

TABLE OF CONTENTS

PLANNING COMMISSION MEETING February 2, 2021

FILE NUMBER:	LL #2020-007
PROPERTY OWNER:	Laraway Family Revocable Trust et al.
APPELLANTS:	Norman “Bud” Laraway and Becky Thomson (also property owners)
TYPE OF APPLICATION:	Lot Line Adjustment (Appeal)

Staff Report	001
Memoranda to the December 3, 2021, Technical Advisory Committee Meeting	003
Appeal Letter and Enclosures	009
Application and Related Materials.....	014
Draft Resolutions	017
Vicinity Map	024



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

January 11, 2021

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Planning Commission
Agenda Date: February 2, 2021

FROM: Maurice L. Anderson, Director

Zoning & Building
Inspection Requests

SUBJECT: Appeal by applicants Norman "Bud" Laraway and Becky Thomson of the Technical Advisory Committee's disapproval of Lot Line Adjustment #2020-007. Said appeal was submitted to the Department of Planning and Building Services on December 14, 2020.

RECOMMENDATION:

1. Conduct a public hearing to consider the appeal; and
2. Receive the December 3, 2020, memoranda to the Technical Advisory Committee (TAC), which provide the basis for the TAC's disapproval; and
3. Render a decision for the appeal within 60 days of the filing of the appeal.

Authority for Appeal:

Lassen County Code Section 16.08.280(a) states, "If the applicant is not satisfied with the action of the technical advisory committee, he or she may, within fifteen days after such action, appeal in writing to the planning commission. The planning commission shall hold a public hearing on said appeal and shall render its decision thereon within sixty days of the filing of the appeal. Any appeal hearing shall allow reconsideration of all aspects of a project (de novo), and shall not be limited strictly to the subject of the appeal."

Background:

At its December 3, 2020, meeting, the Technical Advisory Committee unanimously voted to disapprove the above project. Information regarding the project, as well as the findings serving as the basis for disapproval can be found in the attached memoranda. More specifically, please see Findings 6-11 in the memorandum from Director of Planning and Building Services Maurice Anderson. In sum, the Director finds that that the proposed lot line adjustment is inconsistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, and the zoning standards set forth in Title 18 of the Lassen County Code. In disapproving said project, the Technical Advisory Committee also adopted said findings.

Appeal:

December 14, 2020, applicants Norman "Bud" Laraway and Becky Thomson submitted the attached appeal of the Technical Advisory Committee's disapproval of the above project. Said appeal letter contains the appellants' rationale as to why the appellants believe the application should be approved.

Lassen County Code section 16.08.280(a) states that the Planning Commission shall render its decision within 60 days after the filing of the appeal. Thus, the Planning Commission must take action on the appeal by Friday, February 12, 2021.

Mandatory Findings

As stated, in the attached memorandum to the Technical Advisory Committee, Government Code Section 66412(d) states in part:

A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

As stated above, according to the Director of Planning and Building Services, as well as the TAC, the proposed lot line adjustment is inconsistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, and the zoning standards set forth in Title 18 of the Lassen County Code.

Draft resolutions, both upholding and denying the appeal, are attached with this letter.

Further Appeal

Lassen County Code Section 16.08.280 further states,

If the applicant or any interested person is not satisfied with the action of the planning commission he or she may, within ten days after such action, appeal in writing to the board of supervisors. The board shall hold a public hearing on said appeal and shall render its decision thereon within sixty days of the filing of the appeal. Any appeal hearing shall allow reconsideration of all aspects of a project (de novo), and shall not be limited strictly to the subject of the appeal.

MLA:smr

Enclosures:

TAC Memo from the Planning Division
TAC Memo from the Lassen County Surveyor
Appeal Letter from Norman “Bud” Laraway and Becky Thomson
Lot Line Adjustment Application #2020-007 and related materials
Draft Resolutions



County of Lassen

Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

November 19, 2020

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: December 3, 2020

FROM: Maurice Anderson, Director

Zoning & Building

Inspection Requests

Phone: 530 257-5263

RE: Lot Line Adjustment #2020-007, Laraway

Project Description

LOT LINE ADJUSTMENT #2020-007, Laraway Family 1992 Revocable Trust et al. The applicant is proposing a lot line adjustment between two parcels that together total approximately 200 acres. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size. If approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size. Parcel A is zoned A-2-B-9 and A-2-B-19 (Agricultural Residential District, 9- and 19-Acre Building Site Combining Districts, respectively), whereas Parcel B is currently zoned T-P-Z (Timber Production Zone District). If the lot line adjustment were approved, Parcel A would be zoned A-2-B-9, whereas Parcel B would be zoned T-P-Z, A-2-B-9, and A-2-B-19 in different portions. Parcel A is designated "Rural Residential," whereas Parcel B is designated "General Forest Environment" by the *Janesville Planning Area, 1993*. The address for Parcel A is 462-300 Upper Christie Street, Janesville, CA 96114, whereas Parcel B does not have an address. The subject parcels are located approximately two miles south of the intersection of Christie Street and Janesville Main Street. Parcel A: APN 129-210-61. Parcel B: APN 129-210-62. Staff Contact: Stefano Richichi, Senior Planner

The Planning Division of the Lassen County Department of Planning and Building Services finds as follows:

1. The applicant is proposing a lot line adjustment between two parcels that together total approximately 200 acres.
2. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size.
3. If approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size.
4. Parcel A is zoned A-2-B-9 and A-2-B-19 (Agricultural Residential District, 9- and 19-Acre Building Site Combining Districts, respectively), whereas Parcel B is currently zoned T-P-Z (Timber Production Zone District).
5. If the lot line adjustment were approved, Parcel A would be zoned A-2-B-9, whereas Parcel B would be zoned T-P-Z, A-2-B-9, and A-2-B-19 in different portions.
6. Government Code Section 66412(d) states in part:

A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

7. Lassen County Code Section 18.70.010 state the intent behind the T-P-Z zoning district as follows:

The T-P-Z district is devoted to those areas dedicated to the growing, conserving, and production of timber in areas of sufficient size to be economically feasible. It is designed to protect these areas from intrusion by incompatible uses and to separate these areas from a mixture of uses which may be hazardous or unsafe.

8. Furthermore, Land Use Policy 42 of the *Lassen County General Plan, 2000* states:

The County supports the conservation and management of timber production areas for the production of timber and other multiple uses compatible with timber production and shall, within the County's authority, protect these areas from land uses (e.g. residential development) and factors which would significantly restrict their capacity for production.

9. In addition, if this lot line adjustment were approved, residential uses (including a residence) would be allowed immediately adjacent to the portion of the resultant parcel that is zoned T-P-Z. As the parcels are currently configured, a 30-foot fire safety setback¹ would create a de facto buffer between the parcel currently zoned T-P-Z and any residential development proposed.
10. In light of the above, the Director of the Department of Planning and Building Services has determined that allowing the creation of a parcel that is split-zoned that has both T-P-Z and A-2 zoning districts exacerbates an instance of zoning incompatibility.
11. In light of the above, the Director of the Department of Planning and Building Services finds that the proposed lot line adjustment is inconsistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, and the zoning standards set forth in Title 18 of the Lassen County Code. The Director therefore recommends that the Technical Advisory Committee disapprove this lot line adjustment application and that the applicant submit a parcel map application for the proposed project instead.
12. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this lot line adjustment application pursuant to Lassen County Code Section 16.12.040.

The Planning Division of the Lassen County Department of Planning and Building Services recommends the following conditions be placed on the project if approved:

1. None.

MLA:smr

S:/PLA/Planning/2020/LLA #2020-007, Laraway Family 1992 Revocable Trust/TAC Memo

¹ All qualifying structures are subject to the 30-foot setback requirement per Lassen County Code Section 9.16.103(d)(1)(A) and the 2020 State Responsibility Area Fire Safe Regulations.



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

November 12, 2020

DEC 03 2020

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: December 3, 2020

FROM: Don Willis, Lassen County Surveyor

RE: Lot Line Adjustment No. 2020-007 – The 1992 Laraway Family Revocable Trust.
Assessor's Parcel Numbers: 129-210-61 and 129-210-62.

Zoning & Building
Inspection Requests
Phone: 530 257-5263

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The application and tentative map submitted for Lot Line Adjustment No. 2020-007 show two parcels involved in the proposed boundary line adjustment. These parcels are known as Assessor's Parcel Numbers 129-210-61 and 129-210-62 and are located within portions of Sections 17 and 18, Township 28 North, Range 13 East, Mount Diablo Base and Meridian, in Lassen County, California.
2. Title to the lands described in Findings Item Number One above is currently vested in Norman E. Laraway, as Trustee of The 1992 Laraway Family Revocable Trust, Under Declaration of Trust Dated September 17, 1992, and as Successor Trustee of Trust A and Trust B Thereunder, as shown at a Trust Transfer Deed recorded on May 9, 2019 as Document Number 2019-01591 of the Official Records of Lassen County. An Order Confirming Validity of Trust, Confirming Trustee and Confirming Assets to Trust, was recorded on June 13, 2019 as Document Number 2019-02141 of the Official Records of Lassen County. This Order confirmed the 1992 Laraway Trust as valid, states that Norman "Bud" Laraway is the appointed Successor Trustee of said Trust and states that Norman "Bud" Laraway is the owner in fee simple of 17% as to said Trust A and 83% as to said Trust B.
3. The legal descriptions within the two documents described in Findings Item Number Two above describe two separate parcels. Parcel One is described as the North one-half of the Southwest one-quarter (N1/2 SW1/4) and the Southwest one-quarter of the Southwest one-quarter (SW1/4 SW1/4) of Section 17, Township 28 North, Range 13 East, Mount Diablo Base and Meridian. These lands are represented by Assessor's Parcel Number 129-210-61. Parcel Two is described as the East one-half of the Southeast one-quarter (E1/2 SE1/4) of Section 18, Township 28 North, Range 13 East, Mount Diablo Base and Meridian. These lands are represented by Assessor's Parcel Number 129-210-62.
4. The underlying legal parcel for the lands located in said Section 17 (Parcel One in Findings Item Number Three above = Assessor's Parcel Number 129-210-61) was created by Lot Line Adjustment No. 910005. This adjustment was approved by the Lassen County Technical Advisory Committee on July 18, 1991 and a Consent of Record Owners document was recorded on August 27, 1991 in Book 542, Page 129, of the Official Records of Lassen County. Parcel Two of this adjustment describes the subject lands in said Section 17, however it also

includes *additional* lands that are located in the Southeast one-quarter of said Section 17. These additional lands are known as Assessor's Parcel Number 129-210-13 and are currently owned by separate owners. The *additional* lands were issued a Certificate of Compliance in 1995 (four years after approval of the Lot Line Adjustment) by the County of Lassen however the *remaining* lands of Parcel Two of Lot Line Adjustment No. 910005 were *not* included within the Certificate. This is evidenced by Certificate of Compliance No. 16-95 which was recorded on June 27, 1995 in Book 620, Page 22, of the Official Records of Lassen County. No Certificate of Compliance was ever issued for the remaining lands of said Parcel Two of the boundary line adjustment. The issuance of a Certificate of Compliance for only a *portion* of a legal parcel, which was originally created by an approved Lot Line Adjustment, essentially "creates" an additional parcel due to the omission of the remaining lands within the original legal parcel. Therefore, the subject lands within said Section 17 (Assessor's Parcel Number 129-210-61) would be considered a separate legal parcel that is in compliance with the provisions of the Subdivision Map Act and local ordinances.

5. The underlying legal parcel for the subject lands located in said Section 18 (Parcel Two in Findings Item Number Three above = Assessor's Parcel Number 129-210-62) was created by said Lot Line Adjustment No. 910005, which was approved by the Lassen County Technical Advisory Committee on July 18, 1991. Parcel Three of this adjustment describes the subject lands that are located in said Section 18. Therefore, this parcel was created in compliance with the provisions of the Subdivision Map Act and local ordinances.
6. The tentative maps submitted for Lot Line Adjustment No. 2020-007 show that the existing boundary line common to Assessor's Parcel Numbers 129-210-61 and 129-210-62 is proposed to be shifted easterly approximately 1320 feet. This would cause a 40 acre parcel to be created within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of said Section 17 and would cause a second 160 acre parcel to be created within the West one-half of the Southwest one-quarter (W1/2 SW1/4) of said Section 17 and the East one-half of the Southeast one-quarter (E1/2 SE1/4) of said Section 18. This would cause the size of the parcel represented by Assessor's Parcel Number 129-210-61 to decrease to 40 acres and would cause the size of the parcel represented by Assessor's Parcel Number 129-210-62 to increase to 160 acres if the proposed adjustment were approved.
7. The subject parcels are accessed via Upper Christie Street by multiple private easements of varying widths that have been recorded over the years. These easements provide access over said Upper Christie Street out to the County maintained portion of Christie Street. Upper Christie Street is privately maintained and is not in the County maintained road system.
8. The proposed Lot Line Adjustment is exempt from the provisions of the California Subdivision Map Act pursuant to Section 66412(d) of the Government Code.
9. The requirements for Lot Line Adjustments in Lassen County are established by Lassen County Code Title 16, Chapter 16.12, Section 16.12.040.

**LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS
FOR LOT LINE ADJUSTMENT NO. 2020-007 (THE 1992 LARAWAY FAMILY
REVOCABLE TRUST):**

1. The applicants shall provide current Condition of Title Guarantee reports for the two parcels shown on the tentative maps and listed on the application submitted for Lot Line Adjustment No. 2020-007.
2. The adjustment of the boundary lines shall be completed as shown on the tentative maps submitted for Lot Line Adjustment No. 2020-007.
3. A Certificate of Lot Line Adjustment shall be prepared by a California Licensed Land Surveyor or California Registered Civil Engineer, who is authorized to practice land surveying pursuant to Section 8731 of the Business and Professions Code of the State of California, and be submitted to the Lassen County Surveyor for review, approval and recording. This Certificate of Lot Line Adjustment shall acceptably describe the boundaries of the resultant parcels and shall be executed by Norman E. Laraway, as Trustee of the 1992 Laraway Family Revocable Trust, under Declaration of Trust dated September 17, 1992, and as Successor Trustee of Trust A and Trust B Thereunder, as record owner of interest in the properties involved. The submittal of the Certificate of Lot Line Adjustment shall also include a statement from the Licensed Land Surveyor or Civil Engineer preparing it stating the Certificate of Lot Line Adjustment was prepared by him/her or under his/her direction and control and shall be signed and sealed in accordance with the California Code of Regulations, Title 16, Division 5, Article 1. This submittal of the Certificate of Lot Line Adjustment shall also include appropriate fees for review and recording of all required documents.
4. All executed deeds required to effect the lot line adjustment shall be recorded concurrently with the Certificate of Lot Line Adjustment if parcels being adjusted are owned by different entities. These deeds should reference Lot Line Adjustment No. 2020-007 and a Preliminary Change of Ownership Report shall accompany each executed deed.
5. If there are any Deeds of Trust encumbering either of the two existing parcels shown on the tentative map submitted for Lot Line Adjustment No. 2020-007, the legal descriptions for the Deeds of Trust shall be modified to reflect the changes requested in the boundary lines and be recorded concurrently with the Certificate of Lot Line Adjustment.
6. If a field survey is performed to establish the locations or dimensions of the boundary lines of adjusted parcels or to monument the boundaries of the adjusted parcels, a Record of Survey shall be submitted to the Lassen County Surveyor for review, approval and filing in accordance with Section 8762 of the California Business and Professions Code. This Record of Survey shall reference Lot Line Adjustment No. 2020-007, the date of approval of the Lot Line Adjustment by the Technical Advisory Committee and the recording information of the recorded Certificate of Lot Line Adjustment. This Record of Survey shall be recorded

concurrently with the Certificate of Lot Line Adjustment and its submittal shall include appropriate fees for reviewing and filing of the Record of Survey.

7. Prior to recordation of the Certificate of Lot Line Adjustment, documentation shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all properties involved in the proposed Lot Line Adjustment.

Respectfully submitted,



Don Willis, L.S. 7742
Lassen County Surveyor

Norman Bud Laraway
PO Box 425
Shaver Lake, CA 93664
559-289-5037
budski@netptc.net

RECEIVED

DEC 14 2020

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Becky Thomson
462-600 Upper Christie Street
Janesville, CA 96114
530-253-3684
larawaythomson1@hotmail.com

December 13, 2020

Honorable Planning Commissioners,

I was surprised at the December 3 TAC meeting by the denial of my family's Lot Line Adjustment application. Our proposal seemed to be relatively simple in nature, and I had been assured the application was not inappropriate.

The discussion was very confusing to me, and it seemed most of the TAC members were equally confused. Only the member representing the planning department seemed to press for denial.

Subsequent to the meeting I endeavored to research the alleged issues and found nothing to support the stated reasons for denial.

We understand TPZ is a zone to be protected, but our proposal does not change the configuration of our 80 acres of TPZ lands.

The reference to split zoning seems irrelevant; we understand many cases exist of split zoning between TPZ and other zoning exist, and the "Timberland Productivity Act of 1982" referenced in Lassen County Code specifically acknowledges their definition of a TPZ "parcel" can be a portion of an assessor's parcel.

I find no requirements for a "buffer" adjacent to TPZ zones. The 30-foot fire safety setback for structures pertains to any structure in Lassen County, irrespective of zoning. It should be noted that the Timberland Productivity Act also allows residential or other structures, which would presumably be subject to the same rule.

We also understand the 30-foot setback rule is from property lines, to allow 30 feet of clearing around structures for fire protection (now 100 feet we hear?). It seems a misapplication of a building rule to justify denial allegedly based on zoning. We see no conflict applying this 30-foot setback rule to future construction on our proposed parcels.

In conclusion, we find no basis for denial and ask the Commission to overturn the TAC decision and approve our application.

Respectfully,
Norman Bud Laraway



Becky Thomson


[Up^Add To My Favorites](#)

Code Text

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 1. CITIES AND COUNTIES [50001 - 52203]

(Division 1 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5]

(Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 6.7. Timberland [51100 - 51155]

(Chapter 6.7 added by Stats. 1976, Ch. 176.)

ARTICLE 1. General Provisions [51100 - 51104]

(Article 1 added by Stats. 1976, Ch. 176.)

51100.

This chapter shall be known and may be cited as the California Timberland Productivity Act of 1982.

(Added by Stats. 1982, Ch. 1489, Sec. 2.)

51101.

The Legislature hereby finds and declares all of the following:

(a) The forest resources and timberlands of this state, together with the forest products industry, contribute substantially to the health and stability of the state's economy and environment by providing high quality timber, employment opportunities, regional economic vitality, resource protection, and aesthetic enjoyment.

(b) The state's increasing population threatens to erode the timberland base and diminish forest resource productivity through pressures to divert timberland to urban and other uses and through pressures to restrict or prohibit timber operations when viewed as being in conflict with nontimberland uses.

(c) A continued and predictable commitment of timberland, and of investment capital, for the growing and harvesting of timber are necessary to ensure the long-term productivity of the forest resource, the long-term economic viability of the forest products industry, and long-term stability of local resource-based economies.

(Amended by Stats. 1990, Ch. 1600, Sec. 1.)

51102.

(a) The Legislature further declares that to fully realize the productive potential of the forest resources and timberlands of the state, and to provide a favorable climate for long-term investment in forest resources, it is the policy of this state to do all of the following:

(1) Maintain the optimum amount of the limited supply of timberland to ensure its current and continued availability for the growing and harvesting of timber and compatible uses.

(2) Discourage premature or unnecessary conversion of timberland to urban and other uses.

(3) Discourage expansion of urban services into timberland.

(4) Encourage investment in timberlands based on reasonable expectation of harvest.

(b) The Legislature further declares that it is the policy of this state that timber operations conducted in a manner consistent with forest practice rules adopted by the State Board of Forestry and Fire Protection shall not be or become restricted or prohibited due to any land use in or around the locality of those operations.

(Amended by Stats. 1998, Ch. 972, Sec. 4. Effective January 1, 1999.)

51103.

It is the intent of the Legislature to implement the policies of this chapter by including all qualifying timberland in timberland production zones.

(Added by Stats. 1982, Ch. 1489, Sec. 5.)

51104.

As used in this chapter, unless otherwise apparent from the context:

(a) "Board" means the board of supervisors of a county or city and county, whether general law or chartered, which establishes or proposes to establish a timberland production zone pursuant to this chapter.

(b) "Contiguous" means two or more parcels of land that are adjoining or neighboring or are sufficiently near to each other, as determined by the board or council, that they are manageable as a single forest unit.

(c) "Council" means the city council of a city, whether general law or chartered, which establishes or proposes to establish a timberland production zone pursuant to this chapter.

(d) "County" or "city" means the county or city having jurisdiction over the land.

(e) "Timber" means trees of any species maintained for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but does not mean nursery stock.

(f) "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

(g) "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone."

(h) "Compatible use" is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber, and shall include, but not be limited to, any of the following, unless in a specific instance such a use would be contrary to the preceding definition of compatible use:

(1) Management for watershed.

(2) Management for fish and wildlife habitat or hunting and fishing.

(3) A use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas.

(4) The erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities.

(5) Grazing.

(6) A residence or other structure necessary for the management of land zoned as timberland production.

(i) "Parcel" means that portion of an assessor's parcel that is timberland, as defined.

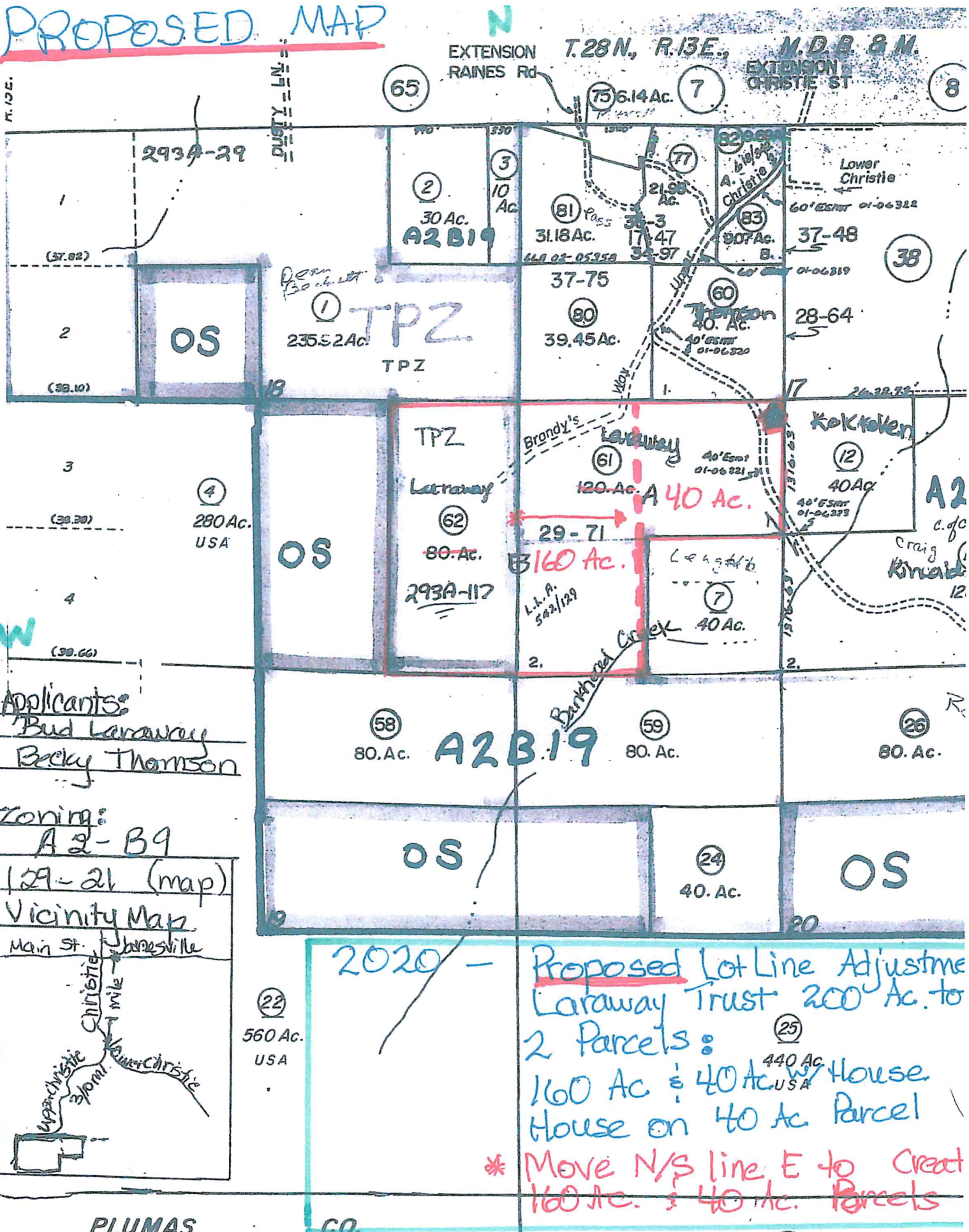
(j) "Anniversary date" means the anniversary of the date on which zoning is established pursuant to Section 51112 or 51113 takes effect.

(k) "Tax rate area" means a geographical area in which there is a unique combination of tax levies.

(l) "Nonconforming use" means any use within a TPZ which lawfully existed on the effective date of zoning established pursuant to Sections 51112 and 51113, and continuing since that time, which is not a compatible use.

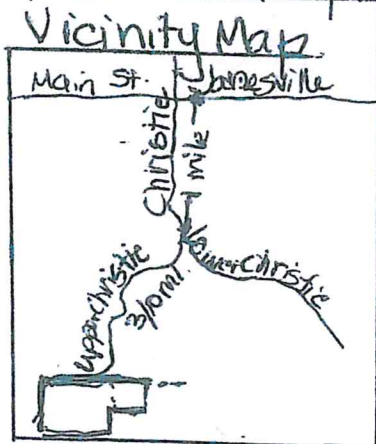
(Added by renumbering Section 51100 by Stats. 1982, Ch. 1489, Sec. 1.)

PROPOSED MAP



Applicants:
Bud Laraway
Becky Thomson

Zoning:
A2-B9
(29-21 (map))



PLUMAS

CO.

RM. 17 Pg. 99 Hartford/Brown	29	RS 28 PG. 64 LA
RS 18 Pg. 59 Gage		RS 29 PG. 58 WH
PM 19 Pg. 66, 67 Check		RS 329 PG. 71 EM
PM 27 Pg. 89, 90 Lunsford		PM 31 PG. 17 ARI
RS 28 Pg. 67 Whitehead		PM 34 PG. 14 REL



LOT LINE/MERGER APPLICATION

FILING FEE: \$500 and ENV HEALTH FEE: \$85.00 per parcel
DEPARTMENT OF PLANNING AND BUILDING SERVICES
707 Nevada Street, Suite 5 • Susanville, CA 96130-3912
(530) 251-8269 • (530) 251-8373 (fax)
www.co.lassen.ca.us

RECEIVED

NOV 06 2020

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Form must be typed or printed clearly in black or blue ink. All sections must be completed in full.

This application consists of one page; only attach additional sheets if necessary.

FILE NO. LL #2020-007

Property Owner/s	Property Owner/s
Name: <u>Becky Thomson</u>	Name: <u>Bud Laraway</u>
Mailing Address: <u>462-600 Upper Christie Rd.</u>	Mailing Address: <u>P.O. Box 425</u>
City, ST, Zip: <u>Janesville, CA 96114</u>	City, ST, Zip: <u>Shaver Lake, CA 93664</u>
Telephone: <u>(530) 253-3681</u> ^{cell} <u>(530) 251-3953</u>	Telephone: <u>(559) 289-9037</u> ^{Fax}
Email: <u>larawaythomson1@hotmail.com</u>	Email: <u>budski@netptc.net</u>

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input checked="" type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name:	Name:
Mailing Address:	Mailing Address:
City, ST, Zip:	City, ST, Zip:
Telephone: Fax:	Telephone: Fax:
Email:	Email: License #:

OLD APN 129-210-05,06 & 08

Project Address or Specific Location: <u>462-300 Upper Christie, Janesville, CA 96114</u>			
Deed Reference: Book:	Page:	Year:	Doc#:
Zoning: <u>A2-B9</u>	General Plan Designation:		
Parcel Size (acreage): <u>200 Ac.</u>	Section:	Township:	Range:

Assessor's Parcel Number(s):	<u>129 - 210-62-11</u>	-	-	-	-
	<u>129 - 210-61-11</u>	-	-	-	-

Parcel	Size before adjustment (sq. ft. or acres)	Size after adjustment (sq. ft. or acres)
A	<u>120 Ac</u>	<u>40 Ac</u>
B	<u>80 Ac</u>	<u>160 Ac</u>
C		
D		

SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT: I have read this application and state that the information given is both true and correct to the best of my knowledge. I agree to comply with all County ordinances and State laws concerning this application.	*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided).
<u>Becky Thomson</u> ^{Date:} <u>4, 2020</u>	<u>Bud Laraway</u> ^{Date:} <u>11-4-20</u>
Date:	Date:

See associated process form for required attachments and instructions.

CURRENT MAP

EXTENSION
RAINES Rd

T.28N.

3E.

M.D.B. & M.

EXTENSION
CHRISTIE ST

293A-29

DUSTY LN

65

75 6.14 Ac.

7

8

2
30 Ac.
A2B19

3
10 Ac.

81
31.18 Ac.

82
9.69 Ac.

Lower
Christie

60' ESM 01-06322

37-48

38

Don
30 ch lot

1

TPZ
235.52 Ac.

37-75
39.45 Ac.

60
40 Ac.

28-64

OS

4
280 Ac.
USA

OS

TPZ

Laraway

62

80 Ac. B

293A-117

Brandy's

Laraway

61

120 Ac. A

29-71

L.L.A.
542/129

Length

7

40 Ac.

Kokoken

12

40 Ac.

A2B19

c.d.c. 620 1/2

Craig
Kinard

13

120 Ac.

58
80 Ac.

A2B19

59
80 Ac.

26
80 Ac.

Reinh

OS

24
40 Ac.

OS

2020 - Current Property Lines/Ownership
Laraway Trust 200 Ac. total
House w/ septic
2 Parcels: 120 Ac
440 Ac. USA
80 Ac.

22
560 Ac.
USA

25
440 Ac.
USA

PLUMAS

CO.

PM, 17 Pg. 99 Hartford/Brown
RS 18 Pg. 59 Gage
PM 19 Pg. 66, 67 Check
PM 27 Pg. 89, 90 Lunsford
RS 28 Pg. 67 Whitehead

29

RS 28 PG. 64 LARAWAY
RS 29 PG. 58 WHITEHE
RS 29 PG. 71 EMERSON
PM 31 PG. 17 ARMSTRO
PM 34 PG. 14 REDWINE

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION GRANTING NORMAN “BUD” LARAWAY AND BECKY THOMSON’S APPEAL FILED DECEMBER 14, 2020, AND THEREBY APPROVING LOT LINE ADJUSTMENT # 2020-007, LARAWAY FAMILY 1992 REVOCABLE TRUST ET AL.

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing conducted February 2, 2021, has considered Lot Line Adjustment Application #2020-007, filed by Norman “Bud” Laraway and Becky Thomson, and has considered their appeal, submitted December 14, 2020, of the Technical Advisory Committee’s disapproval of the above application; and

WHEREAS, said application is an application to adjust the lot lines between two parcels that together total approximately 200 acres. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size. If approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size. The address for Parcel A is 462-300 Upper Christie Street, Janesville, CA 96114, whereas Parcel B does not have an address. The subject parcels are located approximately two miles south of the intersection of Christie Street and Janesville Main Street. Parcel A: APN 129-210-61. Parcel B: APN 129-210-62.

WHEREAS, Government Code Section 66412(d) states in part that a local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

WHEREAS, the Environmental Review Officer has determined that this proposal is exempt from the California Environmental Quality Act under Sections 15061(b)(3) and 15305 of the 2021 CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds as follows:
 - a. That the proposed project is consistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, Lassen County Code Chapters 18.18, 18.70, and 18.84, and relevant building ordinances.
3. The Planning Commission hereby concurs with the Environmental Review Officer that the project qualifies for exemptions, pursuant to Sections 15061(b)(3) and 15305 of the 2021 CEQA Guidelines.
4. The Planning Commission hereby grants the appeal filed by Norman “Bud” Laraway and Becky Thomson of the Technical Advisory Committee’s disapproval of this project, and thereby approves Lot Line Adjustment # 2020-007, subject to the conditions of approval set forth in Exhibit “A” attached hereto.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 2nd day of February, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

EXHIBIT "A"

CONDITIONS OF APPROVAL
LOT LINE ADJUSTMENT #2020-007

1. The applicants shall provide current Condition of Title Guarantee reports for the two parcels shown on the tentative maps and listed on the application submitted for Lot Line Adjustment No. 2020-007.
2. The adjustment of the boundary lines shall be completed as shown on the tentative maps submitted for Lot Line Adjustment No. 2020-007.
3. A Certificate of Lot Line Adjustment shall be prepared by a California Licensed Land Surveyor or California Registered Civil Engineer, who is authorized to practice land surveying pursuant to Section 8731 of the Business and Professions Code of the State of California, and be submitted to the Lassen County Surveyor for review, approval and recording. This Certificate of Lot Line Adjustment shall acceptably describe the boundaries of the resultant parcels and shall be executed by Norman E. Laraway, as Trustee of the 1992 Laraway Family Revocable Trust, under Declaration of Trust dated September 17, 1992, and as Successor Trustee of Trust A and Trust B Thereunder, as record owner of interest in the properties involved. The submittal of the Certificate of Lot Line Adjustment shall also include a statement from the Licensed Land Surveyor or Civil Engineer preparing it stating the Certificate of Lot Line Adjustment was prepared by him/her or under his/her direction and control and shall be signed and sealed in accordance with the California Code of Regulations, Title 16, Division 5, Article 1. This submittal of the Certificate of Lot Line Adjustment shall also include appropriate fees for review and recording of all required documents.
4. All executed deeds required to effect the lot line adjustment shall be recorded concurrently with the Certificate of Lot Line Adjustment if parcels being adjusted are owned by different entities. These deeds should reference Lot Line Adjustment No. 2020-007 and a Preliminary Change of Ownership Report shall accompany each executed deed.
5. If there are any Deeds of Trust encumbering either of the two existing parcels shown on the tentative map submitted for Lot Line Adjustment No. 2020-007, the legal descriptions for the Deeds of Trust shall be modified to reflect the changes requested in the boundary lines and be recorded concurrently with the Certificate of Lot Line Adjustment.
6. If a field survey is performed to establish the locations or dimensions of the boundary lines of adjusted parcels or to monument the boundaries of the adjusted parcels, a Record of Survey shall be submitted to the Lassen County Surveyor for review, approval and filing in accordance with Section 8762 of the California Business and Professions Code. This Record of Survey shall reference Lot Line Adjustment No. 2020-007, the date of approval of the Lot Line Adjustment by the Technical Advisory Committee and the recording information of the recorded Certificate of Lot Line Adjustment. This Record of Survey shall be recorded concurrently with the Certificate of Lot Line Adjustment and its submittal shall include appropriate fees for reviewing and filing of the Record of Survey.

7. Prior to recordation of the Certificate of Lot Line Adjustment, documentation shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all properties involved in the proposed Lot Line Adjustment.

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION DENYING
NORMAN “BUD” LARAWAY AND BECKY THOMSON’S APPEAL FILED DECEMBER
14, 2020, AND THEREBY DISAPPROVING LOT LINE ADJUSTMENT # 2020-007,
LARAWAY FAMILY 1992 REVOCABLE TRUST ET AL.

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing conducted February 2, 2021, has considered Lot Line Adjustment Application #2020-007, filed by Norman “Bud” Laraway and Becky Thomson, and has considered their appeal, submitted December 14, 2020, of the Technical Advisory Committee’s disapproval of the above application; and

WHEREAS, said application is an application to adjust the lot lines between two parcels that together total approximately 200 acres. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size. If approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size. The address for Parcel A is 462-300 Upper Christie Street, Janesville, CA 96114, whereas Parcel B does not have an address. The subject parcels are located approximately two miles south of the intersection of Christie Street and Janesville Main Street. Parcel A: APN 129-210-61. Parcel B: APN 129-210-62.

WHEREAS, Government Code Section 66412(d) states in part that a local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

WHEREAS, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves, pursuant to Sections 15061(4) and 15270(a) of the 2021 CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds as follows:
 - a. That the proposed project is not consistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, Lassen County Code Chapters 18.18, 18.70, and 18.84 (which relate to the A-2, T-P-Z, and B zoning districts, respectively), and relevant building ordinances.
 - b. Lassen County Code Section 18.70.010 states the intent behind the T-P-Z zoning district as follows:

The T-P-Z district is devoted to those areas dedicated to the growing, conserving, and production of timber in areas of sufficient size to be economically feasible. It is designed to protect these areas from intrusion by incompatible uses and to separate these areas from a mixture of uses which may be hazardous or unsafe.

- c. Land Use Policy 42 of the *Lassen County General Plan, 2000* states:

The County supports the conservation and management of timber production areas for the production of timber and other multiple uses compatible with timber production and shall, within the County's authority, protect these areas from land uses (e.g. residential development) and factors which would significantly restrict their capacity for production.

- d. In addition, if this lot line adjustment were approved, residential uses (including a residence) would be allowed immediately adjacent to the portion of the resultant parcel that is zoned T-P-Z. As the parcels are currently configured, a 30-foot fire safety setback required by Lassen County Code Section 9.16.330 and the 2020 State Responsibility Area Fire Safe Regulations would create a de facto buffer between the parcel currently zoned T-P-Z and any residential development proposed.
- e. In light of the above, the Planning and Commission finds that allowing the creation of a parcel that is split-zoned that has both T-P-Z and A-2 zoning districts exacerbates an instance of zoning incompatibility.
- f. In light of the above, the Planning Commission finds that the proposed lot line adjustment is inconsistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, and the zoning standards set forth in Title 18 of the Lassen County Code.
3. The Planning Commission hereby concurs with the Environmental Review Officer that the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves, pursuant to Sections 15061(4) and 15270(a) of the 2021 CEQA Guidelines.
4. The Planning Commission specifically adopts the findings made at the December 3, 2020, regular meeting of the Technical Advisory Committee (TAC).
5. The Planning Commission hereby denies the appeal filed by Norman "Bud" Laraway and Becky Thomson of the Technical Advisory Committee's disapproval of this project, and thereby upholds disapproval of Lot Line Adjustment # 2020-007.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 2nd day of February, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

Use Permit #2020-007, Laraway 1992 Revocable Trust et al.

