A

AP#: 220-271-001-000  
 Acres: 83  
 Proposed Acres: 83  
 Owner: Lorraine Carolan  
 2800 Miller Creek Road  
 Garberville, CA. 95542.  
 (707) 923-3569

Parcel B

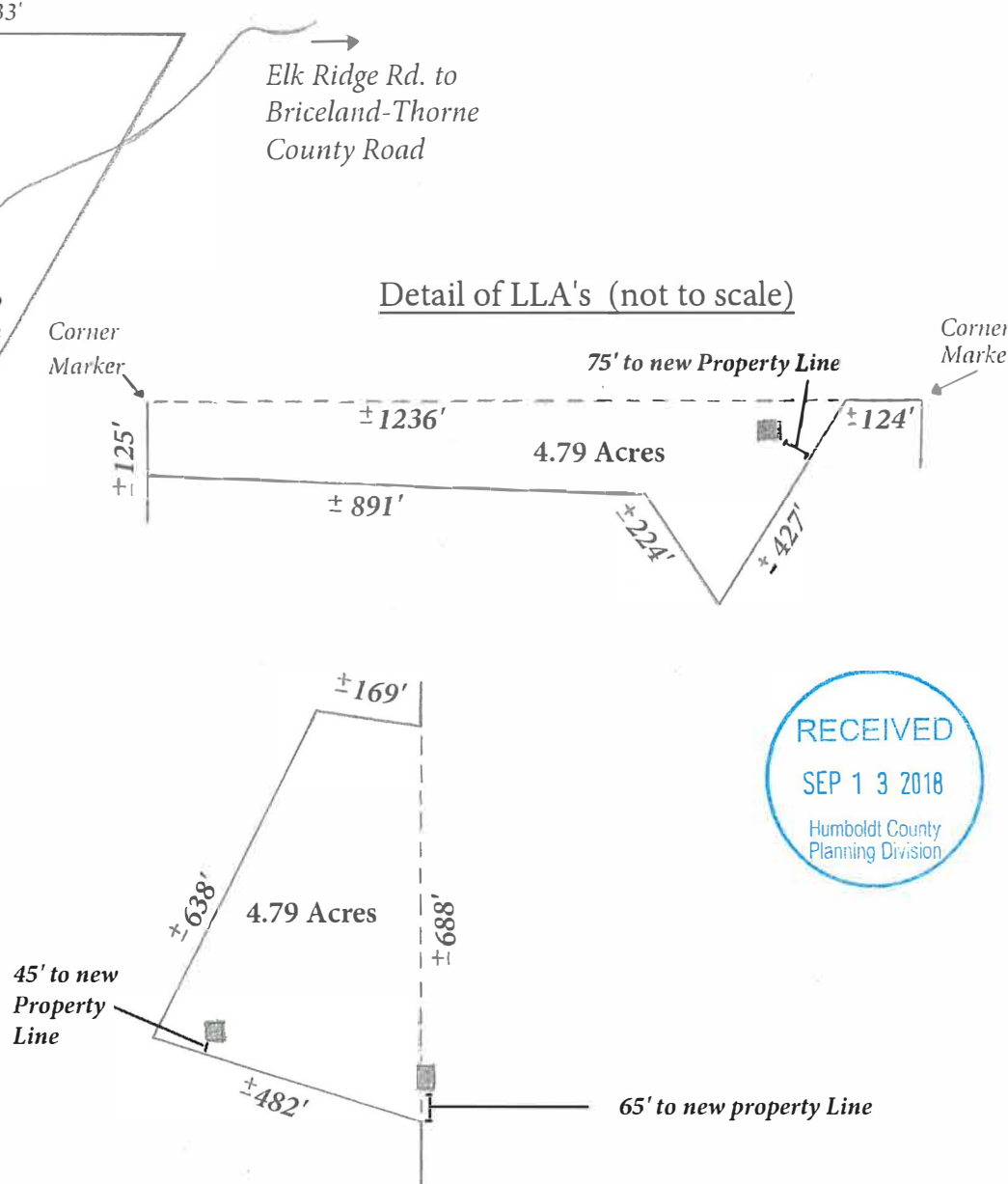
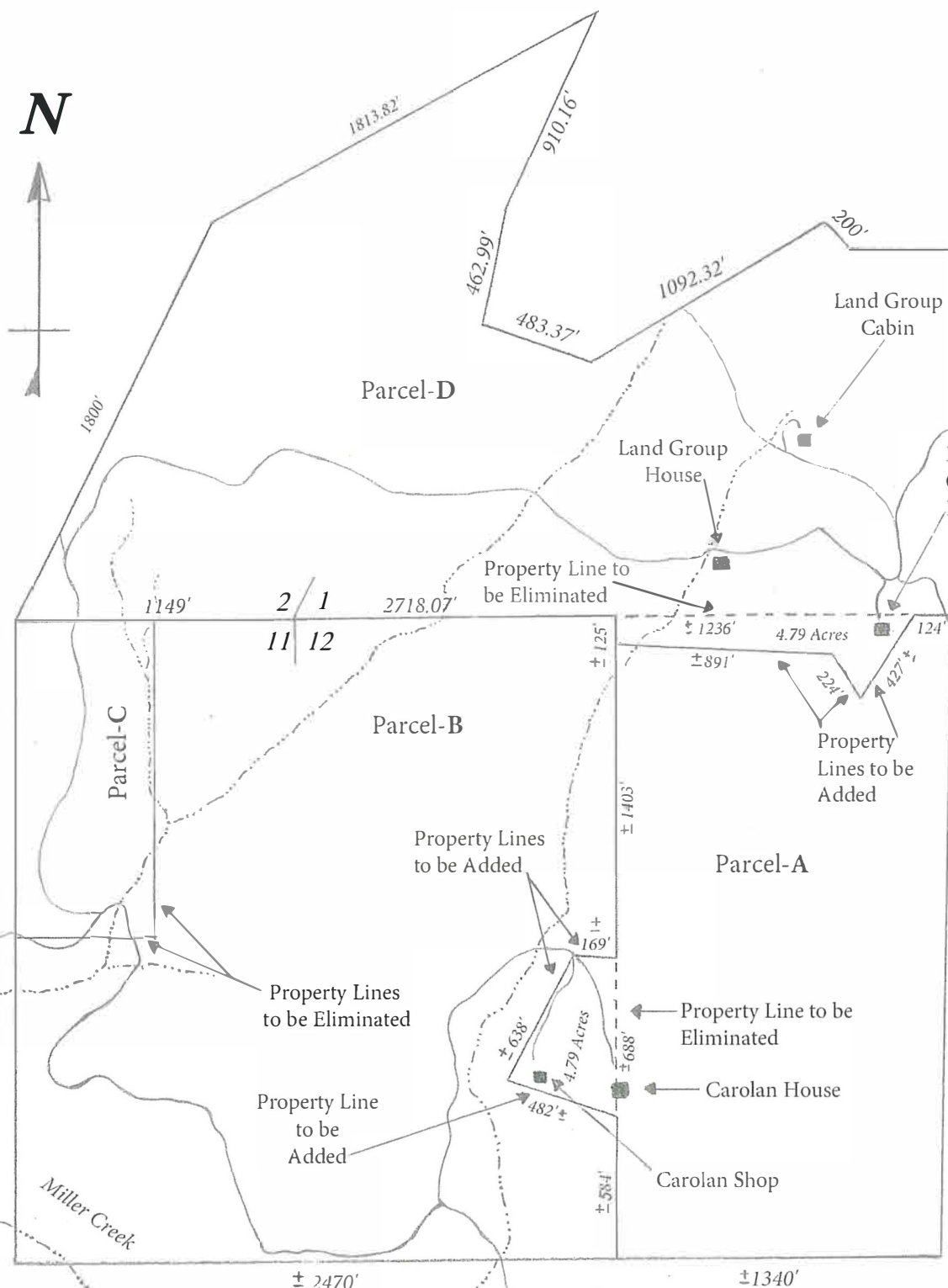
AP#: 220-282-13-000  
 Acres: 140  
 Proposed Acres: 155.21  
 Ownership: The Land Group  
 Contact: Gail Eastwood  
 P.O. Box 86  
 Redway, CA. 95560  
 (707) 923-9109

Parcel C

AP#: 220-287-011-000  
 Acres: 20  
 To be Merged with Parcel B  
 Ownership: The Land Group  
 Contact: Gail Eastwood  
 P.O. Box 86  
 Redway, CA. 95560  
 (707) 923-9109

Parcel D

AP#: 220-301-007-000  
 Acres: 136  
 Proposed Acres: 140.79  
 Ownership: The Land Group  
 Contact: Gail Eastwood  
 P.O. Box 86  
 Redway, CA. 95560  
 (707) 923-9109



**Vicinity Map (not to scale)**  
 These parcels encompass portions of Sections: 1, 2, 11 & 12  
**T 4S, R 2E, H.M.**

Note: Involved Parcels are located approximately 2 miles NNW of Briceland on private, unimproved gravel roads that connect to the Briceland-Thorne County Road.

Scale 1" = 660'



**Carolan-The Land Group  
 Lot Line Adjustment Exhibit**  
 September 5, 2019

**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 \$415.00 per notice plus \$280.00 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 Boundary Adjustment)**

APPROVAL OF THE ZONE BOUNDARY ADJUSTMENT 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 FR-B-5(40) into TPZ and the area to be rezoned from TPZ to FR-B-5(40) for review and approval by the County Land Surveyor. The applicable review fee (currently \$280.00) 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.
2. The Assessor's office requires that any grazing acres to be reclassified as TPZ acres are to be shown by site class, with a map showing the site designation of all quality classes within the entire project. This documentation shall be prepared under the direction of a Registered Professional Forester and submitted to the Assessor's office for their acceptance.

**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**

Sections 312-50.3 and 312-50.8 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;
2. That the proposed change is consistent with the General Plan;
3. The amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law;
4. A map was prepared showing the legal description of the property to be zoned;
5. The property currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules; or that the owner shall sign an agreement with the Board of Supervisors to meet such stocking standards and Forest Practice Rules by the fifth anniversary of the signing of such agreement, said agreement shall provide that if the parcel is subsequently zoned TPZ and fails to meet the stocking standards and Forest Practice Rules within the time period, the Board of Supervisors shall rezone the parcel to another zoning pursuant to Section 51121 of the Government Code;
6. The land to be rezoned shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of a single parcel or a unit of contiguous parcels as defined in Section 51104 of the Government Code, which is eighty (80) acres or one-half of one-quarter section in size or larger;
7. The land shall be timberland as defined by Section 51104(f) of the Government Code; and
8. The existing uses on the parcel must be uses permitted in the Timberland Production Zone.

Finally, 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:

9. 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.

**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
220-271-001	Parcel 1 identified in DS-17-013 eligible for an unconditional Certificate of Subdivision Compliance.	Legal parcel
220-282-012	Grant Deed dated December 12, 1973, between Eastwood, et al, and Sarah Yost (1241 OR 523).	Created in violation of Subdivision Map Act
220-282-013	Parcel 3 identified in DS-17-013 eligible for a Conditional Certificate of Subdivision Compliance. The condition requires merger with adjoining APN 220-282-012.	Created in violation of Subdivision Map Act
220-301-007	Parcel 2 identified in DS-17-013 eligible for an unconditional Certificate of Subdivision Compliance.	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
Timberland Production Zone (TPZ) Unclassified (U) Forestry Recreation (FR)	Timberland Production Zone is a resource zone intended for large resource-related (both timber and agriculture) parcels. Forestry Recreation is intended to be applied to forested areas of the County where timber production and recreation are the desirable predominant uses. Unclassified applies to lands not otherwise zoned.	The project will adjust the parcel lines between three parcels resulting in three parcels of approximately 83 acres, 155 acres and 140 acres. A Zone Boundary Adjustment (ZBA) is also included to adjust the zone boundary between the Timberland Production Zone (TPZ) and the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) zone to follow the new lines adjusted by the LLA. The entirety of APN 220-271-001 will be zoned FR-B-5(40). The project will also remedy a violation of the Subdivision Map Act by merging APN 220-282-012 into 220-282-013 prior to adjustment. The parcels are developed with single family residences and accessory structures. The parcels are served with on-site water and on-site wastewater systems. The purpose of the LLA is to remedy a situation where a home was built across a property line.
Development Standards		
Minimum Parcel Size	TPZ: 160 acres (40 acres with a JTMP) FR: 40 acres	The parcels contain varying amounts of TPZ and FR-B-5(40) lands. There will be no "division" of TPZ lands, therefore, a Joint Timber Management Plan (JTMP) is not required. The LLA will not cause a non-conformance nor increase the severity of an existing nonconformance.
Minimum Lot Width	TPZ: n/a FR: 200 feet	All parcels comply with their respective requirements.
Minimum Yard Setbacks within SRA:	30 feet from all property lines	After the LLA, all parcels will comply with this requirement. Future development must comply with zone standards and building regulations.
Maximum Lot Coverage	TPZ: none specified FR: none specified	Parcels have less than 1% lot coverage

**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><b>Timberland (T):</b> Applies to land that is primarily suitable for growing, harvesting and production of timber. Density range is 40 – 160 acres/unit</p> <p><b>Residential Agriculture (RA):</b> Applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Density is one dwelling unit per 80 acres</p>	<p>The project will adjust the parcel lines between three parcels resulting in three parcels of approximately 83 acres, 155 acres and 140 acres. A Zone Boundary Adjustment (ZBA) is also included to adjust the zone boundary between the Timberland Production Zone (TPZ) and the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) zone to follow the new lines adjusted by the LLA. The entirety of APN 220-271-001 will be zoned FR-B-5(40). The project will also remedy a violation of the Subdivision Map Act by merging APN 220-282-012 into 220-282-013 prior to adjustment. The parcels are developed with single family residences and accessory structures. The parcels are served with on-site water and on-site wastewater systems. The purpose of the LLA is to remedy a situation where a home was built across a property line.</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-P11. Site Suitability, S-P7. Structural Hazards</p>	<p>The site is in an area of 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-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas</p>	<p>According to FIRM Map Panel 1825, the property is outside of any flood zones. No development is proposed and any future development is required to comply with the County's Flood Prevention Ordinance.</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-P19, 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 Briceland Fire Protection 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 project was referred to the Northwest Information Center, the Bear River Band of the Rohnerville Rancheria and the Intertribal Sinkyone Wilderness Council. The referral comments from NWIC indicated that their office had record of one study that identified no cultural resources. Given that the lot line adjustment will not result in any ground disturbing activities, and is solely to correct a setback issue created decades ago, the project can be viewed as having no likelihood of impacting cultural resources. The standard inadvertent discovery condition is included among the recommended conditions of approval in the Informational notes.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>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)</p> <p>Related policies: BR-P1, Compatible Land Uses, BR-P5, Streamside Management Areas.</p>	<p>A portion of Miller Creek and a tributary to Miller Creek flow through the subject property. According to the California Natural Diversity Database, the project site does not contain potential habitat for any special status species. No physical development is associated with this Lot Line Adjustment, therefore, no impacts to sensitive species is expected. The project was referred to the Eureka office of the California Department of Fish and Wildlife, however, they did not respond with any concerns.</p>
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**A.5 Public Health Safety and Welfare and Environmental Impact:**

<b>Code Section</b>	<b>Summary of Applicable Requirements</b>	<b>Evidence that Supports the Required Finding</b>
<p>§312-17.1</p> <p>§ 15061(b)(3) § 15305(a) and § 15264 CEQA</p>	<p>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.</p> <p>Categorically exempt from State environmental review.</p>	<p>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.</p> <p>The LLA does not result in a change in land use or overall density, and is intended to remedy development over a property line. Therefore, the project is exempt pursuant to Sections 15061(b)(3) and 15305(a) of the CEQA Guidelines. 15061(b)(3) applies to projects that can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel. 15264 applies to lands being zoned TPZ.</p>



## **B. Zone Boundary Adjustment**

### **B.1. Public Interest**

The LLA involves a Zone Boundary Adjustment (ZBA) between lands zoned Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) 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. The ZBA will result in the entirety of APN 220-271-001 becoming zoned FR-B-5(40). 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 Timber and Residential Agriculture by the Humboldt County General Plan. The ZBA is consistent with General Plan policies and standards as noted in the above discussion (A.4). The adjustment supports the LLA which remedies a situation with a house built over a property line and a parcel created in violation of the Subdivision Map Act. It also results in logical use of the land and avoids a mix-zoned parcel.

### **B.3. The amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.**

Although APNs 220-282-012 and 220-282-013 are not separate legal parcels, they were listed on the Humboldt County Housing Inventory as contributing one housing unit each to meet the unincorporated County's moderate and above moderate income households housing needs for this Housing Element planning period. As these two APNs will be merged to remedy a subdivision violation, only one unit could be constructed. Nonetheless, The County is obligated to accommodate its Regional Housing Need Allocation of 512 moderate and above moderate income households this Housing Element planning period (Housing Element Table 8-5, Projected Housing Need). The Housing Element indicates that the County has an inventory of 1,566 units to meet the moderate and above moderate need. Therefore, with the loss of this one unit, the County would still have a surplus inventory available to meet the projected housing need. The loss of this parcel from the Housing Inventory will not reduce the residential density below that utilized by the Department of Housing and Community Development in determining compliance with Housing Element law.

### **B.4. Legal Description.**

A map was prepared showing the legal description of the property

### **B.5. Stocking Standards.**

The property currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules.

### **B.6. Ownership and Minimum Parcel Size.**

The area to be rezoned into TPZ consists of lands that will be adjusted onto APN 220-301-007, owned by the Eastwood Land Partnership.

### **B.7. Timberland.**

The land is timberland as defined by Section 51104(f) of the Government Code.

**B.8. Conformance with Use Regulations.**

The existing land use is in compliance with the land use standards of the Timberland Production Zone.

**B.9. Environmental Impact.**

The proposed zone boundary adjustment that rezones approximately 4.9 acres into TPZ is statutorily exempt per Section 15264 of the CEQA Guidelines and Section 51119 of the California Government Code.

The County Forestry Review Committee (FRC) reviewed and approved the Lot Line Adjustment and Zone Boundary Adjustment at their January 15, 2019 meeting.

**ATTACHMENT 3**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

**Certified copy of portion of proceedings, Meeting on \_\_\_\_\_, 2019**

**ORDINANCE NO. \_\_\_\_\_**

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE  
BY REZONING PROPERTY IN THE BRICELAND AREA  
[ZBA-18-002 (CAROLAN)]

**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 reclassifying the property described in the Attached Exhibit A as follows: approximately 83 acres of Unclassified (U) and Timberland Production Zone (TPZ) into Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) and approximately 4.9 acres of U into (TPZ).

The area described is also shown on the Humboldt County Zoning Maps [N-46] and on the map attached as Exhibit B.

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 \_\_\_\_\_, 2019, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

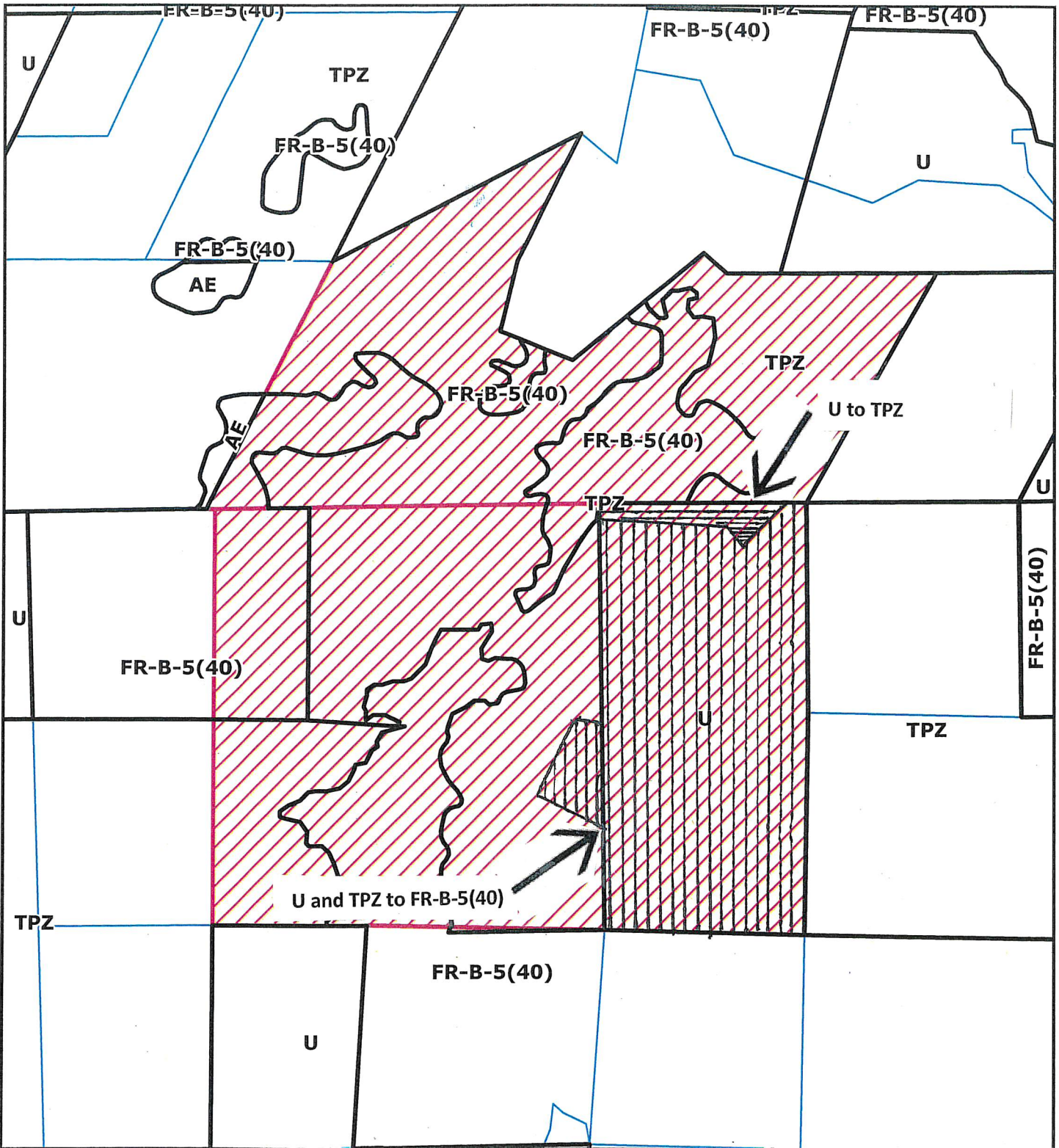
ABSENT: Supervisors:

\_\_\_\_\_  
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



**ZONING MAP**

**PROPOSED CAROLAN  
LOT LINE ADJUSTMENT &  
ZONE BOUNDARY ADJUSTMENT  
BRICELAND AREA**

**LLA-18-024/ZBA-18-002**

**APN: 220-271-001 etseq**

**T04S R02E S1,2,11-12 HB&M (Ettersburg)**

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.

LLA-18-024 Carolan 14387

September 5, 2019



## 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 Timothy Metz (RPF #2601) dated August 19, 2018 (Attached)



August 19, 2018

Timothy A. Metz  
1593 Old Briceland Road  
Garberville, CA 95542

County of Humboldt  
Planning Division  
3015 H Street  
Eureka, CA 95501

Re: TPZ zoning for parcel 220-282-012

Dear Sir:

I have been tasked as a Registered Professional Forester to determine the suitability of APN 220-282-012 to be zoned into TPZ to facilitate a lot-line adjustment. I have been familiar with this property and the adjacent timberland properties since the early 1990s and have worked directly with the property owners on timber management planning. Thus, I'm quite familiar with the timber site and suitability of this property for inclusion into TPZ.

I recently revisited the property in question, and I can verify that it is quite capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre as is required for inclusion in this zoning.

Please call me if you have any questions.

Sincerely,

Timothy A. Metz, RPF #2601  
(707) 496-0322

**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	No response	
Calfire	Conditional Approval	Attached
Ca. Dept. of Fish and Wildlife	No response	
Northwest Information Center	Comments	On file
Bear River Band of the Rohnerville Rancheria	No response	
Forestry Review Committee	Approval	Attached

## Estlow, Trevor

---

**From:** McCray, Kurt@CALFIRE <Kurt.McCray@fire.ca.gov>  
**Sent:** Wednesday, January 11, 2017 3:41 PM  
**To:** Estlow, Trevor  
**Subject:** RE: Possible Lot Line Adjustment

Trevor,

With the equitable amount of land to be swapped and the timeframe of when the homes were constructed, CAL FIRE does not have the interest or staffing to require anything further of the applicants with regard to the natural resources aspect of this lot line adjustment. If no, further trees are to be removed, then a conversion permit or exemption are not required. Please let me know if anything further is needed.

- Kurt

---

**From:** TEstlow@co.humboldt.ca.us [mailto:TEstlow@co.humboldt.ca.us]  
**Sent:** Wednesday, January 11, 2017 2:44 PM  
**To:** McCray, Kurt@CALFIRE  
**Cc:** Meyers, Tim@CALFIRE  
**Subject:** RE: Possible Lot Line Adjustment

Hi Kurt-

Just checking in to see if you had a chance to check with Tim.

Thanks.

-Trevor

---

**From:** McCray, Kurt@CALFIRE [mailto:Kurt.McCray@fire.ca.gov]  
**Sent:** Tuesday, December 20, 2016 1:40 PM  
**To:** Estlow, Trevor  
**Cc:** Meyers, Tim@CALFIRE  
**Subject:** RE: Possible Lot Line Adjustment

With that information, this solution (lot line adjustment) appears appropriate for an action(s) that happened so long ago. I will have a final answer for you once I confer with CAL FIRE Forester Tim Meyers.

Tim - Please contact me about this situation.

- Kurt

---

**From:** Estlow, Trevor [TEstlow@co.humboldt.ca.us]  
**Sent:** Tuesday, December 20, 2016 1:32 PM  
**To:** McCray, Kurt@CALFIRE  
**Cc:** Meyers, Tim@CALFIRE  
**Subject:** RE: Possible Lot Line Adjustment

Hi Kurt-

Thanks for getting back to me. To answer your questions:



Two of these three parcels have homes on them that were built about 40+ years ago. That would be when the timberland was converted.

The house that was built across property lines was likely built on what would be considered timberland as it is zoned TPZ..

This is a Lot Line Adjustment where two adjoining landowners would swap equal areas of land so there would be no net change in parcel size.

These parcels are under different ownership. The reason for the Lot Line Adjustment is to correct a situation where a landowner built their house on the neighbor's parcel.

Hopefully, that answers your questions. Feel free to give a call or email back with any other questions.

Thanks.

-Trevor

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**From:** McCray, Kurt@CALFIRE [<mailto:Kurt.McCray@fire.ca.gov>]  
**Sent:** Tuesday, December 20, 2016 1:14 PM  
**To:** Estlow, Trevor  
**Cc:** Meyers, Tim@CALFIRE  
**Subject:** RE: Possible Lot Line Adjustment

Trevor,

Some additional information is needed for CAL FIRE to provide any opinion or guidance:

Has timberland been converted on either of these properties for uses other than the growing of trees?

Was the house built on timberland?

Is this a lot line adjustment or straight swap between parcels regarding the 2.9 to 4.9 acres of TPZ?

The two parcels do not appear to be under the same ownership. Please confirm.

Please advise with a cc to CAL FIRE Forester Tim Meyers. It appears a site visit is warranted for valid input from CAL FIRE.

Thank you,  
Kurt McCray, Unit Foreter  
CAL FIRE  
Humboldt-Del Norte Unit  
(707) 726-1251

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**From:** Estlow, Trevor [[TEstlow@co.humboldt.ca.us](mailto:TEstlow@co.humboldt.ca.us)]  
**Sent:** Tuesday, December 20, 2016 9:59 AM  
**To:** McCray, Kurt@CALFIRE  
**Subject:** RE: Possible Lot Line Adjustment

Hi Kurt-

I was wondering if you had a chance to look at this one?

Here is what I sent Hugh, Ron and Tim:

The idea is that approximately 2.9 to 4.9 acres would come out of TPZ and the same amount of timberland (2.9 – 4.9 acres) would go into TPZ. This would be done through an immediate conversion and would have no net change to the amount of TPZ lands. The reason for the Lot Line Adjustment is that the owner of 220-271-01 (which is zoned Unclassified) built her house on the neighboring parcel to the west. The proposal would involve three parcels as shown on the attached map. The area to come out of TPZ is where her house is and the area that would go into TPZ would meet the inclusion requirements for TPZ. I was wondering the feasibility of this proposal, and if feasible, if keeping the acreage less than 3-acres would make the process a bit simpler by utilizing a Less Than 3-Acre Conversion Exemption? The back-up plan would rezone the entirety of 220-271-01 into TPZ and do a Lot Line Adjustment with a JTMP. That is the less preferred option

Any help is greatly appreciated.

Thanks.

-Trevor

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**From:** Meyers, Tim@CALFIRE [<mailto:Tim.Meyers@fire.ca.gov>]

**Sent:** Monday, December 19, 2016 12:29 PM

**To:** Estlow, Trevor; McCray, Kurt@CALFIRE

**Cc:** Imperiale, Rhett@CALFIRE

**Subject:** RE: Possible Lot Line Adjustment

Hi Trevor,

I passed this up the chain of command. Please contact Chief McCray with any questions pertaining to this lot line adjustment. You can still start with me on future planning questions and I may be able to help you.

Thanks

Tim Meyers

Forester I, RPF #2813

Department of Forestry and Fire Protection

**CAL FIRE**

Weott Resource Management

Humboldt-Del Norte Unit

Office (707) 946-2204

Cellular (707) 599-6433

[tim.meyers@fire.ca.gov](mailto:tim.meyers@fire.ca.gov)

Every Californian should conserve water. Find out how at:

[SaveOurWater.com](http://SaveOurWater.com) - [Drought.CA.gov](http://Drought.CA.gov)

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**From:** Estlow, Trevor [[TEstlow@co.humboldt.ca.us](mailto:TEstlow@co.humboldt.ca.us)]

**Sent:** Monday, December 19, 2016 12:15 PM

**To:** Meyers, Tim@CALFIRE

**Subject:** RE: Possible Lot Line Adjustment

Hi Tim-

Just checking in to see if you had a chance to look at this.

Thanks.

-Trevor

---

**From:** Estlow, Trevor  
**Sent:** Tuesday, December 13, 2016 4:09 PM  
**To:** [Tim.Meyers@fire.ca.gov](mailto:Tim.Meyers@fire.ca.gov)  
**Subject:** Possible Lot Line Adjustment

Hi Tim-

I was hoping to run a proposed Lot Line Adjustment by you that involves a small TPZ conversion area. I spoke to Hugh Scanlon a while back and he sent me to Ron McLaughlin in Fortuna. Ron thought I should check with you so here I am. The idea is that approximately 2.9 to 4.9 acres would come out of TPZ and the same amount of timberland (2.9 – 4.9 acres) would go into TPZ. This would be done through an immediate conversion and would have no net change to the amount of TPZ lands. The reason for the Lot Line Adjustment is that the owner of 220-271-01 (which is zoned Unclassified) built her house on the neighboring parcel to the west. The proposal would involve three parcels as shown on the attached map. The area to come out of TPZ is where her house is and the area that would go into TPZ would meet the inclusion requirements for TPZ. I was wondering the feasibility of this proposal, and if feasible, if keeping the acreage less than 3-acres would make the process a bit simpler by utilizing a Less Than 3-Acre Conversion Exemption? The back-up plan would rezone the entirety of 220-271-01 into TPZ and do a Lot Line Adjustment with a JTMP. That is the less preferred option

Any help would be appreciated. And if you have any questions or there is someone else you think I should talk to, please let me know.

Thanks for your time.

**Trevor Estlow, Senior Planner**  
County of Humboldt, Planning Division  
3015 H Street  
Eureka, CA 95501  
Phone: (707) 268-3740  
Fax: (707) 268-3792  
Email: [trestlow@co.humboldt.ca.us](mailto:trestlow@co.humboldt.ca.us)

 Please consider the environment before printing this e-mail

## Minutes

### January 15, 2019 Meeting

#### I. Attendance

**FRC Members Present:** Jim Able, Mark Andre, Yana Valachovic, Gary Ryneerson, Ben Hawk, Thomas Blair

**FRC Members Absent:** Chris Carroll, Kurt McCray

**Staff Present:** Trevor Estlow, Planning and Building Department, John Ford, Planning and Building Department, Beth Burks, LACO Contract Planner

The Committee welcomed guests: Erec DeVost, Ron Pelletier

#### II. Public Appearances: None.

#### III. Approval of Minutes from the September 17, 2018.

On a motion by Yana Valachovic, seconded by Jim Able, the minutes of the September 17, 2018 meeting were approved by a vote of 4-0 (Gary Ryneerson abstained).

#### IV. New Business (in order of items heard):

##### 1. Humboldt Wind, LLC., Case Number: CUP-18-002, Assessor Parcel Numbers: 102-132-004; Bear River Ridge and Monument Ridge area.

Beth Burks presented the project and requested that the Committee determine whether or not a wind farm/turbine is a compatible use in the TPZ zone and whether or not it constitutes conversion. The project would consist of up to 60 utility scale wind turbine generators and associated infrastructure with a nameplate generating capacity (i.e., the theoretical maximum energy generation) of 155 megawatts. Erec DeVost provided additional information (i.e. 60 turbines max). They have been in consultation with Calfire regarding the conversion question and will continue discussion.

At this time, the Chair opened the meeting to public comments. The Committee had questions regarding the area of impact (i.e. how many acres affected by turbines and Gen-Tie?). The Committee found that it appeared that the transmission lines are compatible in TPZ. The Committee posed several questions to the applicant including: How many acres of productive TPZ lands will be permanently lost for the turbines and transmission lines? How many acres are temporarily converted? What are the limitations on permanent vs. temporarily converted areas? No motion was made.

##### 2. Howard Lot Line Adjustment and Joint Timber Management Plan Case Numbers: LLA-18-013, JTMP-18-004; Assessor Parcel Numbers 223-044-003 et seq.; Benbow area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 90 acres and 253 acres. The LLA will move a property line to the center of a creek that runs through the property. A Joint Timber Management Plan (JTMP) is also required.

At this time, the Chair opened the meeting to public comments. There was a question regarding access to Management Unit 1, SOD discussion and special treatment areas due to proximity to the State Park. It was recommended that the JTMP be revised to clarify access to Management Unit 1, correct the SOD discussion and add the language for the special treatment area. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Yana Valachovic, seconded by Thomas Blair, the Howard project was conditionally approved by a vote of 6-0. The condition requires that the access be clarified, the SOD discussion be corrected and the special treatment area be added to the JTMP.

At 6:10 p.m., Ben Hawk left the meeting

- 3. Harris Lot Line Adjustment and Joint Timber Management Plan** Case Numbers: LLA-18-017, JTMP-18-005, Assessor Parcel Numbers: 217-032-012, 217-032-013; Blocksburg area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between two parcels resulting in two parcels of approximately 171.4 acres and 151.4 acres. A Joint Timber Management Plan (JTMP) is also required.

At this time, the Chair opened the meeting to public comments. Ron Pelletier provided additional information regarding the reason for the LLA. There were questions regarding the road use agreement and logging access. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Gary Rynearson, seconded by Jim Able, the Harris project was approved by a vote of 5-0.

- 4. Carolan Lot Line Adjustment and Zone Boundary Adjustment** Case Numbers: LLA-18-024, ZBA-18-002; Assessor Parcel Number: 220-271-001 et seq.; Briceland area.

Trevor Estlow provided the staff report and staff recommendations. The project involves a Lot Line Adjustment (LLA) between three parcels resulting in three parcels of approximately 83 acres, 155 acres and 140 acres. Also included is a Zone Boundary Adjustment to adjust the zone boundary between the Timberland Production Zone (TPZ) and Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) to follow the new parcel lines adjusted by the LLA and to result in no net loss of TPZ lands.

At this time, the Chair opened the meeting to public comments. There was a discussion regarding no net loss of TPZ lands. The Chair then closed the meeting to public comments and returned the discussion to the Committee.

On a motion by Yana Valachovic, seconded by Jim Able, the Carolan project was approved by a vote of 5-0.

## **V. Future Agenda Items**

TPZ rezones implementing the General Plan Update.

## **VII. Adjournment**

The meeting was adjourned at 6:30 p.m.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 19- 103**

**Case Numbers LLA-18-024, ZBA-18-002  
Assessor Parcel Numbers 220-271-001, 220-282-012, 220-282-013, 220-301-007**

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

**WHEREAS**, the owners, submitted an application and evidence in support of approving the Lot Line Adjustment between three parcels, and to make a zone boundary adjustment to adjust the zone boundary between the Timberland Production Zone (TPZ) and the Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) zone to follow the new lines adjusted by the LLA and to rezone the entirety of APN 220-271-001 FR-B-5(40); 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

**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 Section 15305(a), Section 15061(b)(3) and Section 15264 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 Carolan 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 Section 15305(a), Section 15061(b)(3) and Section 15264 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
2. The proposed ZR is in the public interest; and
3. The proposed LLA and ZBA are consistent with the General Plan; and
4. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers: LLA-18-024, ZBA-18-002 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-18-024, ZBA-18-002.

**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 Briceland area [ZBA-18-002, Carolan] so that the zone boundary between FR-B-5(40) and TPZ is coincidental with the relocated property lines including the rezone of the entirety of APN 220-271-001 to FR-B-5(40).

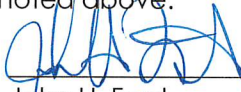
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Adopted after review and consideration of all the evidence on September 5, 2019.

The motion was made by Commissioner Mitchell and seconded by Commissioner Levy.

AYES: Commissioners Mitchell, Levy, Newman, Bongio and McCavour  
ABSENT: Commissioners Morris and O'Neill  
DECISION: Motion carries 5/0.

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