

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on December 7, 2021

RESOLUTION NO. _____
Establishing the Carr Agricultural Preserve
with Uniform Rules Including Compatible Uses
(PLN-2020-16295)

WHEREAS, the County of Humboldt has been requested to establish an agricultural preserve to include the lands described in the attached Exhibit A; and

WHEREAS, the County of Humboldt is authorized to establish agricultural preserves pursuant to the California Land Conservation Act of 1965 (hereafter the "Act") and the County's Resolution Establishing Guidelines for Agricultural Preserves (hereafter the "Guidelines"); and

WHEREAS, the Humboldt County Planning Commission has considered and approved the establishment of this proposed agricultural preserve, and has made the findings required to support such approval pursuant to the Act and Guidelines; and

WHEREAS, the procedural requirements to establish an agricultural preserve as required by the Act and Guidelines have been followed; and

WHEREAS, the land to be included within the agricultural preserve is, and will continue to be, used for the purposes of producing agricultural commodities for commercial purposes and uses compatible with agriculture; and

WHEREAS, this Board is authorized by statute to determine according to uniform rules what constitutes a compatible use of land within each preserve;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The hereinafter-described real property located in the County of Humboldt is hereby designated and established as a Class B Agricultural Preserve within the meaning of and pursuant to the California Land Conservation Act of 1965, including amendments thereto, and shall be known as and may be referred to as: Agricultural Preserve No. _____. Said Property, is described in Exhibit A attached hereto.

2. The following findings are hereby made with respect to the establishment of this proposed agricultural preserve:

- A. the establishment of this proposed Agricultural Preserve is consistent with the Humboldt County General Plan;
- B. the requirements of the California Environmental Quality Act have been met; and
- C. the requirements of the Williamson Act (Government Code Section 51200 et seq) have been met.

3. The following uses are hereby declared to be compatible permitted uses or uses permitted with a use permit on all lands included within the recommended agricultural preserve:

A. Permitted Uses:

- (1) Single family residences essential for agricultural operations and noncommercial guest houses. One (1) single detached farm residence may be allowed for each ownership unit in the preserve.
- (2) Field, row, tree, berry and bush crops, including timber growing and harvesting.
- (3) Raising and grazing of horses, cattle, sheep and goats.
- (4) Dairies.
- (5) Nurseries, greenhouses, aviaries, apiaries, and mushroom farms.

B. Uses Permitted with a Use Permit:

- (1) Farms devoted to the hatching, raising, dressing and marketing for commercial purposes of chickens, turkeys, other fowl or poultry, rabbits, chinchillas, beavers, fish, frogs or hogs.
- (2) Fruit and vegetable storage or packing plants and wayside stands for sale of products produced on the premises.
- (3) Grain and produce storage warehouses.
- (4) Dog kennels.
- (5) Excavation of earth and soil for agricultural purposes only.
- (6) Animal feed yards and sale yards.

- (7) Extraction of minerals and petroleum products consistent with Sections 51238.1 and 51238.2 of the Government Code.
- (8) Labor camps.
- (9) Animal hospitals.
- (10) The erection, construction, alteration or maintenance of gas, electric, water, communication facilities.
- (11) Public stables and training facilities.
- (12) Agricultural-related recreation facilities, such as hunting and duck camps but excluding recreational activities such as golf courses, shooting ranges or similar activities which require non-agricultural development.
- (13) Home occupations and cottage industries.
- (14) Agricultural homestays.
- (15) Incidental public service purposes consistent with Section 51293 of the Government Code.
- (16) Any other use determined to be a compatible use as provided in Section 51238.1 of the Government Code by the Board of Supervisors after notice and public hearing. Such uses shall be deemed a compatible use in any agricultural preserve. The Director of the Planning and Building Department shall maintain a list of uses found to be compatible pursuant to this section.

Some of the above listed uses will require a Use Permit in the Agricultural Exclusive Zone District, or require discretionary review by the Board of Supervisors, prior to the initiation of the use or activity. Uses which are included in the list of Uses Permitted with a Use Permit may be allowed without a Use Permit or discretionary review only if the Planning Director finds them to be "accessory" to a listed Permitted Use in paragraph 1.A above (i.e., the use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to, the "Permitted Use").

BE IT FURTHER RESOLVED that a certified copy of this resolution and the attached map of Agricultural Preserve No. ____ shall be filed in the office of the County Recorder by the Clerk of the Board of Supervisors.

Adopted on motion by Supervisor
and the following vote:

, seconded by Supervisor

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors--
ABSTAIN: Supervisors--

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Seal of
said Board of Supervisors

KATHY HAYES
Clerk of the Board of Supervisors of
the County of Humboldt, State of California

Exhibit A
Legal Descriptions

The following describes APNs 223-071-013, 223-071-004, 223-052-007, 223-016-006, 216-134-010, 223-016-008, 223-071-015, and 223-012-017:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

TRACT A

The West Half of the Southwest Quarter of Section 27 and the North Half of the Southeast Quarter of Section 28, in Township 4 South, Range 4 East, Humboldt Meridian.

Being the same as described in the Patent recorded in Book 4 of Patents, Page 344, Humboldt County Records.

TRACT B

The South Half of the Southeast Quarter Quarter of Section 28 and the West Half of the Northeast Quarter of Section 33, in Township 4 South, Range 4 East, Humboldt Meridian.

Being the same as described in the Patent recorded in Book 2 of Patents, Page 511, Humboldt County Records.

TRACT C

The East Half of the Northeast Quarter and the North Half of the Southeast Quarter of Section 33, in Township 4 South, Range 4 East, Humboldt Meridian.

Being the same as described in the Patent recorded in Book 5 of Patents, Page 295, Humboldt County Records.

TRACT D

The Northwest Quarter of Section 33, in Township 4 South, Range 4 East, Humboldt Meridian.

Being the same as described in the Patent recorded in Book 6 of Patents, Page 347, Humboldt County Records.

TRACT E

The Southwest Quarter of the Northwest Quarter and the Northwest of the Southwest Quarter of Section 24, and the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 23, in Township 4 South, Range 4 East, Humboldt Meridian.

Being the same as described in the Patent recorded in Book 5 of Patents, Page 47, Humboldt County Records.

TRACT F

The Southwest Quarter of the Northwest Quarter of Section 27; and the Southeast Quarter of the Northwest Quarter and the South Half of the Northeast Quarter of Section 28, Township 4 South, Range 4 East, Humboldt Meridian.

Being the same as described in the Patent recorded in Book 3, Page 641 of Patents, Humboldt County Records.

RESERVING from Tracts A through Tract F, unto the Grantor, its successors and assigns a non-exclusive easement 70 feet in width for ingress, egress and public utilities, more particularly described as Parcel One of Tract B in the Partial Reconveyance recorded February 21, 2001, as Instrument No. 2001-4176-36, Humboldt County Records.

ALSO RESERVING from Tracts A through Tract F, unto the Grantor, its successors and assigns non-exclusive easements for ingress, egress and public utilities over, under, and across strips of land 60 feet in width, described as follows:

See Exhibit B attached hereto and made a part hereof.

TRACT G

PARCEL ONE

A non-exclusive easement 70 feet in width for ingress, egress and public utilities in Sections 22, 23, 27, 28, 29, 30, and 33 in Township 4 South, Range 4 East, and Section 25 in Township 4 South, Range 3 East, Humboldt Meridian, in the County of Humboldt, State of California, more particularly described as Parcel One of Tract B in the Partial Reconveyance recorded February 21, 2001, as Instrument No. 2001-4176-36, Humboldt County Records.

PARCEL TWO

A non-exclusive easement for ingress, egress and public utilities over, under and across a strip of land 60 feet in width across the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 28, described as follows:

See Exhibit B attached hereto and made a part hereof.

EXHIBIT B

DESCRIPTION

That real property situate in the County of Humboldt, State of California, described as follows:

An unnamed road running from the Tube Road in the Northwest Quarter of the Southeast Quarter of Section 28 in Township 4 South, Range 4 East, Humboldt Meridian, Northwesterly to the South line of the Northeast Quarter of the Northwest Quarter of said Section 28.

An easement 70 feet in width lying 35 feet on each side of the following described center line in the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest Quarter, the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northwest Quarter, Sections 28 in Township 4 South, Range 4 East, Humboldt Meridian, in the County of Humboldt, State of California, more particularly described as follows:

COMMENCING at a point hereinafter referred to as Point "AA" which is marked by an aluminum cap in a well stamped "CA HPGN DENSIFICATION STA. 01-KD 1993" located on the West side of State Highway 101 at the South end of the Town of Garberville established and published by the National Geodetic Survey of the National Ocean and Atmospheric Administration as a Densification Station of the High Precision Geodetic Network;
thence North 82 degrees 16 minutes 48 seconds East 29448.21 feet to a 2-inch GIP marking the Northeast corner of Section 23 of said Township 4 South, Range 4 East and shown as Note #37 on Book 32 of Records of Surveys at Page 116 and Note #10 on Book 38 of Records of Surveys at Page 1;
thence South 57 degrees 31 minutes 07 seconds West 15082.13 feet to a point referred to as Point "OO", said point is located South 62 degrees 54 minutes 58 seconds West 51.73 feet from the Northeasterly terminus of that course described as South 62 degrees 54 minutes 58 seconds West 163.598 feet in Tract "B" Parcel One and shown as the Tube Road described in Document No. 2001-4176-36 recorded February 21, 2001 and the point of beginning;
thence along the center of an existing road the following courses:
thence North 55 degrees 40 minutes 10 seconds West 119.779 feet;
thence North 31 degrees 15 minutes 10 seconds West 72.130 feet;
thence North 35 degrees 55 minutes 18 seconds West 52.264 feet;

thence North 61 degrees 31 minutes 43 seconds West 329.835 feet;
thence South 88 degrees 55 minutes 23 seconds West 203.315 feet;
thence North 70 degrees 59 minutes 56 seconds West 174.119 feet;
thence North 89 degrees 24 minutes 01 seconds West 269.277 feet;
thence North 86 degrees 33 minutes 56 seconds West 50.177 feet;
thence North 66 degrees 06 minutes 42 seconds West 107.295 feet;
thence North 18 degrees 01 minutes 26 seconds West 83.965 feet;
thence North 48 degrees 02 minutes 46 seconds East 102.891 feet;
thence North 86 degrees 57 minutes 42 seconds East 113.197 feet;
thence North 53 degrees 12 minutes 40 seconds East 373.474 feet;
thence North 42 degrees 14 minutes 22 seconds East 123.935 feet;
thence North 16 degrees 43 minutes 30 seconds West 79.550 feet;
thence North 12 degrees 46 minutes 15 seconds West 80.410 feet;
thence North 46 degrees 28 minutes 49 seconds West 273.830 feet;
thence North 66 degrees 20 minutes 58 seconds West 113.970 feet;
thence North 34 degrees 24 minutes 30 seconds West 103.583 feet;
thence North 50 degrees 49 minutes 03 seconds West 164.964 feet;
thence North 35 degrees 06 minutes 46 seconds West 122.327 feet;
thence North 18 degrees 32 minutes 19 seconds West 229.597 feet;
thence North 37 degrees 50 minutes 34 seconds West 12.130 feet more or less to the South line of the Northeast Quarter of the Northwest Quarter of said Section 28;
thence continuing North 37 degrees 50 minutes 34 seconds West 193.017 feet;
thence North 26 degrees 24 minutes 04 seconds West 100.283 feet;
thence North 25 degrees 13 minutes 07 seconds West 249.076 feet;
thence North 55 degrees 21 minutes 29 seconds West 137.545 feet;
thence North 72 degrees 41 minutes 03 seconds West 114.690 feet;
thence North 02 degrees 38 minutes 31 seconds East 8.160 feet more or less to the intersection with a diagonal line drawn from the Northeast corner of the Northwest Quarter Southwesterly to the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 28 and the terminus of this parcel.

Surveyor's Statement: The above description was prepared by Michael R. McGee (PLS 3945), on May 7, 2002 and is based on a Field Survey. The courses given herein are derived from measured independent positions based on observations of the Global Positioning System. Bearings are based on the North American Datum of 1983 (1991.35 Adjustment of the High Precision Geodetic Network) State Plane Coordinates Zone I. Distances are units of the U.S. Survey Foot projected on the Zone I grid and should be multiplied by a combined factor of 1.0001054 to obtain ground distances. The convergence angle is - 1 degrees 08 minutes at the Center ¼ Corner of Section 28, rotate bearings herein left 1 degree 08 minutes to obtain geodetic bearings relative to North at said ¼ Corner.

The following describes 223-016-017:

All that real property situated in the County of Humboldt, State of California, described as follows:

The Southeast Quarter of the Southeast Quarter of Section 21, the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southeast Quarter of Section 22, the Northeast Quarter of the Northeast Quarter of Section 28, the Northwest Quarter of the Northwest Quarter, the East Half of the Northwest Quarter, the East Half of the Southwest Quarter, and the East Half of Section 27, Township 4 South, Range 4 East, Humboldt Meridian.

Those portions of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, and the Northeast Quarter of the Southeast Quarter of Section 22, Township 4 South, Range 4 East, Humboldt Meridian, that lie Southeasterly from the centerline of Tooby Ranch Road (also known as Tube Road as described in TRACT B PARCEL ONE of Instrument No. 2001-4176-36, Humboldt County Records).