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From: Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>
Sent: Tuesday, February 01, 2022 7:48 PM
To: leiloni@landlogistics.com; Planning Clerk
Cc: Ford, John
Subject: comments on PLN-2021-17197 (Feb 3, 2022)

Here are some comments on the Brodt CDP modification scheduled for the February 3rd meeting for the Planning Commission's consideration:

1. The proposed project is described as a "Farm Stay" operation, but the agricultural tourism component of the farm stay experience will be located at a separate property from the "stay" (lodging) component. Condition 23 on the existing permit prohibits the site from being used as a vacation rental, yet there are no conditions requiring the agricultural tourism component to be combined with the lodging aspect of the project, and it's also unclear how such conditions if they were to be added would be enforced. It's unclear how the project as proposed is consistent with Eel River Area Plan sec. 3.34 and with the allowed uses on ag lands under the County's LCP (ERAP chapter 5, which allows a residence only as incidental to the principal use of the land for farming).
2. The existing permit includes condition 24, which required submittal of an annual monitoring report to the Planning Division for the first three years of operation by October 31st of each year documenting conformance with the approval plans and permit conditions. As stated in the condition, the purpose of the reporting requirement was to permit County staff to review the adequacy of the operational restrictions and, if appropriate, suggest ways to better address any neighborhood issues that may arise from the permitted operations. The reporting was required to include details on complaints received and how such complaints were resolved, number of guests, sound readings, and dust suppression schedule. If noncompliance was reported, the Planning Director was supposed to schedule the matter for the Planning Commission to consider permit revocation.

The staff report for the proposed modification does not discuss compliance with this condition, so it is unclear whether there were complaints received and if so how the issues were resolved. Commission enforcement staff did receive several complaints related to the permitted development over the past year and has been coordinating with County enforcement staff on the alleged permit violations. In its evaluation of the proposed application for the farm stay use on the site in addition to the permitted event use, the Planning Commission should consider the information submitted to the County as required by condition 24 and consider whether annual monitoring and reporting should be required to continue. The staff recommendation does not include condition 24 as a required condition of this permit modification (no ongoing monitoring/reporting is recommended), and there are no findings related to this condition or why it may no longer be needed.

3. The underlying permit permitted the event use on the site as a temporary use. Is the event use being converted to a permanent, non-temporary use under this permit modification application? It's unclear when the authorization period for the temporary event use is supposed to end since there are no findings or conditions of approval related to timing/duration of the temporary use, and if the temporary use is now being considered for conversion to a permanent use, there are no findings related to how this new use conforms with the allowed uses of the site under the Eel River Area Plan.

Thank you,

Melissa B. Kraemer *(she/her)*

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