

## Attachment 5

### RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT Resolution Number 18-64

Case Number AGP-18-001

Assessor Parcel Numbers 106-021-002, 106-021-003, 106-021-007, 106-021-062

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Brodt Class D Agricultural Preserve application.**

**WHEREAS**, Merritt Brodt has applied to establish a new Class "D" Agricultural Preserve and Farmland Security Zone in the Ferndale area pursuant to the California Land Conservation (Williamson) Act; and

**WHEREAS**, the proposed Agricultural Preserve may be approved if it can be found that: (1) the proposed preserve is consistent with the County's General Plan (Section 51234 Government Code); (2) the land to be included in the agricultural preserve contract is, and will continue to be, used for the purposes of producing agricultural commodities for commercial purposes, and uses compatible with agriculture; (3) the preserve area should not be less than the required minimum acres of the type of preserve unless it is proven to the satisfaction of the Planning Commission and Board of Supervisors that the proposal is a viable working preserve meeting all of the qualifications pursuant to Prime Agricultural Lands or Non-Prime Lands of Statewide significance; (4) the land must be zoned for agricultural purposes and provide for minimum parcel sizes; (5) the land shall consist of prime and/or non-prime agricultural land of statewide significance; and

**WHEREAS**, the Farmland Security Zone may be approved if it can be found that: (1) the lands are designated on the Important Farmland Series maps or meet the definition of "prime" agricultural land per Government Code Section 51201 (c) and (2) the land is located within three (3) miles of the Sphere of Influence boundary of an incorporated city; and

**WHEREAS**, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, the State of California has determined that the establishment of agricultural preserves is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 17, Section 15317; and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 2, 2018.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The proposed agricultural preserve is consistent with the General Plan; and
2. The land is and will continue to be used for the purpose of producing agricultural commodities for commercial purposes, and uses compatible with agriculture; and
3. The proposed agricultural preserve is approximately 135 acres, and that the County Williamson Act Committee has determined it to be a viable working preserve; and
4. The land is zoned Agricultural Exclusive, and consists of prime agricultural lands, as defined by Section 51201 Government Code; and
5. The land is located within three (3) miles of the Sphere of Influence boundary of an incorporated city; and

6. The proposed project is categorically exempt from environmental review pursuant to Class 17, Section 15317 of CEQA; and

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law; and
2. Consider the application; and
3. Adopt the necessary findings prepared by Planning Staff; and
4. Adopt Resolution No. \_\_\_\_\_ establishing the Brodt Class "D" Agricultural Preserve and farmland Security Zone with Uniform Rules including Compatible Uses; and
5. Authorize the Chair of the Board to execute a Land Conservation Contract for the Class "D" Preserve and; and
6. Direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research; and
7. Direct the Clerk of the Board to give notice of the decision to the applicant, the California Office of Land Conservation and any other interested party; and
8. Direct the Clerk of the Board to file for record the executed Land Conservation Contract with the Humboldt County Recorder.

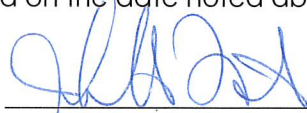
Adopted after review and consideration of all the evidence on August 2, 2018.

The motion was made by Commissioner Shepherd and seconded by Commissioner Mitchell:

AYES: Commissioners Mitchell, Levy, Morris, Edmonds, Shepherd and Bongio.

DECISION: Motion carries by roll call vote 6/0

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.



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John H. Ford  
Director, Planning and Building Department