



COUNTY OF HUMBOLDT

For the meeting of: 5/2/2023

File #: 23-478

To: Board of Supervisors
From: Planning and Building Department
Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Moore Lot Line Adjustment and Joint Timber Management Plan (4/5 vote required)
APNs: 205-011-037, 205-081-012, 205-011-007, 205-031-005
Record Number: PLN-2022-18031

RECOMMENDATION(S):

That the Board of Supervisors:

Adopt the Resolution (Attachment 1) to

1. Find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305 (a) of the State CEQA Guidelines and make all the required findings to approve the Lot Line Adjustment; and
2. 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
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. (1100277)

DISCUSSION:

Moore Lot Line Adjustment and Joint Timber Management Plan (4/5 vote required)
APNs: 205-011-037, 205-081-012, 205-011-007, 205-031-005
Record Number: PLN-2022-18031

A Lot Line Adjustment (LLA) between two parcels of approximately 169 acres and 43 acres resulting in two parcels of 81 and 131 acres to provide more logical management units for both timber and grazing. A Joint Timber Management Plan (JTMP) is required due to the resultant parcels containing less than 160 acres of Timberland Production Zone (TPZ). One parcel is developed with a single-family residence and a barn, and the other parcel is vacant.

Project Location: The project is located in the Rio Dell area, on the north and south sides of Blue Slide Road, approximately at the intersection of Peppertree Lane and Blue Slide Road, on the properties known as 10365 and 11280 Blue Slide Road.

Present Plan Land Use Designations: Agricultural Exclusive (AE) and Residential Agriculture (RA 5-20); Humboldt County General Plan (GP), Density: 20-60 and 5-20 acres per dwelling unit respectively. Slope Stability: Low and High Instability (1,3).

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

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 Alexander Moore covering approximately 212 acres of both Timberland Production Zone (TPZ) and Agriculture Exclusive (AE) lands; and an application for a Lot Line Adjustment (LLA) to reconfigure two parcels resulting in two parcels. The property is located in the Rio Dell area, on the North side of Blue Slide Road, approximately at the intersection of Peppertree Lane and Blue Slide Road, on the property known as 10365 and 11280 Blue Slide Road.

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 Alexander Moore includes the two parcels, however, as a significant 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.

Parcel 1 will be approximately 81 acres in size and contain approximately 50 acres zoned TPZ. Parcel 2 will be approximately 131 acres in size and contain approximately 81 acres of TPZ. The JTMP indicates that the timbered areas on parcels one and two currently have approximately 65% and 59% (respectively) of the area stocked with conifers, and the rest of the property containing hardwood species and/or open prairies. The findings for the LLA can be made based on 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 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 James L. Able Forestry Consultants. 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 believes that the JTMP shows that the parcels can be managed consistent with these requirements.

APPLICANT AND PLANNER INFORMATION:

Applicant

Alexander & Miranda Moore
3317 Centerville Rd.
Ferndale, CA 95536

Owners

Same as applicant

Agent

Ontiveros & Associates
c/o Ken Johnston
404 N Fortuna Blvd.
Fortuna, CA 95540

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 priority of 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 units within the LLA resultant parcels can be managed for continued timber production.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Plot Plan for Lot Line Adjustment
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. Referral Agency Comments

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A