

FINDINGS

Rezone Z18-0006/Farnham Planning Commission/June 13, 2019

1.0 CEQA FINDINGS

- 1.1 This project has been found to be Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15264 of the CEQA Guidelines, which says that local agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones.

A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

- 1.2 The documents and other materials that constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 **The project is consistent with General Plan Policy 2.2.1.2.**

Policy 2.2.1.2 identifies Natural Resource (NR) designation as “areas that contain economically viable natural resources and to protect the economic viability of those resources and those engaged in harvesting/processing of those resources including water resources development from interests that are in opposition to the managed conservation and economic, beneficial use of those resources. The important natural resources of the County include forested areas, mineral resources, important watershed, lakes and ponds, river corridors, grazing lands, and areas where the encroachment of development would compromise these natural resource values. Compatible uses on private land may include agriculture, rangeland, forestry, wildlife management, recreation, water resources development, and support single-family dwellings. Any modifications of the land use designation shall require one of the following findings: (1) No important natural resource exists on the property; or (2) If a project is proposed, it will significantly enhance the long-term production and preservation of the on-site resources through the application of development strategies such as fuels management plans, timber management plans, self-imposed setbacks buffers, and open space.”

Rationale: The project proposes to rezone two parcels from Rural Lands 160-Acres (RL-160) to Timber Production Zone (TPZ). The parcels range in size from 80 to 174.51 acres. The two parcels have a combined size of 254.51 and are managed as one parcel under a single Timber Harvest Plan (Exhibit G). The proposed project is compatible with the land use designation.

2.2 The project is consistent with General Plan Policy 2.2.5.2.

All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and conditional use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan.

Rationale: The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of the General Plan. The proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

2.3 The project is consistent with General Plan Policy 8.3.1.3.

The County Agricultural Commission shall assess lands to determine their suitability for timber production. Lands considered suitable for timber production shall be based on the following criteria:

- A. Lands designated Natural Resource (NR) on the General Plan land use map or lands zoned Timber Production Zone (TPZ);

Rationale: Both parcels are designated as being within the Natural Resource land use designation.

- B. Soils identified as El Dorado County “choice” timber production soils which shall consist of soils found on Timber Site Classifications I, II, or III as defined in the California Forest Handbook and the Soil Survey of El Dorado Area issued April 1974 by the USDA Soil Conservation Service and the U.S. Forest Service;

Rationale: The *Soil Survey of El Dorado County* classifies the parcels as being primarily comprised of Cohasset Cobbly Loam, 3 to 15 percent slopes, Cohasset Cobbly Loam, 15 to 50 percent slopes, Josephine very rocky silt loam, 9 to 50 percent slopes, Placer Diggins, Sites Loam, 9 to 15 percent slopes, and Sites Loam, 15 to 30 percent slopes. According to the El Dorado County Agricultural Commission Staff Report: “A majority of these lands have been designated at Class I timber lands. A small portion is classified as Class II and III.” Soils within these groups are capable of supporting intensive to moderate timber management.

C. Lands used for commercial forestry/timber production;

Rationale: The parcels have been used for commercial timber harvest since acquisition by the Farnham family in the 1860's to provide timber for their lumber yard in Plymouth. The last timber harvest occurred in 2017.

D. Lands that possess topographical and other features that make them suitable for timber production;

Rationale: The parcels have predominantly moderate to steep slopes and topography and are capable of supporting managed timber growth.

E. Low development densities in vicinity.

Rationale: The two parcels are completely surrounded by land designated NR, which has the lowest development density within El Dorado County.

2.4 **The project is consistent with General Plan Policy 8.3.2.1.**

Lands zoned Timber Production Zone (TPZ) shall not be subdivided into parcels containing less than 160 acres.

Rationale: The cumulative size of the two parcels is 254.51 acres. One of these parcels is 80 acres in size which is less than 160 acre minimum size as required by the Zoning Ordinance for this land use. However, these parcels are to be managed as one site which would have a cumulative size greater than 160 acres. Furthermore, there is no subdivision proposed with this project.

2.5 **The project is consistent with General Plan Policy 8.3.2.3.**

Timber production lands within areas designated Natural Resource and generally above 3,000 feet elevation shall maintain a 160-acre minimum parcel size or larger, except where small parcels already exist.

Rationale: The project consists of two existing parcels currently designated Natural Resource. No subdivision or General Plan Amendment is proposed as part of this project.

3.0 **ZONING FINDINGS**

3.1 **The proposed use is consistent with Chapter 130.21.**

The subject parcels are currently zoned Rural Lands 160-Acres (RL-160) and would be rezoned to Timber Production Zone (TPZ) with approval of the project. The project has

been analyzed in accordance with Zoning Ordinance Section 130.21.030 (Development Standards) for minimum lot size, widths and building setbacks.

Rationale: Properties zoned TPZ have a minimum lot size of 160 acres, with a minimum lot frontage of 200 feet. The project sites range in size from 80 to 174.51 acres and exceed the required 200 foot lot frontage. As such these parcels are being analyzed cumulatively. The project would conform with the development standards of the TPZ zoning designation.

3.2 **The proposed use is consistent with Chapter 130.40.350.D.1.**

The Agricultural Commission shall assess the property to determine its suitability for timber production.

Rationale: The project application was reviewed by the El Dorado County Agricultural Commission on September 13, 2018 for compliance with the General Plan. The Agricultural Commission found that the current parcels were identified as a Site 1 timber class, the property is being used for commercial forestry/timber production, that physical terrain of the properties is suitable for timber production and that no conflicts exist with adjacent parcels.

3.3 **The proposed use is consistent with Chapter 130.40.350.D.2**

A forest management plan for the property shall be submitted that has been prepared or approved by a Registered Professional Forester. Prior to the approval of the zone change application, the forest management plan shall be reviewed and approved by the Agricultural Commission. The forest management plan shall include, at a minimum, a discussion and recommendation on each of the following:

1. Commercial harvesting, a history of past operations, and recommendations for the future;

Rationale: The subject parcels have been under the ownership of the Farnham family for more than 100 years. The Farnham family has been involved in the California timber industry since the 1860's. The current owners and managers are second and third generation family members. Commercial harvesting of the property occurred when they were first acquired in the 1860's to provide timber to the family's lumber mill in Plymouth. A salvage harvest last occurred on the property in the late 2017. Thus, these timberlands have a historic cutting cycle of about 30 years. This pattern should continue into the foreseeable future in order to secure adequate regeneration, prevent over stocking and encourage growth rates.

2. Provisions for legal and physical access to the property so commercial operations can be carried out;

Rationale: There are no identified legal or physical access issues associated with the subject properties. All properties are accessed via Farnham Ridge Road, a county maintained road.

3. A reasonable attempt to locate the boundaries of the property and attempts to protect the property against trespass;

Rationale: The property corners have been set by licensed land surveyors and most of the property lines are fenced. Property lines have been identified in the past, at the time of prior timber harvests, and “No Trespassing” signs have been installed. The owner’s Forestry Staff reviews the property lines periodically in attempt to discover and prevent trespass.

4. Disease of insect control work;

Rationale: The owner’s Forestry Staff periodically performs a reconnaissance survey of the properties in order to detect potential insect and/or disease problems. The last harvest operation was performed in 2017 for insect salvage. If significant problems are detected, then a salvage harvesting operation and/or other silviculture treatment is implemented as necessary. Most insect and/or disease problems can be prevented by conducting periodic harvests which provide stocking control and improve overall forest health.

5. Thinning slash disposal, pruning, and other appropriate silvicultural work;

Rationale: The owner’s Forestry Staff evaluates the properties for various silvicultural treatments during periodic field reconnaissance trips. If thinning, pruning or other treatments are needed, then a recommendation is developed and made to the owner. The last harvest operation was performed in 2017 for insect salvage. These recommendations typically shorten or lengthen the time between periodic commercial harvests and/or stand treatments. Slash treatments are normally evaluated and prescribed in conjunction with the preparation of timber harvest plans.

6. A fire protection plan including a fuels management program;

Rationale: No formal fire protection plan has been developed for these properties. The need for forest fuels treatment is normally evaluated and prescribed in conjunction with preparation of timber harvest plans. Past fuels treatments have been in compliance with State regulations. Company employees and contractors participating in timber harvesting or other forest management activities are required to comply with all governmental regulations related to fire prevention.

7. Erosion control on existing roads and skid trails along with maintenance of existing roads; and

Rationale: The lightly used road system in operation is a mix of native soil and rock. The existing culverts have performed well in all major storms. Erosion control on skid trails and logging roads is accomplished at the time of harvesting and is in compliance with standards established by the California Forest Practice Rules. The maintenance of the road providing access to the choose-and-cut Christmas tree sale operation is performed as necessary. These roads receive minimal year-round vehicle traffic.

8. Planting of significant portion of the understocked areas of the land.

Rationale: After the salvage operation conducted in 2017 there are several small openings in the northeast portion of the properties which are understocked. The openings shall be monitored and if natural regeneration does not occur by 2020 then the openings will be replanted. Planting shall meet the stocking standards of the California Forest Practice Rules.