

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of February 25, 2025

RESOLUTION NO. 25 –

**ESTABLISHING THE 2015 SEAN O'DAY AND KATHRYN O'DAY FAMILY TRUST, LLC
AGRICULTURAL PRESERVE WITH UNIFORM RULES INCLUDING COMPATIBLE USES (AGP#)**

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, IT IS HEREBY PROCLAIMED as follows:

1. The hereinafter-described real property located in the County of Humboldt is hereby designated and established as a Class A 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 and Preserve Map Exhibit B 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; and

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of February 25, 2025

- B. the requirements of the California Environmental 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. Two (2) single detached farm residences may be allowed when consistent with the General Plan density standard.
- (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.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of February 25, 2025

- (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 3.A above (i.e., the use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to, the “Permitted Use”).

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of February 25, 2025

IT IS FURTHER PROCLAIMED AND ORDERED 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.

Dated: _____

Supervisor Michell Bushnell, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, Seconded by Supervisor _____, and the following vote:

AYES: Supervisors: --

NAYES: Supervisors: --

ABSENT: Supervisors: --

ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, 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.

NIKKI TURNER
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of February 25, 2025

Exhibit A

PROPERTY DESCRIPTION

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

The Northeast quarter of Section 9, except a strip of the uniform width of 6.78 chains off the full length or the North end of said Northeast quarter;

The fractional North half of the Northwest quarter of Section 10;

A Strip of land 3 chains wide off the full length of the South end of the Southwest quarter of the Southwest quarter of Section 3, described as follows:

COMMENCING at the Southwest corner of said Section 3, and running thence North 3 chains; thence East 20 chains, more or less, to the East line of said Southwest quarter of Southwest quarter; thence South 3 chains to the Southeast corner thereof; and thence West 20 chains, more or less, to the point of beginning.

All in Township 2 North of Range 1 West, Humboldt Meridian, and containing 199.57 acres, more or less.

All according to the Survey No. 61 made by Joseph A. Shaw, filed in the Recorder's Office of said Humboldt County in the records of Licensed Surveys, Book 2A, Page 12.

EXCEPTING therefrom an undivided one-half interest in all oil, gas and other hydrocarbons and minerals now or at any time situate therein and thereunder together with all easements and rights necessary and convenient for the production, storage and transportation thereof and the exploration and testing of the real property and also the right to drill for, produce and use water from said real property in connection with its drilling or mining operations thereon.

Being the same as reserved in the deed to John E. Silva and wife dated April 26, 1949, recorded May 10, 1949, Book 94 of Official Records, Page 201, Humboldt County Records.