

## **CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521  
VOICE (707) 826-8950  
FAX (707) 826-8960



# **F8a**

**A-1-HUM-22-0011**

**(BRODT)**

**April 29, 2022**

### **EXHIBITS**

- Exhibit 1 – Location Maps
- Exhibit 2 – Land Use and Zoning Map
- Exhibit 3 – Approved Plans
- Exhibit 4 – Adopted CDP conditions that apply to the site (original CDP and CDPM)
- Exhibit 5 – Farm Stay Information Binder for Guests (excerpt)
- Exhibit 6 – Approval of Agricultural Preserve and Compatible Uses Allowed
- Exhibit 7 – Appeal Received (reasons for appeal excerpted)
- Exhibit 8 – Final Local Action Notice and Findings for Approval

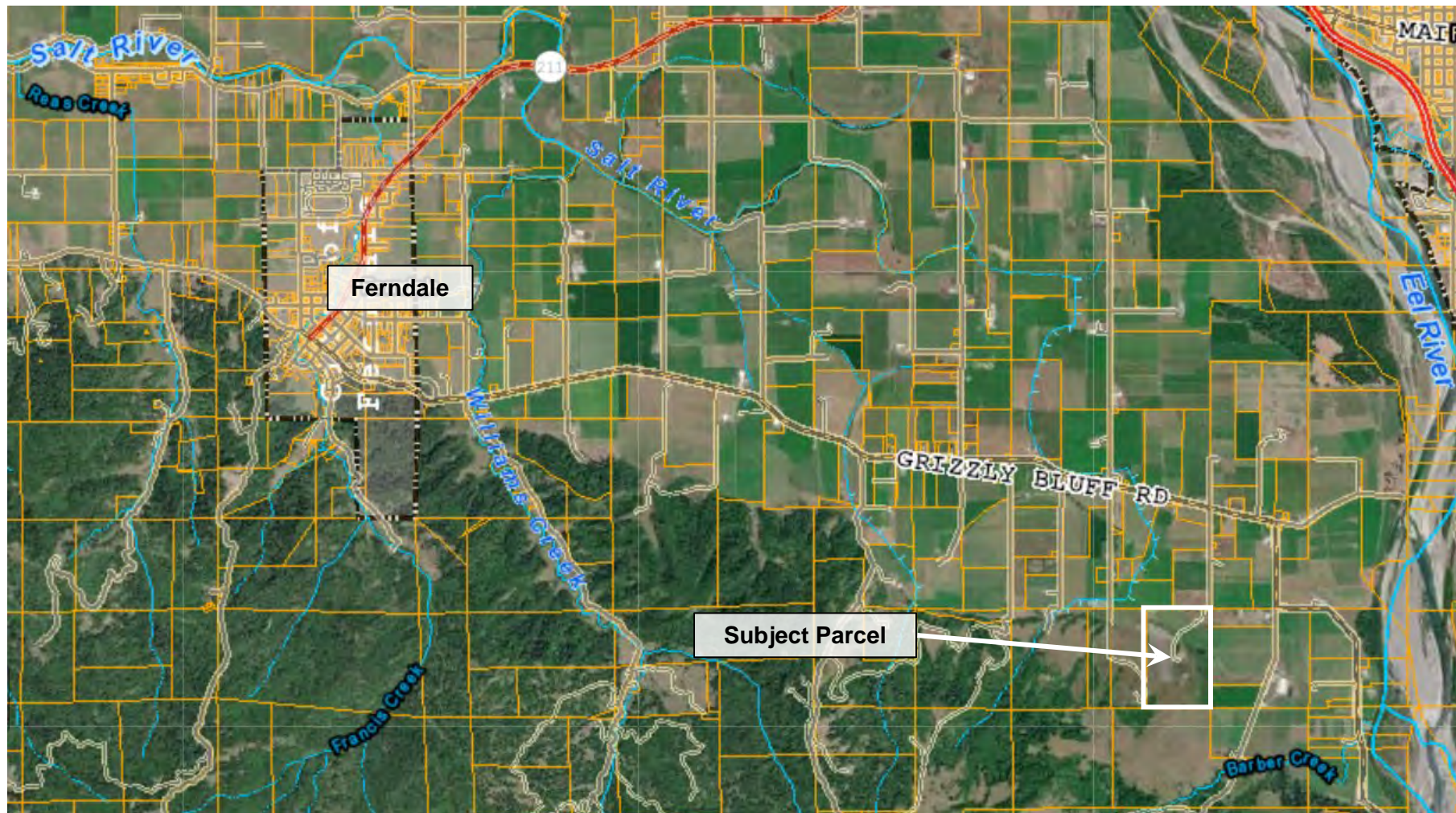
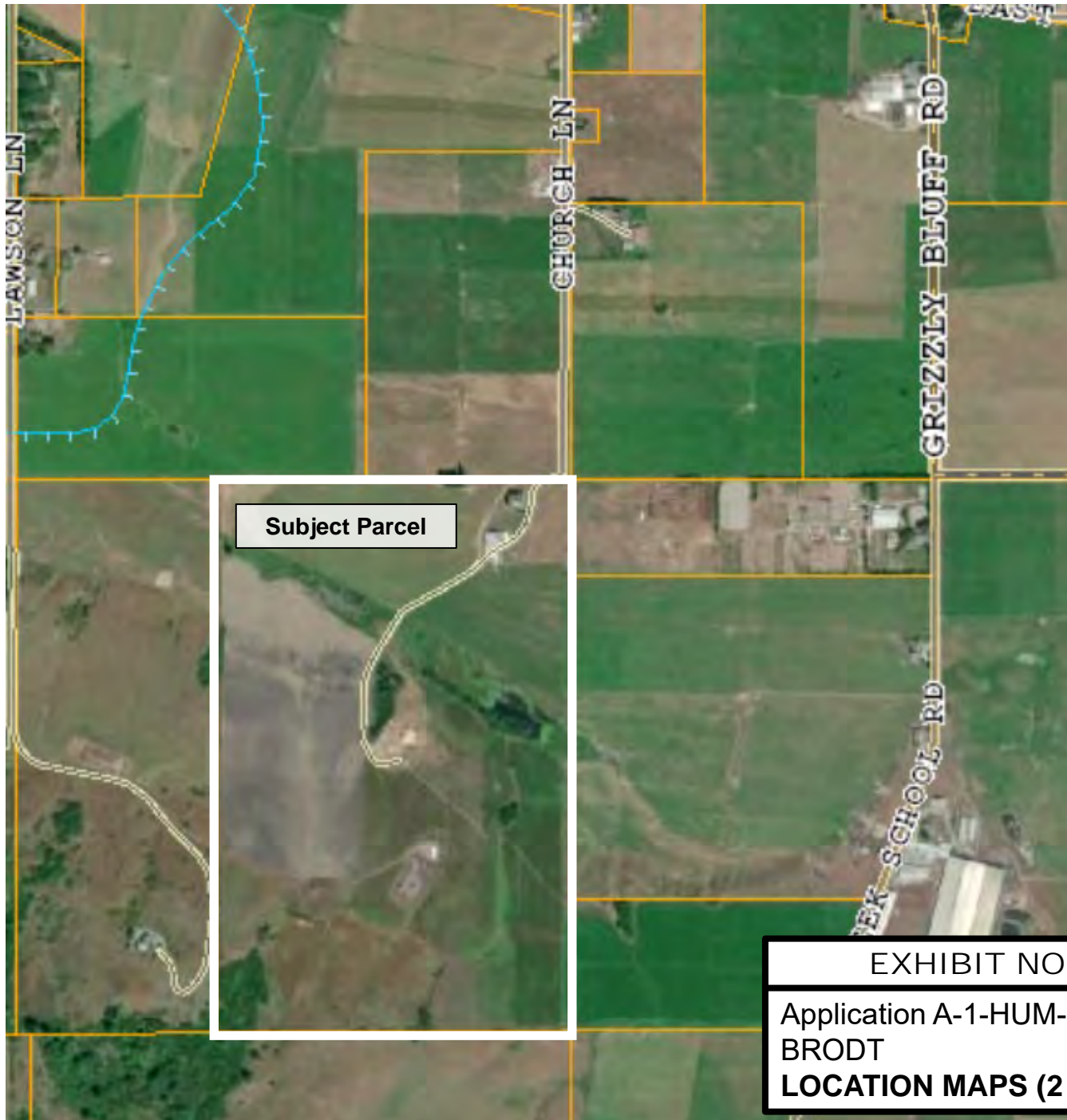


EXHIBIT NO. 1

Application A-1-HUM-22-0011  
BRODT  
**LOCATION MAPS (1 of 2)**

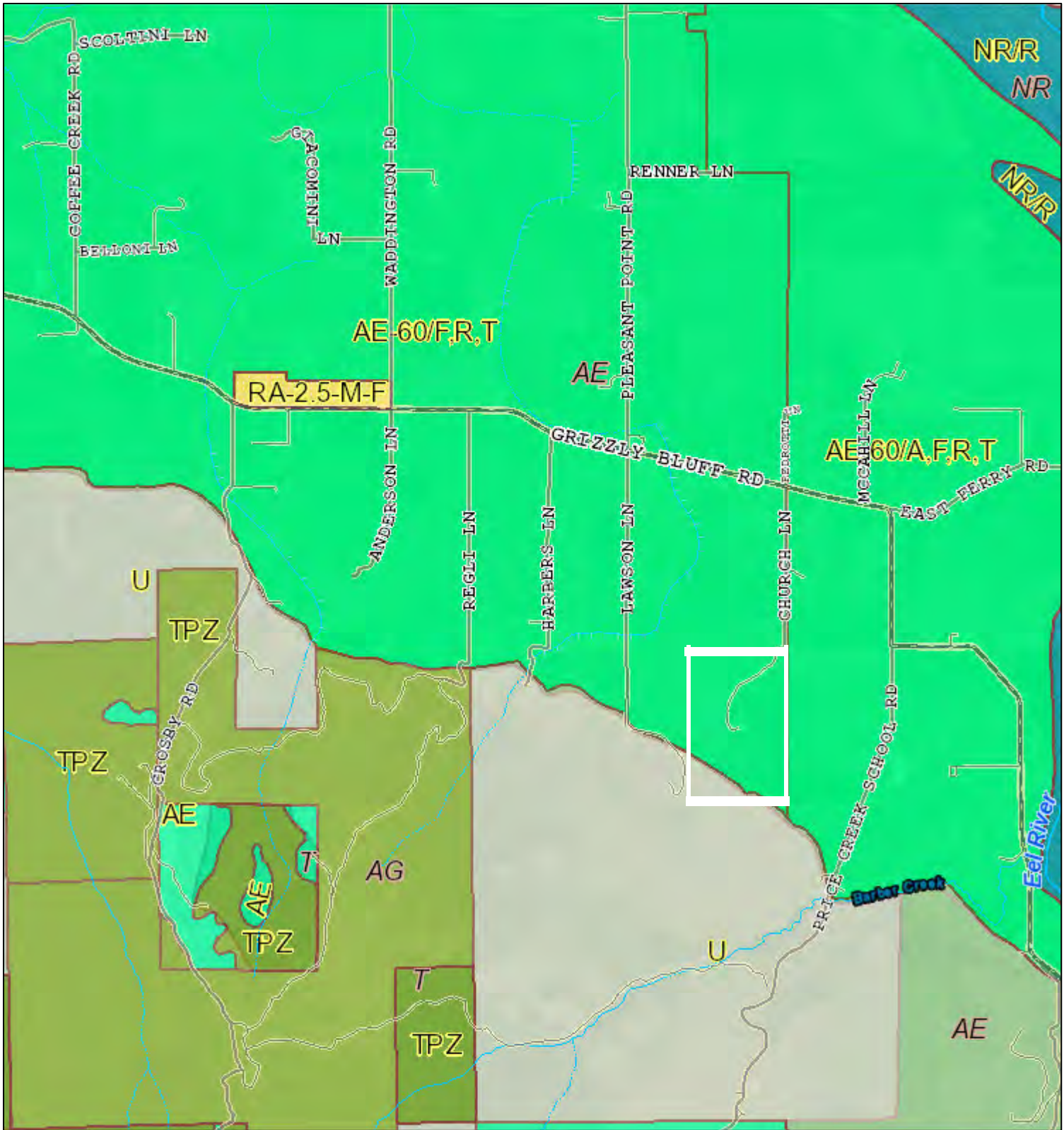


Subject Parcel

EXHIBIT NO. 1

Application A-1-HUM-22-0011  
BRODT  
**LOCATION MAPS (2 of 2)**

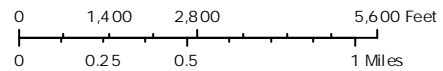




## ArcGIS Web Map

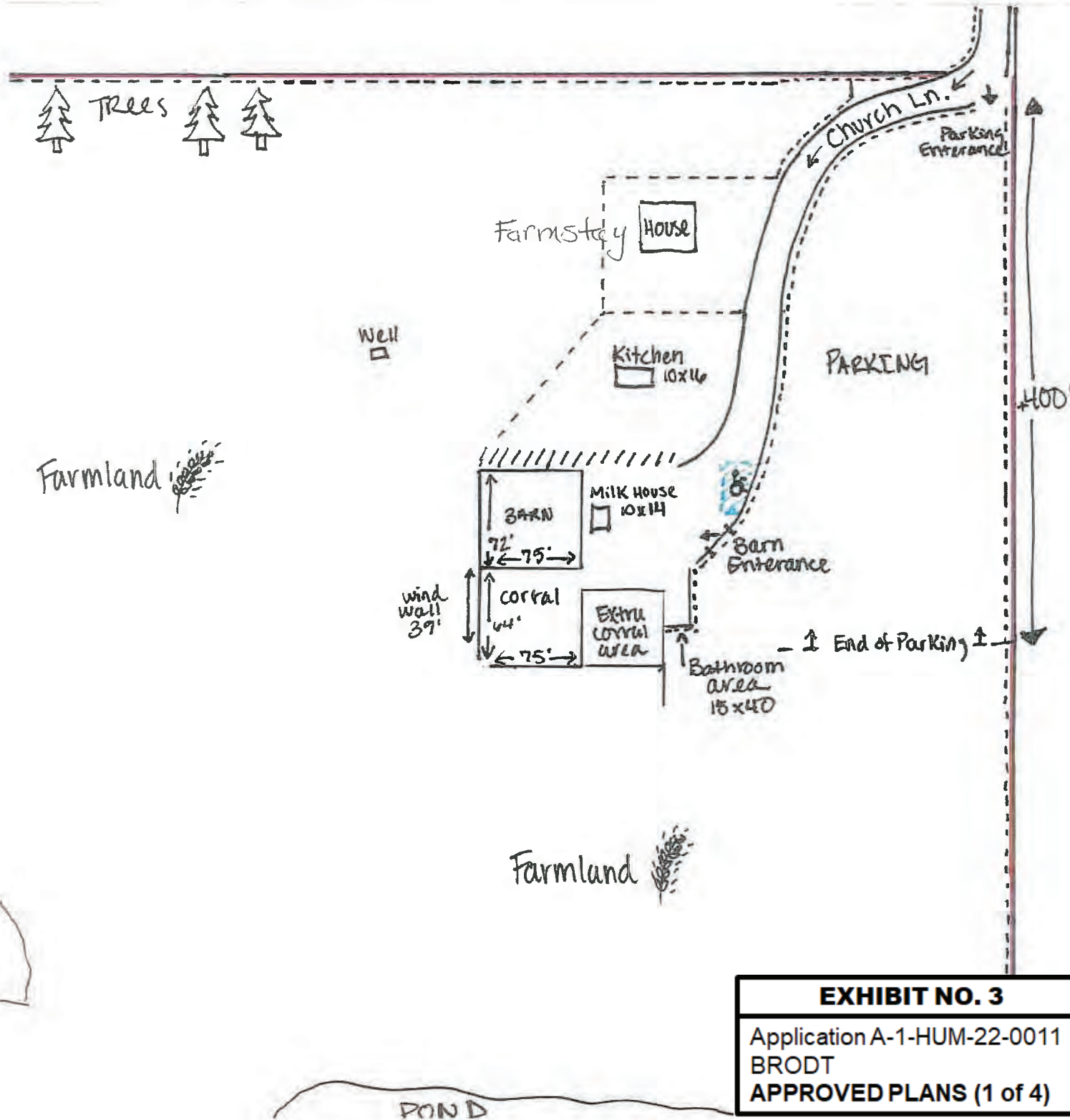
Humboldt County Planning and Building Department

- Highways and Roads**
- Private or Unclassified
  - Intermittent
  - Principal Arterials
  - Major River or Stream
  - Subsurface
  - Minor Arterials
  - Blue Line Streams**
  - Major Collectors
  - Perennial 1-3
  - Minor Collectors
  - Perennial >4
  - Local Roads



## EXHIBIT NO. 2

Application A-1-HUM-22-0011  
BRODT  
LAND USE AND ZONING



## Farm Stay at The Bluff Conceptual Narrative

The proposed Farm Stay at The Bluff is an agricultural tourism entity that will combine a lodging experience on a 120-acre working farm with hands on tour experiences at the Brodt Dairy on Fulmore Rd in Ferndale, California. The experience will utilize the recently permitted At The Bluff venue (Permit PLN-2018-14105), 530 Church Lane, Ferndale, California, for the lodging component and part of the tour and host guests at the Brodt Organic Dairy Ranch for a hands-on tour and educational experience at a modern state of the art pasture dairy. The guests will be able to tour a modern environmentally focused operation utilizing advanced manure management systems and robotic milking stations which will be up and operating by January 2022.

With a vast majority of the current population substantially removed from an understanding of the food supply network, venues like Farm Stay at The Bluff are increasingly providing an opportunity for guests to gain both an appreciation of the rural nature of the North Coast, and provide an educational opportunity that allows guests to gain an appreciation of the origins of their food products.

The proposed venue will be operated by Merritt and Brian Brodt, 5<sup>th</sup> generation dairy farmers, and will operate as a sole proprietorship. Reservations will be handled through Vacation Booking platforms with the average length of stay being one to three days. All conditions imposed on the recently permitted 12 events At The Bluff venue will be respected. The frequency of booking will result in a very minor traffic effect since the proposal will only generate 1 round trip between the venue and dairy tour and 90 percent of guests will arrive in one car. In the past, before the Brodt's purchased their dairy which now houses their employees, this house housed employees with up to 4-5 drivers in the one household driving daily on Church Lane. This alone will cut down usage of traffic on Church Lane. The applicants are currently in the process of paving Church Lane to eliminate any dust or traffic issues. The Brodt's approached the county and worked out a deal to pay half of the cost out of their own pocket to fix the county's road dust problem and by paving it, the dust problem will be eliminated altogether. The proposed venue will partner with local dairy product producers Rumiano Cheese and Humboldt Creamery which are the current

### **EXHIBIT NO. 3**

Application A-1-HUM-22-0011  
BRODT  
**APPROVED PLANS (2 of 4)**



processors of the venue dairy's output, to showcase a variety of local dairy products to the guests. The applicants envision the development of other local entity ties, and the possible inclusion of other educational experiences with local entities after the operation becomes established.

As lifelong residents of Humboldt county, the applicants are keenly aware of the appeal of this rural, lower pace community, and have endeavored to provide guests with a locale and experience for a respite from the pace of the modern world. The entity seeks to support the authenticity themes being used by the Visitors and Convention Bureau and showcase the direct honest lifestyle of the local agricultural community.

The Farm Stay concept is becoming established throughout the nation, and is being utilized by tourism promotion entities like VisitCalifornia.com to allow an increasing urban population the opportunity for experiencing the benefits and advantages of rural living. A typical guest will gain an understanding of the following aspects of an agricultural operation:

- 1) Day to Day operational functions and challenges.
- 2) Connect the "Cow to Carton" sequence of milk production.
- 3) The complexity of tailored feeding programs and their effect on herd health and productivity.
- 4) Sanitation processes and requirements for a healthy product.
- 5) Discussion of economic factors and an understanding of how small production agriculture is a challenged industry, Humboldt County historically supported over 200 dairies, but today finds itself with less than 80.
- 6) Personal contact with production animals including feeding and on occasion birth.

We feel that the North Coast is a premium venue for this opportunity and look forward to becoming the first entity of this type in Humboldt County to welcome guests to our community. Our historic ties to the community and often demonstrated ability to welcome guests from around the world promises a

**EXHIBIT NO. 3**

Application A-1-HUM-22-0011  
BRODT  
**APPROVED PLANS (3 of 4)**

treasured experience for our guests that can only enhance the reputation of Humboldt County.

**EXHIBIT NO. 3**

Application A-1-HUM-22-0011  
BRODT  
**APPROVED PLANS (4 of 4)**



# Memorandum

**To:** Planning Commission

**From:** John H. Ford, Director of Planning and Building

**Date:** February 1, 2022

**Subject:** Item 12: Brodt At the Bluff Farm-Stay,  
Conditional Use Permit and Coastal Development Permit Modification

Attached are revised conditions for the application referenced above. The changes result from the overlap between the existing approved event permit and the proposed farm stay. The conditions have been simplified to indicate all existing conditions for the event venue remain intact, and thus the proposed conditions relate solely to the Farm Stay. New Condition 1 makes this clear. The other condition modifications are summarized as follows:

Modifications to conditions 3, 7 and 8 are made for clarity, no change in regulatory effect.

Conditions (prior numbering) 8, 9, 10 and 11 are delated as they are related to parking and there is sufficient parking available at the farmhouse given the level of use.

Conditions (prior numbering) 13, 14, 15, 16, and 17 are deleted because they are conditions for the event venue and not applicable to the farm stay.

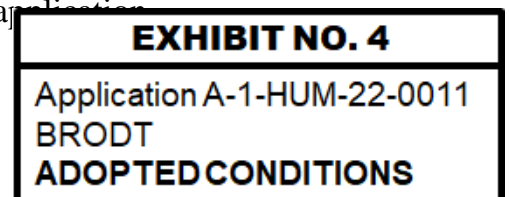
Condition 18 is deleted because it is so broad as to be unenforceable. This is a required finding for approval of the CUP.

Condition 19 is deleted because it is unnecessary as this requirement is county code.

Condition 20 is deleted because it is ambiguous about how this relates to the farm stay.

Informational note 1 is deleted because there is no physical development proposed.

Also attached are additional letters submitted in support of the application.



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

#### Conditions of Approval for the Conditional Use Permit and Modification of a Coastal Development Permit

APPROVAL OF THE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS

##### Conditions of Approval:

1. All Conditions of existing Special Permit and Coastal Development Permit (PLN-2018-14105) for the event venue remain in effect.

1-2. Farm-Stays shall be conducted consistent with the approved project Operations Plan and Description and these conditions of approval. Changes to the project, except for Minor Deviations per Section 312-11.1 of the Humboldt County Zoning Regulations, shall require modification of this permit.

2-3. ~~Per the referral comments received from the Environmental Health Department on August 16, 2021, The~~ Farm-Stay requires plan review and Restricted Food Services Facility Permit ~~w/~~from DEH Consumer Protection Program if facility is providing ~~potentially hazardous foods or~~ and onsite produced baked goods for gift baskets ~~at the~~ farm stay. Applicant must submit Application to Operate a Water System to DEH Consumer Protection Program and meet all requirements to operate as a transient non-community water system depending on number of connections

3-4. ~~3.~~ Applicant shall obtain a Building Permit for any proposed physical alteration of the existing structure used for the proposed Farm-Stay operation.

4-5. ~~4.~~ The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

5-6. ~~Within five (5) days of the effective date of the approval of this permit,~~ the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00.

6-7. ~~The property owner shall reside onsite during overnight stays. No consistent with previous discussions.~~

7-8. ~~No more than four (4) guest bedrooms with a maximum of eight (8) guests will be used-allowed~~ at one time. Only Farm-Stay guests will be served food from the kitchen located within the existing farmhouse to be used as a Farm-Stay. The owner/operator shall reside on the premises. No other onsite kitchens are approved for use to serve Farm-Stay guests as part of this permit.

8. ~~There shall be a minimum of one (1) parking space for each sleeping unit, plus two (2) manager parking spaces.~~

9. ~~Each normal size parking space shall be not less than eight feet (8') wide, eighteen feet (18')~~

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long and contain seven feet (7') of vertical clearance.

10. All parking must be located on the project site.

11. The parking area shall be annually aerated in November to ensure soils are not compacted.

12.9. Permanent signs advertising the site must comply with the following standards: "One sign is permitted advertising the Farm-Stay establishment. Notwithstanding any other provision of this Code, such sign shall not exceed four square feet (4sf) in the aggregate, shall be non-moving, and shall have, if any, only illumination which is indirect and non-flashing and shielded to prevent illumination off-site" (HCC §313-44) Zoning Regulations.

13. ~~Noise: All amplified music and speakers shall be directed inward from property lines and turned off by 10:00 p.m.~~ Noise level shall not exceed 60 dB at the property line and not be continuously or significantly heard on neighboring properties. ~~Noise readings using a handheld meter approved by the Planning Division shall be taken from the north and east property lines during each event with amplified music. The results of each reading shall be logged and included in the Annual Monitoring Report.~~

14. The applicant shall be responsible for proper off-site disposal of trash the cleanup of any litter created by each Farm-Stay. Containers for disposal of recyclable item shall be provided.

15. Any exterior lighting associated with a Farm-Stay shall be directed so as not to extend beyond the boundaries of the parcel and shall be limited to actual Farm-Stay dates.

16. ~~Calendar:~~ The applicant shall provide to all interested neighbors, a calendar schedule of Farm-Stays planned for the season. The notice shall include a contact number for the event operator, the days and times of each Farm-Stay, ~~the expected number of guests, the days and times for set-up and clean-up.~~

17. ~~Hours of operation:~~ Set up and cleanup of event site shall only occur on Fridays and Sundays from 12:00 p.m. to 6:00 p.m. For Saturday events, all guests must leave the event site by 11:00 p.m.

18. The use shall be conducted so as not to be detrimental to the public health, safety, or welfare, or a nuisance.

19. ~~All uses and development on Assessor's Parcel Number (APN) 106-111-004, require permit. Prior to development for new uses and implementation of new uses, the applicant shall consult with the Planning Department.~~

20. ~~Unpermitted uses:~~ Vacation rentals are not a permitted use on this parcel. Use of the residence in a manner inconsistent with the zoning shall constitute a violation and shall be grounds for permit revocation of this use permit. The Farm-Stay shall not be advertised as a vacation rental.

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#### Informational Notes:

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law



~~requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.~~

~~2.1.~~ The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.

~~3.2.~~ The Conditional Use Permit and Modification to a Coastal Development Permit shall expire and become null and void at the expiration of five (5) years after all appeal periods have lapsed (see "Effective Date"); except where use in reliance on the permit has commenced prior to such anniversary date. The period within which use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.

## Attachment 4

### Conditions of Approval for PLN-2018-14105 Special Permit & Coastal Development Permit

#### REVISED - CONDITIONS OF APPROVAL\*

\*Conditions of approval as adopted by the Humboldt County Planning Commission at the meeting of June 4, 2020.

Approval of the Special Permit and Coastal Development Permit is conditioned upon the following terms and requirements which must be fulfilled before work is initiated or during project implementation.

#### On-going Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. Events shall be conducted consistent with the approved project Operations Plan and Description and these conditions of approval. Changes to the project, except for Minor Deviations per Section 312-11.1 of the Humboldt County Zoning Regulations, shall require modification of this permit.
2. The County roadway shall be cleaned of any tracked mud, soil, and debris after each event.
3. **Dust suppression:** *The applicant shall submit a dust mitigation plan subject to the approval of the Planning Director. The plan for controlling fugitive dust from event operations shall be specific and include an application schedule, type of suppressant applied, how it is applied, and discuss other methods for controlling dust such as controlling auto speed. The North Coast Air Quality Management District may be able to provide assistance and can be contacted at (707) 443-3093.*
4. The applicant shall assure that vegetation adjacent to the roadway is maintained in a low, drivable condition during the duration of the event season, May through October. This maintenance may be coordinated with the other property owners using the roadway and, if necessary, the County Public Works Department.
5. The applicant shall follow the guidance in the referral comments from the Ferndale Fire Protection District and ensure that a traffic monitor is located at each of the turnouts on Church Lane, at the following intervals starting from the intersection of Grizzly Bluff Road: 660 feet, 1,320 feet, and 1,980 feet.
6. Traffic monitors shall be present at their location before the guests begin to arrive.
7. Traffic monitors shall ensure that all event traffic drives directly to the venue. No stopping and parking on the side of the road unless to pull over to allow oncoming autos or sizeable agricultural equipment to pass.
8. The applicant shall ensure that guests leaving the event do not stop or park on Church Lane unless it is to cede the right of way to emergency vehicles or large agriculture equipment.
9. The applicant shall place temporary speed limit signs in conspicuous locations (ex.: sturdy signs that can be affixed to the top of a fence pole) on both sides of the road along Church

Lane at the following intervals: at the entrance intersection of Church Lane and Grizzly Bluff Road, at 330 feet, at 990 feet, at 1,650 feet, and 2,310 feet.

10. Event guests driving on Church Lane shall not exceed the 10-mph speed limit. Traffic monitors auto traffic and remind drivers to obey the speed limit.
11. The applicant shall be responsible for proper off-site disposal of trash the cleanup of any litter created by each event. Containers for disposal of recyclable item shall be provided.
12. Any exterior lighting associated with an event use shall be directed so as not to extend beyond the boundaries of the parcel and shall be limited to actual event dates. Event lighting shall be turned off within 1-hour of the end of the event.
13. **Calendar:** The applicant shall provide to all interested neighbors, a calendar schedule of events for the season. The notice shall include a contact number for the event operator, the days and times of each special event, the expected number of guests, the days and times for set-up and clean up.
20. **Hours of operation:** Set up and cleanup of event site shall only occur on Fridays and Sundays from 12:00 p.m. to 6:00 p.m. For Saturday events, all guests must leave the event site by 11:00 p.m.
21. The use shall be conducted so as not to be detrimental to the public health, safety, or welfare, or a nuisance.
22. All uses and development on Assessor's Parcel Number (APN) 106-111-004, require permit. Prior to development for new uses and implementation of new uses, the applicant shall consult with the Planning Department.
23. **Unpermitted uses:** Vacation rentals are not a permitted use on this parcel. Use of the residence in a manner inconsistent with the zoning shall constitute a violation and shall be grounds for permit revocation of this use permit.



24. **Annual Monitoring Report:** The applicant shall submit an annual monitoring report to the Planning Division for the first three (3) years of operation and no later than October 31 of each year, once the use is initiated. The report shall document event conformance with the Plan of Operations & Traffic Management Plan, and the Conditions of Approval. The report shall contain:

- A log of any issues or complaints received and how the issue(s) were resolved.
- Number of guests
- Sound readings at north and east property lines
- Dust suppression schedule

A post-approval monitoring fee deposit may be required paid at time of report submittal. The purpose of this reporting requirement is to permit County staff and the applicant to review the adequacy of the operational restrictions, and, if appropriate, suggest ways to better address any neighborhood issues that may arise following a full season of operation. This duration of the reporting requirement may be reduced or extended at the discretion of the Planning Director. Should the report disclose substantial and repeated noncompliance with the terms and conditions of this permit, the Planning Director shall set the matter before the Planning Commission to determine if a recommendation for permit revocation is warranted.

25. The applicant is responsible for receiving all necessary permits and approvals from state and local agencies.

#### Informational Notes

This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date") except if temporary events have occurred before such anniversary date. The period within which the temporary use must commence may be extended, as provided by Section 312-11.3 of the Humboldt County Code.

# FarmStay at the Bluff

Experience by Brodt Dairy



530 Church Lane  
Ferndale, CA 95536

<b>EXHIBIT NO. 5</b>
Application A-1-HUM-22-0011 BRODT GUEST BINDER ( 1 of 20)

# Welcome!





# Farm Stay Experience



Please help yourself to a variety of local and homemade goodies!

Feel free to explore our beautiful 120-acre, 6<sup>th</sup>-generational dairy farm! See the self-guided map for walking trails around the farm and our beautiful duck pond. We have provided informational signs to inform you of our farm practices during your tour.

You can book a Dairy Tour for 2:30 PM, 3:30 PM, or 4:30 PM. Dairy Tours are located at 439 Fulmor Road in Ferndale. Please contact Merritt or see the “Dairy Tour” section for more details.

# Farm Stay Experience

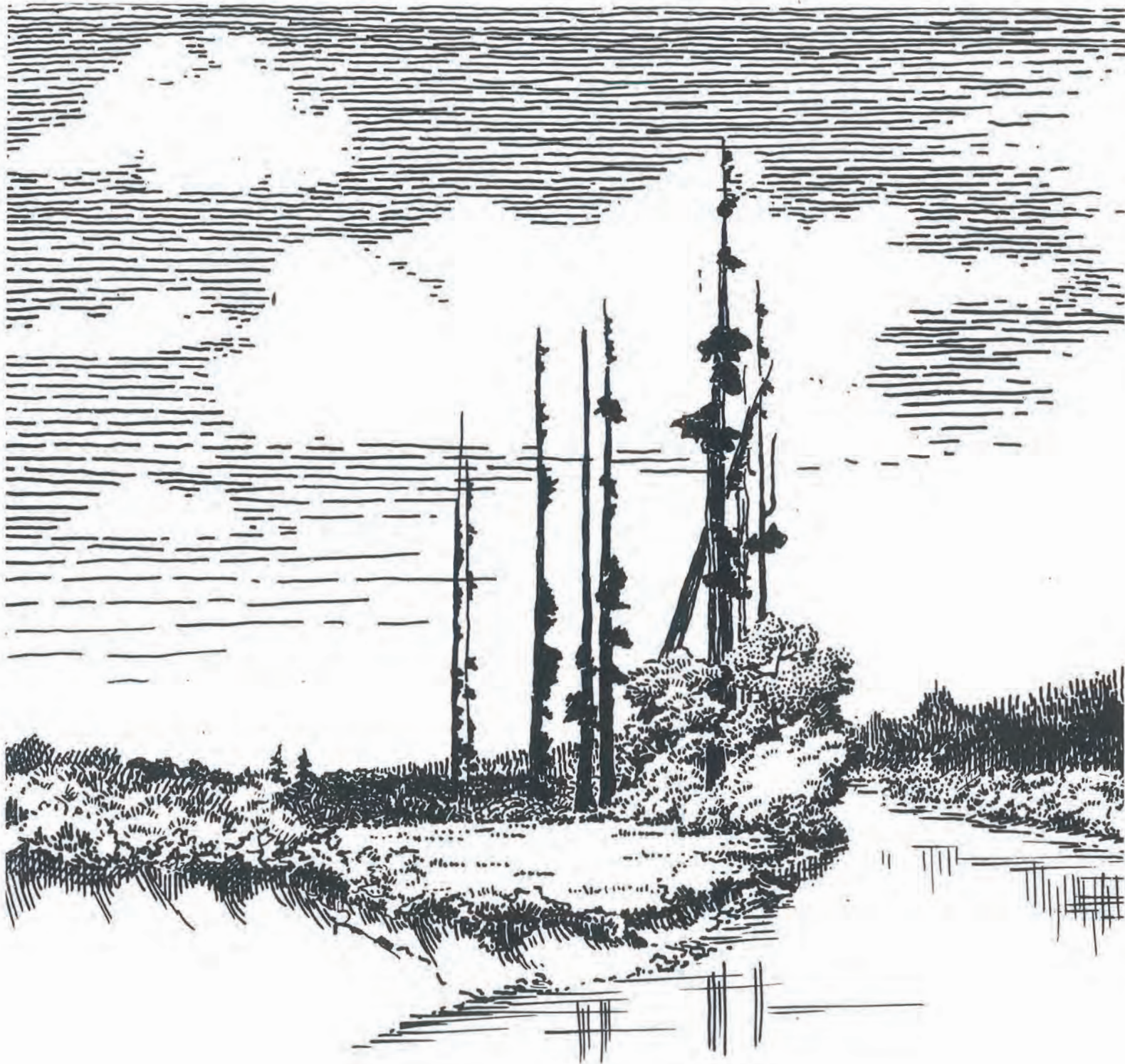
# Farmhouse History



13 CHURCH home, the left side was built circa 1855 and the right side, with large front porch was built circa 1880 but Lemuel Church (1855-1894). The Church family owned it until the 1960's when it was sold.

- The historic farmhouse you are staying in was built in 1852 and was one of the original homes built in the Eel River Valley.
- The farmhouse has been fully restored to provide modern amenities but is designed and kept to maintain its rustic feel.
- Prior to the restoration, the farmhouse was a rental and the home of a local family, with 8 daughters, for 20 years.





**AT THE**  
**BANKS OF THE EEL**

by **DENIS P. EDELINE**

Exhibit No. 5  
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# Grizzly Bluff Corner Homes.

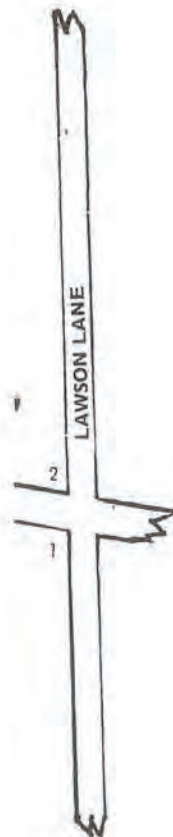
Church Lane



13 CHURCH home, the left side was built circa 1855 and the right side, with large front porch was built circa 1880 but Lemuel Church (1855-1894). The Church family owned it until the 1960's when it was sold.

18

MCCAHILL





# Lemuel Church Pioneer

Lemuel Church was born in Fall River, Massachusetts, in 1826, of parents of English stock; Capt. Joseph Church and Hannah Peckham Church. His early life was spent learning the cabinet makers trade and going to sea as a merchant man, sometimes for long periods of time.

By 1850 he gave up sea life and settled down to become a cabinet maker. In 1850 he married Mary Ann Baker of Pawtucket, Rhode Island. At this time an economic slump hit New England, throwing hundreds of men out of work. Many of them turned their attention to the West where the discovery of gold had provided opportunities that were very alluring. Lemuel joined a group headed for "Californy", crossing the plains in 1851-1852.

He went first to Trinity County, having left Mary Ann and their first child, Jerome, to wait until he had money to bring them west. Mary Ann had to work to support herself and "bub" in this interval. From what we know now of life at that time, it is quite possible that monty was sent, but never reached her. But finally, in 1856 he sent money which she did receive. A Wells Fargo money order is in existence to prove this.

Mary Ann, Jerome and her family, the Bakers, came by sailing ship "around the Horn," landing at Trinidad in 1856. Mary Ann rode on a side saddle, horseback from Trinidad, carrying little Jerome before her all the way to Hydesville. By this time Lemuel had left Trinity County, arrived at Hydesville in Humboldt County, and found work in Grizzly Bluff.

An old letter tells of life as she found it when she arrived. By this time there were lumber mills, haying crews, blacksmiths and carpenters, and Mary Ann kept boarders while Lemuel was working in the lumber mills.

They soon moved across the "Ele" River to Grizzly Bluff, where Lemuel bought 160 acres in Pacific Township for \$100.00. Then buying a yoke of oxen took \$300.00 more and he had no money left so he worked in the lumber mills again. A few years later he was able to take up a larger piece of land, 460 acres, "where he built a neat house."

In the first years he farmed, raised stock, and at intervals worked in mills. Grain was an important crop then and he soon built a grist mill. A blacksmith shop followed. He imported improved farming machinery, built his own windmill and operated a threshing machine with his son as helper for years. He was an exceedingly active and industrious man and was involved financially or otherwise in most of Grizzly Bluff's enterprises. He was known and esteemed as a prosperous and successful man throughout the county. By his grandchildren he was remembered as a jolly person, full of fun, with a nickname for everybody. He passed away in 1894 in Grizzly Bluff.

The children of Lemuel and Mary Ann Church were Jerome Everett, Arthur Edwin, Walter Merton, Frederick Baker, Lizetta May, and Caroline Emily. Jerome was born in Fall River, the others in Grizzly Bluff. Jerome moved to Victoria, B.C., and remained there. Fred and Mary died in childhood. Of the remaining three, all lived in Grizzly Bluff the rest of their lives. In time Arthur took over the Gristmill and blacksmith shop formerly owned by his father. Later he built a house next to the blacksmith shop at Grizzly Bluff corners. He owned part interest in the shingle mill, but sold it to Charlie Garrett. Arthur's wife was Edna Garrett daughter of Austin Garrett, a relative of Lewey Garrett. This made the Garretts and Churches "double cousins." Austin built the home in Lawson Lane bout by Lewey Garrett. Arthur and Edna lost two children and raised two, Ruth and Leighton.

The third son, Walter Merton Church, was a mechanic rather than a farmer, he owned a steam engine and threshing machine which he operated with the help of Dillon "Did" Peacock for years, doing most of the threshing in the area. Walter was interested in both the Grizzly Bluff Creamery and the Eel River Creamery which he managed for years. His wife was Kate Newman and they had a son, Joseph, and daughter, Mary.

Caroline, always known as Carrie, married Lewey Garrett. She was a great cook. Her chief pride was baking blue ribbon entries for the Fair. Their children were Lemuel Ross, Harold Everett, and Muriel Helene.



LEMUEL CHURCH  
Photo courtesy of Muriel Garrett

# Brodt Dairy History





### ***The Brodt Dairy:***

- Brodt Dairy is owned and operated by 2 families, Brian & Merritt Brodt and Colton & Amanda Brodt. Working alongside 5 employees, this team is essential to our farm's success.
- The pastures, cropland, cows, and dairy facilities are Certified Organic by Oregon Tilth.
- Our pasture based dairy farm, like others in the Eel River Valley, has a mixture of fields used to grow feed, pastures used primarily for grazing, pastures used for both grazing and feed production, and dairy facilities where cows are milked. The milk cows generally stay on pastures near the dairy facilities while heifers and other non-milking animals may graze on other pastures, depending on the time year and other factors. The fields and pastures that make up our farm not a single block of land.
- Refer to the maps in this binder illustrating the locations of our pastures and dairy.
- The FarmStay is located on fields used to grow feed crops. The field crops are rotated and managed. In 2022, the field is planted to a grass and clover pasture mix that we hope to harvest 4 times this year. Crop rotation and management is important to offer the best feed to the cows. Management includes putting ash on the fields and planting cover crops, like corn.
- Depending on the time of year, you may see different crop activities. Our crops produce silage used to feed our dairy cows high quality silage, which is green fodder used to feed the cows during the winter.
- If you are here from October through February, you will get to see our heifers grazing in the fields.
- While staying at the Farm-Stay, guests are invited to tour the fields, visit the ponds, and check out the farm equipment we use. This gives them a chance to see the wildlife and enjoy the views on this part of our farm (the ponds are an especially good place). Guests are also invited to tour the dairy facilities located a few miles away where they can see how cows are milked, visit baby calves, and see other aspects of our farm.
- We irrigate our fields using wheel lines, a large irrigation gun, and hand pipes. Depending on the time of year, you will get to see the different irrigation methods.
- At the dairy, our cows will convert this same feed into the organic milk that is then shipped to Rumiano Cheese Company and Humboldt Creamery.

*Following are some pictures of our farming operation.*

*Storing equipment in the barn, which doubles as a event venue.*



*Cutting feed*





*Closeups of Feed Be Grown*



*The beauty of being in the field*





# Dairy Operations & Tours



# Dairy Operations & Tours

Brodt Farms is proud to graze over 350 healthy cows on hundreds of acres of pasture in beautiful Ferndale, California. We are proud to produce certified organic quality milk that is used in local delicious products such as Rumiano Cheese and Humboldt Creamery Ice Cream.

Dairy Tours offer guests a hands-on educational experience at a modern state-of-the-art pasture dairy. Your experience will include a tour of our brand new DeLaval VMS robotic milking system, viewing of the maternity pens and cows, and bottle feeding of baby calves!

Please contact your host to schedule a tour. Tours start daily at 2:30 PM, 3:30 PM, or 4:30 PM at 439 Fulmor Road in Ferndale.

Bonus opportunity for the adventurous: Join us for milking the cows at 5:00 AM!



learn why  
grassfed is  
best!

## FARMSTAY AT THE BLUFF



## BRODT DAIRY SELF GUIDED TOUR

### CONTACT US

**Phone**

707.407.7550

**instagram**

@atthebluff

**Email**

gbbrodt@yahoo.com

Proud  
Producers of  
Primiano  
Cheese  
Company!

Exhibit No. 5  
Page 16 of 20



# DAIRY tours

YOU PICK THE TIME

2:30PM 3:30PM 4:30PM

439 Fulmor Road Ferndale, CA 95536

Tour includes brand new DeLaval VMS robotic milking system v300. A true voluntary milking system that works with nature to foster healthier, calmer cows, improve milk quality, track daily routines, update cow data, and allow more flexibility.

Tour our state of the art methane reducer manure management system.

feed bottle calves  
view maternity pens and watch cows give birth  
learn day to operations  
see the cow to carton  
sequence of milk production



## walking tour

- 120 acres of certified organic silage crop
- 120 acre walking trail with access to natural areas including coastal wetlands, wildlife habitat, and 2 duck ponds
- learn about pasture based dairies and tour the silage fields that will turn into feed for our cows that will turn into quality milk for you!



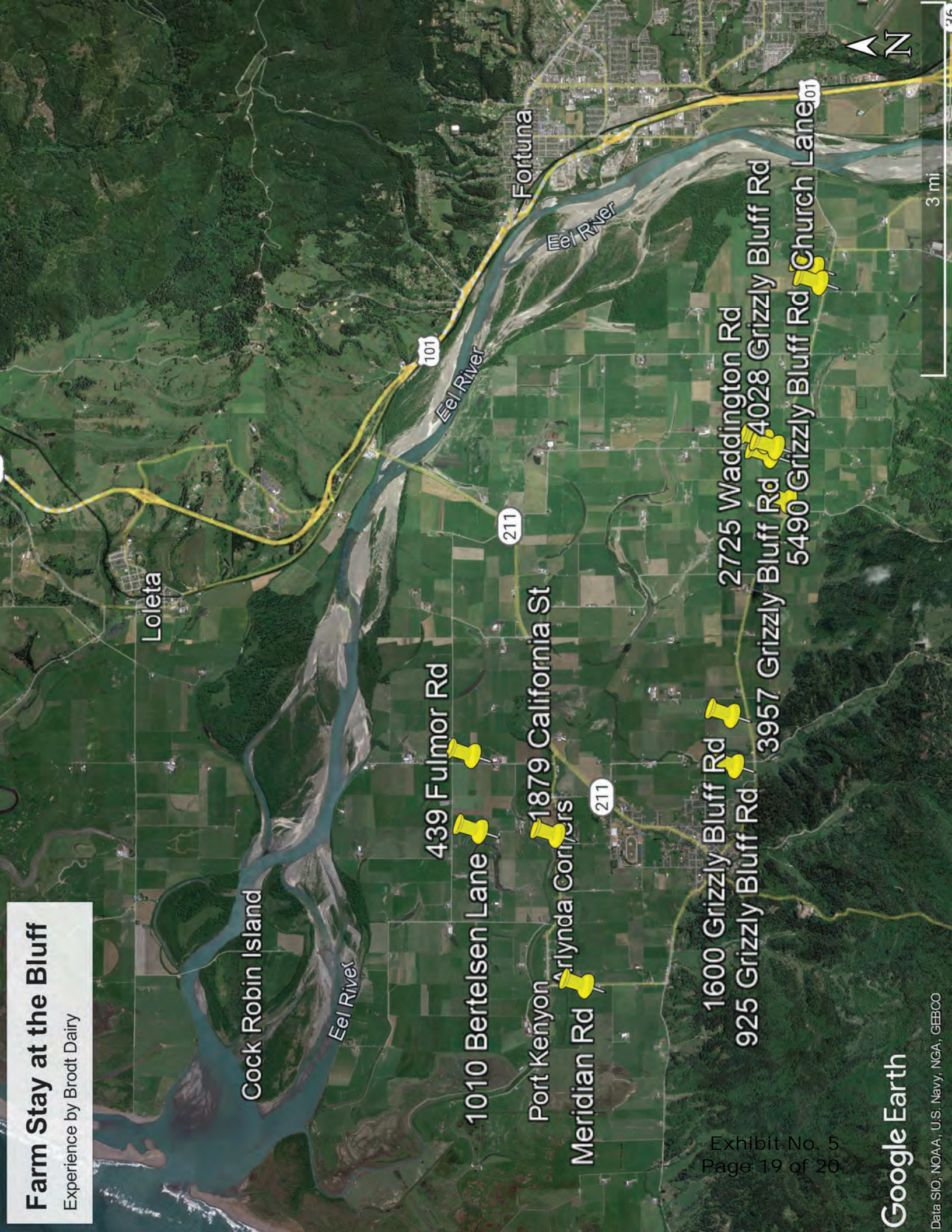
# Maps





# Farm Stay at the Bluff

Experience by Brodt Dairy



Cock Robin Island

Eel River

Loleta

439 Fulmor Rd

1010 Bertelsen Lane

Port Kenyon

Arlynda Corianders

Meridian Rd

1879 California St

1600 Grizzly Bluff Rd

925 Grizzly Bluff Rd

2725 Waddington Rd

4028 Grizzly Bluff Rd

3957 Grizzly Bluff Rd

5490 Grizzly Bluff Rd

Church Lane

Fortuna

Eel River

101

211

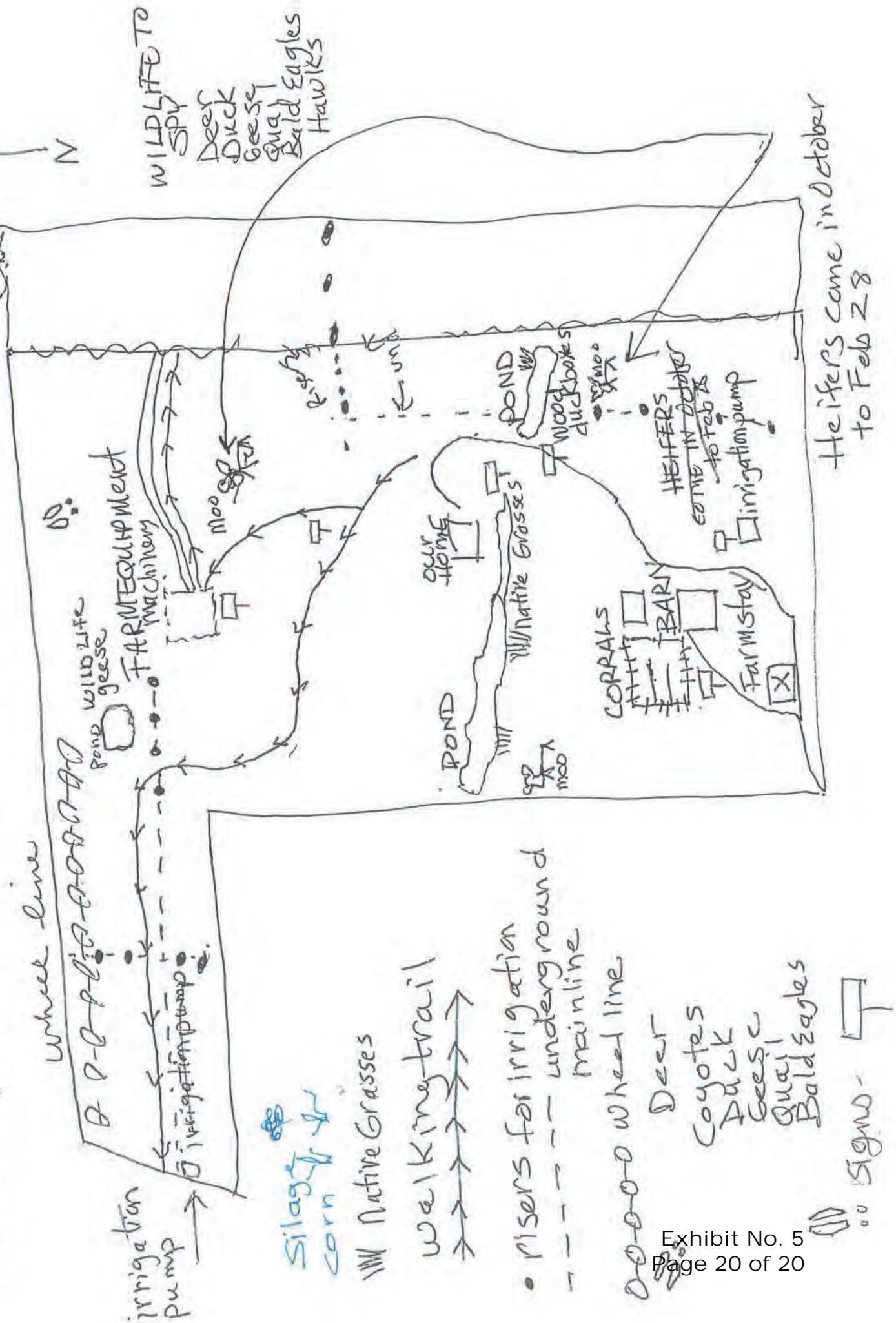
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Farm Equipment  
City per irrigation  
farm machinery - tra



Heifers come in October to Feb 28

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA  
Certified copy of portion of proceedings, Meeting on December 13, 2011

***RESOLUTION NO.11-88***  
***Establishing the Brodt Ranch Agricultural Preserve***  
***with Uniform Rules Including Compatible Uses***  
***( AGP#-11-06 )***

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 g 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. 11-06. Said Property, is described in Exhibit A attached hereto.

**EXHIBIT NO. 6**

Application A-1-HUM-22-0011  
BRODT  
AG PRESERVE (1 of 5)

i)



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 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.

2011-26518-6

③

- (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 Department of Community Development Services 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. 11-06 shall be filed in the office of the County Recorder by the Clerk of the Board of Supervisors.



Mark Lovelace, Chair of the Board of Supervisors  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Smith, seconded by Supervisor Clendenen and the following vote:

AYES: Supervisors-- Smith, Clendenen, Sundberg, Bass  
NOES: Supervisors-- Lovelace  
ABSENT: Supervisors--  
ABSTAIN: Supervisors--

STATE OF CALIFORNIA )  
County of Humboldt )

I, NIKKI TURNER, Deputy 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

2011-26518-6



**LEGAL DESCRIPTION**

**EXHIBIT "A"**

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

**TRACT A**

**PARCEL ONE**

The East 100 rods of the Southeast Quarter of Section 16, Township 2 North, Range 1 West, Humboldt Meridian, according to the Official plat of said land, described as follows:

BEGINNING at the Northeast corner of the Southeast Quarter of said Section 16; and running thence South on the Section line 160 rods, more or less, to the Southeast corner of said Section; thence West on the Section line 100 rods; thence North 160 rods, more or less, to the North line of said Quarter Section; and thence East on Quarter Section line 100 rods to the point of beginning.

EXCEPTING THEREFROM, one-half of all oil, hydrocarbon substances and minerals in and under said land together with the right to enter thereon for the purpose of exploration and development thereof and removal of same as reserved by Mary R. Hazdovac, formerly Mary R. Friel, a married woman and Bertha M. Church, a widow in Deed recorded July 1, 1963 in Book 743, Page 370 of Official Records, under Recorder's Serial No. 10649 in the Office of the County Recorder of said County.

**PARCEL TWO**

Intentionally Omitted.

APN: 106-111-004

**TRACT B**

BEGINNING at the corner to Sections 15, 16, 21 and 22 in Township 2 North, Range 1 West, Humboldt Meridian;

thence North 9.51 chains along section line;  
thence North 89 degrees 48 minutes East 22.80 chains to the West boundary of the County road;  
thence South 20 1/4 degrees West 10.14 chains along said road; and  
thence South 89 degrees 48 minutes West 19.29 chains, along section line to point of beginning.

APN: 106-101-029



Attachement for Page 4, #4  
(Grounds for appeals)

-Does not conform to the LCP Eel River Area Plan.

1) Zoning – not a permitted use on this parcel.

- Transient lodging, vacation rental by definition.
- Due to the projects unique location in the Eel River Critical Coastal Area and its detriment to immiadete farms.

2) Substantial Issues

-The degree of factual information submitted by the applicant (misleading and false).

-Image overview labeled PLN 2021-17197 Brodt Farm Stay – entire image is of neighboring farm showing private entrance, barn, outbuildings, pasture and iconic old growth redwood snags.

-Other images of dairy operations and animals are all located off site.

-Comments in the Conceptual Narrative regarding traffic, housing are not factual. The applicants “worked out a deal” with the county as an alternative to the applicants requirement for dust control, which resulted in the application of 4.5 inches thick of asphalt, a detriment to the neighbors organic pastureland including the inability to open gates and scraping of farm equipment exiting fields.

-The precedential value of the County's decision for future interpretations of it LCP.

-Gentrification of farmland.

-Whether the appeal raises only local issues as opposed to those of regional or statewide significance.

-Environmental Impact

-Wildlife in this sensitive coastal habitat as the project is situated between old growth redwood snags, grassy meadow along Church lane and the wetland located on the applicants parcel. This terminal end of Church lane has been an historic wildlife corridor for terrestrial, amphibious and avian including both nocturnal and diurnal raptors. State and Federal Impanct.

-The right to peaceful enjoyment of ones property.

-The recent unpermitted use by the applicant has resulted in quests searching for farm environment have climbed fences, trespassed on neighboring properties, pet dogs chasing and nipping at neighboring livestock.

-Transient guests and lodging in this rural farming area is a drastic change to the character and peacefulness of the area.

**EXHIBIT NO. 7**

Application A-1-HUM-22-0011  
BRODT  
**GROUND FOR APPEAL**



PLANNING AND BUILDING DEPARTMENT  
COUNTY OF HUMBOLDT  
CURRENT PLANNING DIVISION

3015 H Street, Eureka, CA 95501  
Phone (707) 445-7541 • Fax (707) 268-3792  
<http://www.humboldt.gov/156>

California Coastal Commission  
1385 8th Street, Ste 130  
Arcata, CA 95521

## Notice of Final Action Taken

Date: February 23, 2022 Appealable Status    Appealable  
Applicant: At the Bluff Farm Stay  
PO Box 1113  
Ferndale, CA 95536  
Assessor Parcel Number: 106-111-004  
Record Number: PLN-2021-17197  
Contact: Leoloni Shine - 707-671-6928

**RECEIVED**

**FEB 24 2022**

**CALIFORNIA  
COASTAL COMMISSION  
NORTH COAST DISTRICT**

### Description

A Conditional Use Permit and modification of an existing Coastal Development Permit (PLN-2018-14105) to establish a Farm-Stay within an existing farmhouse. The property is primarily used on a seasonal basis for the production and harvest of silage to support dairy activities on nearby ranches. During the off season, when silage is not produced, a barn on the site is utilized as an event venue for weddings/funerals/birthday party events. This seasonal use was established as a Temporary Use under a previously approved Special Permit and Coastal Development Permit CDP-18-013, app no. 14105. The proposed Farm-Stay would be used in combination with the event venue and separate from the event venue as necessary. The property is developed with a second residence which was conditionally approved under CDP-18-024, app no. 14156, the second residence will not be used as part of the Farm-Stay. Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitation. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time. The owner/operator resides year-round on the premises. No new development is proposed. The Farm-Stay will be used separately from events throughout the year.

### Action Taken

Following a noticed Public Hearing the County of Humboldt Planning Commission approved the referenced application on February 3, 2022.

### Appeal Completion

The appeal period for this project has been completed and no appeal was received.

### Effective Date

Coastal Development Permit record number PLN-2021-17197 will become effective at the end of the California Coastal Commission appeal period and will expire at the end of 5 years.

**EXHIBIT NO. 8**

Application A-1-HUM-22-0011  
BRODT  
FINAL LOCAL ACTION (1 of 30)



PLANNING AND BUILDING DEPARTMENT  
PLANNING DIVISION  
COUNTY OF HUMBOLDT

3015 H Street, Eureka, CA 95501  
Phone (707) 445-7541 • Fax (707) 268-3792

RECEIVED

FEB 24 2022

Planning Division Decision Packet

CALIFORNIA  
COASTAL COMMISSION  
NORTH COAST DISTRICT

The following packet of information includes your Planning Division permit results. **Please review the enclosed permit packet carefully.** The packet contains important information such as appeal periods, permit conditions and the expiration date for your permit(s). Please take particular note of the following:

1. **Your permit is subject to one or more appeal periods.** Your permit is not effective until all appeal periods have ended. See appeals procedure information included in this packet.
2. **All permit conditions must be completed prior to the expiration date.** Your permit(s) may also include conditions from other state or local agencies. If you have questions or need assistance, please contact the specific agency or department that issued the conditions.
3. **Proof of completion is required for most permit conditions.** For efficient staff review of condition completion, please consolidate proof of completion for all conditions into one package.
4. **You are responsible for tracking the expiration date of your permit(s).** An extension process is available if you need more time.
5. **Additional federal, state or local regulatory requirements may apply to your project.** These requirements may be administered by agencies other than the Planning Division, including any mitigation monitoring. It is your responsibility to obtain all necessary approvals before starting your project.
6. **Contact your assigned planner if you have any questions.** Your assigned planner's contact information is provided below.

Leiloni Shine, Contract Planner  
Phone: 707-671-6928  
[leiloni@landlogistics.com](mailto:leiloni@landlogistics.com)



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

3015 H Street • Eureka CA 95501  
Phone: (707) 445-7541 • Fax: (707) 268-3792

## Memorandum

**To:** Planning Commission

**From:** John H. Ford, Director of Planning and Building

**Date:** February 1, 2022

**Subject:** Item 12: Brodt At the Bluff Farm-Stay,  
Conditional Use Permit and Coastal Development Permit Modification

Attached are revised conditions for the application referenced above. The changes result from the overlap between the existing approved event permit and the proposed farm stay. The conditions have been simplified to indicate all existing conditions for the event venue remain intact, and thus the proposed conditions relate solely to the Farm Stay. New Condition 1 makes this clear. The other condition modifications are summarized as follows:

Modifications to conditions 3, 7 and 8 are made for clarity, no change in regulatory effect.

Conditions (prior numbering) 8, 9, 10 and 11 are delated as they are related to parking and there is sufficient parking available at the farmhouse given the level of use.

Conditions (prior numbering) 13, 14, 15, 16, and 17 are deleted because they are conditions for the event venue and not applicable to the farm stay.

Condition 18 is deleted because it is so broad as to be unenforceable. This is a required finding for approval of the CUP.

Condition 19 is deleted because it is unnecessary as this requirement is county code.

Condition 20 is deleted because it is ambiguous about how this relates to the farm stay.

Informational note 1 is deleted because there is no physical development proposed.

Also attached are additional letters submitted in support of the application.



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

#### Conditions of Approval for the Conditional Use Permit and Modification of a Coastal Development Permit

APPROVAL OF THE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS

##### Conditions of Approval:

1. All Conditions of existing Special Permit and Coastal Development Permit (PLN-2018-14105) for the event venue remain in effect.

1-2. Farm-Stays shall be conducted consistent with the approved project Operations Plan and Description and these conditions of approval. Changes to the project, except for Minor Deviations per Section 312-11.1 of the Humboldt County Zoning Regulations, shall require modification of this permit.

2-3. ~~Per the referral comments received from the Environmental Health Department on August 16, 2021, The~~ Farm-Stay requires plan review and Restricted Food Services Facility Permit ~~w/~~from DEH Consumer Protection Program if facility is providing ~~potentially hazardous foods~~ or and onsite produced baked goods for gift baskets at the farm stay. Applicant must submit Application to Operate a Water System to DEH Consumer Protection Program and meet all requirements to operate as a transient non-community water system depending on number of connections

3-4. ~~3.~~ Applicant shall obtain a Building Permit for any proposed physical alteration of the existing structure used for the proposed Farm-Stay operation.

4-5. ~~4.~~ The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

5-6. ~~Within five (5) days of the effective date of the approval of this permit,~~ the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00.

6-7. ~~The property owner shall reside onsite during overnight stays. No consistent with previous discussions.~~

7-8. ~~No more than four (4) guest bedrooms with a maximum of eight (8) guests will be used-allowed~~ at one time. Only Farm-Stay guests will be served food from the kitchen located within the existing farmhouse to be used as a Farm-Stay. The owner/operator shall reside on the premises. No other onsite kitchens are approved for use to serve Farm-Stay guests as part of this permit.

8. ~~There shall be a minimum of one (1) parking space for each sleeping unit, plus two (2) manager parking spaces.~~

9. ~~Each normal size parking space shall be not less than eight feet (8') wide, eighteen feet (18')~~

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long and contain seven feet (7') of vertical clearance.

10. All parking must be located on the project site.

11. The parking area shall be annually aerated in November to ensure soils are not compacted.

12.9. Permanent signs advertising the site must comply with the following standards: "One sign is permitted advertising the Farm Stay establishment. Notwithstanding any other provision of this Code, such sign shall not exceed four square feet (4sf) in the aggregate, shall be non-moving, and shall have, if any, only illumination which is indirect and non-flashing and shielded to prevent illumination off-site" (HCC §313-44) Zoning Regulations.

13. ~~Noise: All amplified music and speakers shall be directed inward from property lines and turned off by 10:00 p.m.~~ Noise level shall not exceed 60 dB at the property line and not be continuously or significantly heard on neighboring properties. ~~Noise readings using a handheld meter approved by the Planning Division shall be taken from the north and east property lines during each event with amplified music. The results of each reading shall be logged and included in the Annual Monitoring Report.~~

14. The applicant shall be responsible for proper off-site disposal of trash the cleanup of any litter created by each Farm Stay. Containers for disposal of recyclable item shall be provided.

15. Any exterior lighting associated with a Farm Stay shall be directed so as not to extend beyond the boundaries of the parcel and shall be limited to actual Farm Stay dates.

16. ~~Calendar:~~ The applicant shall provide to all interested neighbors, a calendar schedule of Farm Stays planned for the season. The notice shall include a contact number for the event operator, the days and times of each Farm Stay, ~~the expected number of guests, the days and times for set up and clean up.~~

17. ~~Hours of operation:~~ Set up and cleanup of event site shall only occur on Fridays and Sundays from 12:00 p.m. to 6:00 p.m. For Saturday events, all guests must leave the event site by 11:00 p.m.

18. The use shall be conducted so as not to be detrimental to the public health, safety, or welfare, or a nuisance.

19. ~~All uses and development on Assessor's Parcel Number (APN) 106-111-004, require permit. Prior to development for new uses and implementation of new uses, the applicant shall consult with the Planning Department.~~

20. ~~Unpermitted uses:~~ Vacation rentals are not a permitted use on this parcel. Use of the residence in a manner inconsistent with the zoning shall constitute a violation and shall be grounds for permit revocation of this use permit. The Farm Stay shall not be advertised as a vacation rental.

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#### Informational Notes:

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law

~~requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.~~

- ~~2.1.~~ The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.
- ~~3.2.~~ The Conditional Use Permit and Modification to a Coastal Development Permit shall expire and become null and void at the expiration of five (5) years after all appeal periods have lapsed (see "Effective Date"); except where use in reliance on the permit has commenced prior to such anniversary date. The period within which use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.



**CURRENT PLANNING DIVISION  
PLANNING AND BUILDING DEPARTMENT  
COUNTY OF HUMBOLDT**

---

3015 H Street, Eureka, CA 95501  
Phone (707) 445-7541 • Fax (707) 268-3792  
<http://www.humboldt.gov.org/156>

**Applicant**  
At the Bluff Farm Stay  
PO Box 1113  
Ferndale, CA 95536

**Owner**  
Brodt Brian C & Merritt L Tr  
PO Box 1113  
Ferndale, CA 95536

**Agent**  
N/A

## Notice of Planning Commission Decision

**Date:** February 23, 2022

**Assessor Parcel Number:** 106-111-004

**Permit:** PLN-2021-17197

**Contact:** Leoloni Shine - 707-671-6928

**Description**

A Conditional Use Permit and modification of an existing Coastal Development Permit (PLN-2018-14105) to establish a Farm-Stay within an existing farmhouse. The property is primarily used on a seasonal basis for the production and harvest of silage to support dairy activities on nearby ranches. During the off season, when silage is not produced, a barn on the site is utilized as an event venue for weddings/funerals/birthday party events. This seasonal use was established as a Temporary Use under a previously approved Special Permit and Coastal Development Permit CDP-18-013, app no. 14105. The proposed Farm-Stay would be used in combination with the event venue and separate from the event venue as necessary. The property is developed with a second residence which was conditionally approved under CDP-18-024, app no. 14156, the second residence will not be used as part of the Farm-Stay. Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitation. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time. The owner/operator resides year-round on the premises. No new development is proposed. The Farm-Stay will be used separately from events throughout the year.

**Decision**

The project was approved by the Planning Commission on February 3, 2022 by Resolution 22-025 and is subject to the attached Conditions of Approval.

**Appeals**

This project may be appealed by any aggrieved person within **10 working days**. The last day to appeal to the Board of Supervisors is 5:00 p.m. on February 18, 2022. Additional information regarding appeals is included with this notice.

**Conditions of Approval**

Please review these conditions carefully as other permits may be required before the project commences. In accordance with County Code, this approval may be revoked or rescinded, in whole or in part, if certain grounds are found to exist (See Humboldt County Code §312-14).



**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 22-025**

**Record Number PLN-2021-17197**

**Assessor Parcel Numbers: 106-111-004**

**Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Brodt At The Bluff Farm Stay Conditional Use Permit and Modification of a Coastal Development Permit.**

**WHEREAS, At The Bluff Farm Stay** submitted an application and evidence in support of approving a Conditional Use Permit and modification of a Coastal Development Permit to establish a Farm-Stay within an existing farmhouse, in conjunction with an existing dairy and event venue previously approved under CDP-18-013, Application Number 14105;

**WHEREAS,** the County Planning Division prepared a Staff Report. The proposed project does not present substantial changes to the site. No new information of substantial importance that was not known and could not be known at the time was presented, as described by §15301(a) of CEQA Guidelines; and

**WHEREAS,** the Humboldt County Planning Commission held a duly noticed public hearing on **February 3, 2022**; reviewed, considered, and discussed the application for a Conditional Use Permit and Modification of a Coastal Development Permit; and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED,** that the Planning Commission makes all the following findings:

**1. FINDING:**

**Project Description:** A Conditional Use Permit and modification of an existing Coastal Development Permit (PLN-2018-14105) to establish a Farm-Stay within an existing farmhouse. The existing farmhouse is two (2) stories, approximately 3,000 square feet, located north of the dairy operation and in the northeastern corner of the parcel. The property is primarily used on a seasonal basis for the production and harvest of silage to support dairy activities on nearby ranches. The parcel is surrounded by agricultural uses and vacant land, the proposed Farm-Stay is compatible with the surrounding uses. During the off season, when silage is not produced, a barn on the site is utilized as an event venue for weddings/funerals/birthday party events. This seasonal use was established as a Temporary Use under a previously approved Special Permit and Coastal Development Permit CDP-18-013, app no. 14105. The proposed Farm-Stay would be used in combination with the event venue and separate from the event venue as necessary. The property is developed with a 3,000 square foot second residence which was conditionally approved under CDP-18-024, app no. 14156, the second residence will not be used as part of the Farm-Stay. Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitation. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time. The owner/operator resides year-round on the premises. No new

proposed Farm-Stay will support the existing dairy operation and event venue (Chapter 4, Land Use Element). The operation of a Farm-Stay will not impact the allowable density range of AE planned land (20-60 acres/unit, Section 4.8 of the Land Use Element) because it will operate within an existing farmhouse and no new development is proposed.

- b) The proposed Farm-Stay operation is consistent with the purpose of AE designated lands of the ERAP: "to protect prime and non-prime agricultural lands for long-term productive agricultural use.". The Farm-Stay will support the long-term agricultural use of the existing agricultural operation. Conditional Uses of AE lands include "recreation (such as hunting camps and stables except those requiring non-agricultural development)" per 5.30 Rural Plan Designations, ERAP. Compatible Uses for Agriculture lands include "Recreational uses not requiring non-agricultural development under the control of the owner" (Chapter 3.34, Agriculture, ERAP). The zoning of all agricultural lands shall not permit any use that would impair the economic viability of the agricultural operations on such lands (Chapter 3.34B.1., Agriculture, Compatible Uses). The proposed Farm-Stay will operate accessory to an existing dairy and event venue, from an existing farmhouse, it will not require development of non-agricultural buildings, and the owner-operator resides on the property. The proposed use is no more intensive than other conditionally permitted uses of AE planned lands in the ERAP or existing uses onsite.
- c) The project complies with the County's Housing Element (Chapter 8) as it will not substantially subtract from the County Housing Inventory due to the continued use of an owner-operator residence on the property.
- d) The project is located in both a relatively stable and high instability geologic area. The project area is located within the 500-year flood zone and outside of the tsunami inundation area. All new development shall conform with the County Flood Insurance Program. The property is located in the State Responsibility Area (SRA) and is serviced by the County who responds to structural fires and medical emergencies. No new development is proposed as part of the project and Farm-Stay visitations are a new use, no more intensive than established uses onsite, including an event venue and dairy. Based on these findings, the proposed operation does not increase risks to hazards.

**EVIDENCE:**

- a) The project area encompasses lands zoned Agricultural Exclusive-60-acre minimum lot size (AE-60), with the combining zones: Flood Hazard Areas (F), Streams and Riparian Corridors Protection (R), Transitional Agricultural Lands (T), and Unclassified (U). The Farm-Stay establishment proposes a compatible blend of existing agricultural and residential uses, encouraging continued agricultural production and operating accessory to the agriculture operation, as is consistent with the General Plan. The proposed project will include a Farm-Stay and will modify an existing Coastal Development Permit (PLN-2018-14105) to allow Farm-Stay guests to use event areas as part of their Farm-Stay visitation. Existing facilities would be utilized on a seasonal and temporary basis. No new development is proposed and the portions of the parcel that do not contain development are being used for agriculture. The approximately 122-acre site contains an existing single-family dwelling where the Farm-Stays will be held. The proposed Farm-Stay is a new use, no more intensive than existing onsite uses principally permitted in the AE zone (HCC §313-7.1).
- b) The Agriculture Exclusive (AE) zone principally permits general agriculture and single-family residential use, it also conditionally permits "Any use not specifically enumerated in this Division (HCC §313-7.1) if it is similar to and compatible with the uses permitted in the AE zone". The proposed Farm-Stay will restrict the number of guests to a maximum of eight (8) during one time. The proposed Farm-Stay is intended to support the existing agricultural uses and event venue onsite, it is compatible with the uses permitted in the AE zone and existing onsite.
- c) The Flood Hazard Areas (HCC §313-21.1) Combining Zone standards have been met, no new development is proposed, the project area is located within the 500-year flood zone and outside of the tsunami inundation area, all new development shall conform with the County Flood Insurance Program.
- d) The Streams and Riparian Corridors Protection (HCC §313-33.1) Combining Zone standards have been met, no new development is proposed, the project involves Farm-Stays that are temporary visitations averaging one-three (1-3) days in length and located on an upland portion of the parcel that is developed with pasture, gravel driveways, a residence, and milking barn. The closest stream and riparian corridor buffer zone is approximately 500 feet south of the proposed Farm-Stay operation.
- e) The Transitional Agricultural Lands (HCC §313-35) Combining Zone standards have been met, no new development is proposed and the proposed Farm-Stays are not located near any wetlands or environmentally sensitive habitat areas, the nearest wetland is approximately 450 feet south of the proposed Farm-Stays and existing development. The Transitional Agriculture Lands zoned AE are exempt from wetland buffer requirement (HCC §313-125.5.3), no new development is proposed, and based on a site inspection with California Department of Fish and Wildlife and Planning Division staff

**8. FINDING:** The road and driveway access to the proposed Farm-Stay is compliant with County requirements.

**EVIDENCE:**

- a) Public Works referral response dated May 19, 2021, indicates that the Department recommends approval and has no comment at this time.
- b) Applicant submitted photo-evidence of paved roadways (Church Lane) leading to the project site. A minimal increase in traffic is anticipated as part of the Farm-Stay; no more than eight (8) guests are allowed at one time (estimated 1-4 cars per Farm-Stay).



## ATTACHMENT 1

### CONDITIONS OF APPROVAL

#### Conditions of Approval for the Conditional Use Permit and Modification of a Coastal Development Permit

APPROVAL OF THE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS

##### Conditions of Approval:

1. Farm-Stays shall be conducted consistent with the approved project Operations Plan and Description and these conditions of approval. Changes to the project, except for Minor Deviations per Section 312-11.1 of the Humboldt County Zoning Regulations, shall require modification of this permit.
2. Per the referral comments received from the Environmental Health Department on August 16, 2021, Farm-Stay requires plan review and Restricted Food Services Facility Permit w/ DEH Consumer Protection Program if facility is providing potentially hazardous foods and onsite produced baked goods for gift basket at farm stay. Applicant must submit Application to Operate a Water System to DEH Consumer Protection Program and meet all requirements to operate as a transient non-community water system depending on number of connections
3. Applicant shall obtain a Building Permit for any proposed physical alteration of the existing structure used for the proposed Farm-Stay operation.
4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00.
6. All work subject to Construction and Demolition and Inert debris as provided in California Code of Regulations T14 Chapter 5, Articles 5.9 (Transfer/Processing) and 6.0 (Disposal) will be performed in compliance with those regulations.
7. At the time the applicant applies for any building permit for the demolition of buildings covered under this CDP and CUP, the applicant shall provide DEH with all available details associated with planned demolition and planned storage of the demolition debris on any of the project's parcels.
8. Before the import of any Construction and Demolition and Inert debris (CDI) not generated by the demolition or construction on any parcel subject to this project, the applicant will consult with DEH Solid Waste Local Enforcement Agency (LEA) program staff for regulatory parameters.

23. **Unpermitted uses:** *Vacation rentals are not a permitted use on this parcel. Use of the residence in a manner inconsistent with the zoning shall constitute a violation and shall be grounds for permit revocation of this use permit. The Farm-Stay shall not be advertised as a vacation rental.*

**Informational Notes:**

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
2. The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.
3. The Conditional Use Permit and Modification to a Coastal Development Permit shall expire and become null and void at the expiration of five (5) years after all appeal periods have lapsed (see "Effective Date"); except where use in reliance on the permit has commenced prior to such anniversary date. The period within which use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.

## **APPEALS OF PLANNING COMMISSION ACTIONS**

### **WHO MAY APPEAL?**

County Ordinance and State Law provides the opportunity for the applicant or any other person who disagrees with the Planning Commission's decision to approve, conditionally approve, or deny a project, to appeal that decision to the Board of Supervisors.

### **WHAT CONSTITUTES A FORMAL APPEAL?**

All appeals must be submitted in writing and must be accompanied by the fee established for appeals by the Board of Supervisors. The person filing the appeal shall state specifically why the decision of the Planning Commission is not in accord with the standards and regulations of the zoning ordinances, or why it is believed that there was an error or an abuse of discretion by the Planning Commission. A copy of the receipt can be used as proof of payment when filing with the Clerk of the Board.

### **WHAT IS THE FEE FOR FILING AN APPEAL?**

The County's adopted schedule of fees and charges establishes fees for appeals of Planning Commission actions. Appeal fees include charges by other County departments (e.g., Division of Environmental Health or Public Works Land Use). If the appeal does not involve issues within the jurisdiction of a particular County department, it may be possible to reduce the appeal fee by the amount normally collected. This can be done by providing a written fee waiver authorization from that department with the appeal request. Please contact the Planning Division for updated fee information.

### **WHERE IS AN APPEAL FILED?**

The appeal must be filed with the Planning Division at the Clark Complex, 3015 H Street, Eureka, CA 95501. However, for subdivisions and subdivision map extensions not involving property in the Coastal Zone, a copy of the appeal and proof of payment of the appeal fees must also be filed with the Clerk of the Board of Supervisors, in Room #111 of the Humboldt County Courthouse, 825 Fifth Street, Eureka, CA 95501.

### **HOW LONG DO I HAVE TO FILE AN APPEAL?**

Subdivisions, discretionary permits and variances have different appeal filing periods and procedures under the law. Please refer to the back of this sheet for the specific ordinance requirements. The following information may be used for guidance.

<b>Permit Type</b>	<b>Appeal Filing Period</b>	<b>Where To File</b>
Subdivisions	10 calendar days	Planning Division and Clerk of the Board
Subdivision Map Extensions	15 calendar days (Appealable only if denied)	Planning Division and Clerk of the Board
Subdivisions in the Coastal Zone	10 calendar days	Planning Division only
Lot Line Adjustments	10 calendar days	Planning Division only
Permits and Variances In the Coastal Zone	10 working days	Planning Division only
Permits and Variances outside of the Coastal Zone (Inland Zoning)	10 working days	Planning Division

"Working Day" appeal periods begin the very next business day after the decision is made and end at 5:00 p.m. on the tenth (10<sup>th</sup>) business day counting sequentially (weekends and County-recognized holiday days are excluded as they are not normal working days).

"Calendar Day" appeal periods begin the very next day after the decision is made and end at 5:00 p.m. on the final appeal day by counting sequentially, unless the last day is a weekend or County-recognized holiday, then the appeal period would end on 5:00 p.m. the next business day following the weekend or County-recognized holiday.

### **WHAT IF THE "PROJECT" INVOLVES MULTIPLE PERMIT TYPES?**

Different permit types have different appeal periods. If you wish to appeal a project as a whole, the most restrictive (i.e., shortest time period) appeal period must be used. If you wish to appeal a specific permit involved in the project, the appeal period for that specific permit must be followed. Failing to file an appeal in the correct timeframe can invalidate the appeal.

### **QUESTIONS?**

For more information or if you have questions regarding the appeal process, contact the Planning Division at (707)445-7541.



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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3015 H Street, Eureka CA 95501  
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: February 03, 2022

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building

Subject: **Brodt At the Bluff Farm-Stay Conditional Use Permit and Modification of a Coastal Development Permit**  
Record Number PLN-2021-17197  
Assessor's Parcel Number (APN) 106-111-004  
548 Church Lane, Ferndale area

The attached staff report has been prepared for your consideration of the **Brodt At the Bluff Farm-Stay Conditional Use Permit and Modification of a Coastal Development Permit** application at the public hearing on February 03, 2022

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Please contact Leiloni Shine, Contract Planner, at 707-671-6928 or by email at [Leiloni@landlogistics.com](mailto:Leiloni@landlogistics.com), if you have any questions about the scheduled public hearing item.



## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
February 03, 2022	Brodts At the Bluff Farm-Stay Conditional Use Permit and Modification of a Coastal Development Permit	Leilani Shine, Contract Planner

**Project Description:** A Conditional Use Permit and modification of an existing Coastal Development Permit (PLN-2018-14105) to establish a Farm-Stay within an existing farmhouse. The property is primarily used on a seasonal basis for the production and harvest of silage to support dairy activities on nearby ranches. During the off season, when silage is not produced, a barn on the site is utilized as an event venue for weddings/funerals/birthday party events. This seasonal use was established as a Temporary Use under a previously approved Special Permit and Coastal Development Permit CDP-18-013, app no. 14105. The proposed Farm-Stay would be used in combination with the event venue and separate from the event venue as necessary. The property is developed with a second residence which was conditionally approved under CDP-18-024, app no. 14156, the second residence will not be used as part of the Farm-Stay. Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitation. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time. The owner/operator resides year-round on the premises. No new development is proposed. The Farm-Stay will be used separately from events throughout the year.

**Project Location:** The project is located in Humboldt County, in the Ferndale area, on the Southwest side of Church Lane, approximately 0.5 miles from the intersection of Grizzly Bluff Road and Church Lane, on the property known as 548 Church Lane.

**Present Plan Land Use Designation:** Agriculture Exclusive/Prime and Non-prime Lands (AE); Agricultural/General (AG). Eel River Area Plan, 2017 General Plan. Density: 20 to 60 acres per unit, and 5 to 20 acres per unit respectively, Slope Stability: Relatively Stable (0), High Instability (3).

**Present Zoning:** Agricultural Exclusive (AE-60) / Flood Hazard Areas (F), Streams and Riparian Corridors Protection (R), Transitional Agricultural Lands (T); Unclassified (U).

**Assessor Parcel Numbers:** 106-111-004

**Record Number:** PLN-2021-17197

Applicant	Owners	Agent
At the Bluff Farm Stay PO Box 1113 Ferndale, CA 95536	Brodts Brian C & Merritt L Tr PO Box 1113 Ferndale, CA 95536	N/A

**Environmental Review:** The project is categorically exempt from environmental review per Section 15301(a) – Existing Facilities.

**Major Issues:** none.

**State Appeal Status:** Project is appealable to the California Coastal Commission.

**Brodt At the Bluff Farm-Stay Conditional Use Permit and Modification of a Coastal Development Permit**  
**Record Number: PLN-2021-17197**  
**Assessor's Parcel Numbers: 106-111-004**

**Recommended Planning Commission Action**

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, approve the Consent agenda to take the following action:

Adopt the Resolution to 1) Find the project subject to a Categorical Exemption, 2) make all of the required findings for approval of the modification of a Coastal Development Permit and Conditional Use Permit based on evidence in the staff report, and 3) approve the Brodt Farm-Stay project subject to the recommended conditions.

**Executive Summary:**

**Background**

In 2020, a Special Permit and Coastal Development permit application (PLN-2018-14105) was approved to establish a seasonal wedding and event venue operating between May 1<sup>st</sup> and October 31<sup>st</sup> as a supplemental and temporary use to the existing agricultural operations. The event venue allows up to 350 guests and 200 vehicles parked onsite per event. The previously-approved project (PLN-2018-14105) will be modified to allow a Farm-Stay to operate within an existing farmhouse onsite and to allow guests to tour onsite facilities used for events.

**Current Project**

A Conditional Use Permit and modification of an existing Coastal Development Permit (PLN-2018-14105) to establish a Farm-Stay within an existing farmhouse. The existing farmhouse is two (2) storeys, approximately 3,000 square feet, located north of the dairy operation and in the northeastern corner of the parcel. The property is primarily used on a seasonal basis for the production and harvest of silage to support dairy activities on nearby ranches. The parcel is surrounded by agricultural uses and vacant land, the proposed Farm-Stay is compatible with the surrounding uses. During the off season, when silage is not produced, a barn on the site is utilized as an event venue for weddings/funerals/birthday party events. This seasonal use was established as a Temporary Use under a previously approved Special Permit and Coastal Development Permit CDP-18-013, app no. 14105. The proposed Farm-Stay would be used in combination with the event venue and separate from the event venue as necessary. The property is developed with a 3,000 square foot second residence which was conditionally approved under CDP-18-024, app no. 14156, the second residence will not be used as part of the Farm-Stay. Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitation. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time. The owner/operator resides year-round on the premises. No new development is proposed. All public comments received have been in support of the project proposal.

A detached structure onsite will continue to be used as temporary kitchen for the event venue and not for serving Farm-Stay guests. Parking for Farm-Stay guests will include a field located east of the house and barn onsite. The Farm-Stay will be used separately from events throughout the

year. Visitors would stay in the house separate from the weddings and the Farm-Stay will not include vacation rentals. The project parcel is under a Williamson Act contract.

The Farm-Stay will encourage and facilitate tourism, one of the County's identified target industries. A compatible blend of existing agricultural and residential uses is proposed, encouraging the continued protection of prime employment lands, and maintaining economic productivity (General Plan, Chapter 9.3).

The proposed Farm-Stay establishment is similar and compatible with the conditionally permitted uses in the coastal, agricultural exclusive (AE) zone (HCC §313-7.1). The proposed Farm-Stay is compatible with agricultural operations, anticipates less than significant traffic impacts, and is combining existing residential and agricultural-events that are often larger in scale and intensity than the proposed Farm-Stay.

All public comments received have been in support of the project; the proposed Farm-Stay includes support for the type of operation and the location for the operation.

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, Planning staff has found that the project will not result in a significant impact on the environment as proposed, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed subdivision per the Recommended Planning Commission Action.

#### **RECOMMENDATION:**

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, Planning staff has found that the project is Categorically Exempt from CEQA review, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed Farm-Stay Conditional Use Permit and modification of a Coastal Development Permit per the Recommended Planning Commission Action.

**Alternative:** Several alternatives may be considered: 1) The Planning Commission could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Planning Commission could elect to add or delete conditions of approval; 3) The Planning Commission could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 22-  
Record Number PLN-2021-17197  
Assessor Parcel Numbers: 106-111-004**

**Making the required findings for certifying compliance with the California Environmental Quality Act and conditionally approving the Brodt At the Bluff Farm Stay Conditional Use Permit and Modification of a Coastal Development Permit.**

**WHEREAS, At The Bluff Farm Stay** submitted an application and evidence in support of approving a Conditional Use Permit and modification of a Coastal Development Permit to establish a Farm-Stay within an existing farmhouse, in conjunction with an existing dairy and event venue previously approved under CDP-18-013, Application Number 14105;

**WHEREAS,** the County Planning Division prepared a Staff Report. The proposed project does not present substantial changes to the site. No new information of substantial importance that was not known and could not be known at the time was presented, as described by §15301(a) of CEQA Guidelines; and

**WHEREAS,** the Humboldt County Planning Commission held a duly noticed public hearing on **February 3, 2022**; reviewed, considered, and discussed the application for a Conditional Use Permit and Modification of a Coastal Development Permit; and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED,** that the Planning Commission makes all the following findings:

**1. FINDING:**

**Project Description:** A Conditional Use Permit and modification of an existing Coastal Development Permit (PLN-2018-14105) to establish a Farm-Stay within an existing farmhouse. The existing farmhouse is two (2) stories, approximately 3,000 square feet, located north of the dairy operation and in the northeastern corner of the parcel. The property is primarily used on a seasonal basis for the production and harvest of silage to support dairy activities on nearby ranches. The parcel is surrounded by agricultural uses and vacant land, the proposed Farm-Stay is compatible with the surrounding uses. During the off season, when silage is not produced, a barn on the site is utilized as an event venue for weddings/funerals/birthday party events. This seasonal use was established as a Temporary Use under a previously approved Special Permit and Coastal Development Permit CDP-18-013, app no. 14105. The proposed Farm-Stay would be used in combination with the event venue and separate from the event venue as necessary. The property is developed with a 3,000 square foot second residence which was conditionally approved under CDP-18-024, app no. 14156, the second residence will not be used as part of the Farm-Stay. Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitation. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time. The owner/operator resides year-round on the premises. No new development is



proposed. All public comments received have been in support of the project proposal.

A detached structure onsite will continue to be used as temporary kitchen for the event venue and not for serving Farm-Stay guests. Parking for Farm-Stay guests will include a field located east of the house and barn onsite, approximately 69,300 square feet in size. The Farm-Stay will be used separately from events throughout the year. Visitors would stay in the house separate from the weddings and the Farm-Stay will not include vacation rentals. The project parcel is under a Williamson Act contract.

**EVIDENCE:** a) Project File: PLN-2021-17197

**2. FINDING:** **CEQA:** The requirements of the California Environmental Quality Act have been met. The project is categorically exempt from environmental review per Section 15301(a), Existing Facilities.

**EVIDENCE:** a) Attachments (2.a-e) submitted for the proposed project.  
b) The proposed project does not present substantial changes that would require additional environmental review. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15301(a) of CEQA Guidelines. The project does not involve physical expansion of the existing structure to be used for the Farm-Stay operation. The proposed use will operate entirely within the existing structure and will not result in the alteration of the physical characteristics of the project site. The proposed Farm-Stay use will not result in a significant impact to the environment and therefore is exempt from further CEQA review.

#### **FINDINGS FOR CONDITIONAL USE PERMIT & MODIFICATION OF A COASTAL DEVELOPMENT PERMIT**

**3. FINDING:** The proposed development is in conformance with the County General Plan, including the Eel River Area Plan (ERAP).

**EVIDENCE:** a) The Farm-Stay establishment will operate accessory to an existing dairy and event venue. The activities will occur on a property designated Agriculture Exclusive/Prime and Non-prime Lands (AE), and Agriculture/General (AG); the Farm-Stay will operate on lands planned AE. The Farm-Stay will not impact the agricultural production of the property. A compatible blend of existing agricultural and residential uses is proposed, encouraging the continued protection of prime employment lands, and maintaining economic productivity (Conversion of Prime Employment Lands, Diverse Economy, Chapter 9.3 of the Economic Development Element). The Farm-Stay will encourage and facilitate tourism, one of the County's identified target industries (Comprehensive Economic Development Strategy, Chapter 9.3 of the Economic Development Element). The property is under a Williamson Act contract and the proposed farm-stay is in

support of the continued agricultural use of the property. Specifically, the proposed Farm-Stay will support the existing dairy operation and event venue (Chapter 4, Land Use Element). The operation of a Farm-Stay will not impact the allowable density range of AE planned land (20-60 acres/unit, Section 4.8 of the Land Use Element) because it will operate within an existing farmhouse and no new development is proposed.

- b) The proposed Farm-Stay operation is consistent with the purpose of AE designated lands of the ERAP: "to protect prime and non-prime agricultural lands for long-term productive agricultural use.". The Farm-Stay will support the long-term agricultural use of the existing agricultural operation. Conditional Uses of AE lands include "recreation (such as hunting camps and stables except those requiring non-agricultural development)" per 5.30 Rural Plan Designations, ERAP. Compatible Uses for Agriculture lands include "Recreational uses not requiring non-agricultural development under the control of the owner" (Chapter 3.34, Agriculture, ERAP). The zoning of all agricultural lands shall not permit any use that would impair the economic viability of the agricultural operations on such lands (Chapter 3.34B.1., Agriculture, Compatible Uses). The proposed Farm-Stay will operate accessory to an existing dairy and event venue, from an existing farmhouse, it will not require development of non-agricultural buildings, and the owner-operator resides on the property. The proposed use is no more intensive than other conditionally permitted uses of AE planned lands in the ERAP or existing uses onsite.
- c) The project complies with the County's Housing Element (Chapter 8) as it will not substantially subtract from the County Housing Inventory due to the continued use of an owner-operator residence on the property.
- d) The project is located in both a relatively stable and high instability geologic area. The project area is located within the 500-year flood zone and outside of the tsunami inundation area. All new development shall conform with the County Flood Insurance Program. The property is located in the State Responsibility Area (SRA) and is serviced by the County who responds to structural fires and medical emergencies. No new development is proposed as part of the project and Farm-Stay visitations are a new use, no more intensive than established uses onsite, including an event venue and dairy. Based on these findings, the proposed operation does not increase risks to hazards.

- e) A review of the Eel River Area Plan Resources map shows no sensitive or critical habitats within the proposed event area. There will be no ground-disturbing activities or new development as part of this project. Designated sensitive habitats and natural resources shall be protected to comply with Section 3.41 of the ERAP (Environmentally Sensitive Habitat). The property contains areas exhibiting both upland and wetland characteristics. There are no National Wetland Inventory (NWI) mapped wetlands or Transitional Agriculture Land wetlands located within the proposed event area. The closest mapped Coastal wetlands are approximately 300 feet east in a roadside ditch, and the closest NWI wetlands are located around 450 feet south of the proposed Farm-Stay. Based on a site inspection with the California Department of Fish and Wildlife and Planning Division staff for another project on the same parcel (CDP-18-018,) no negative impacts on sensitive biological resources would result from the establishment of the Farm-Stay use on the project site.
- f) The subject property is not located in a designated coastal scenic view area. The proposed Farm-Stay will be located within an existing structure, no new development is proposed, the land will remain in agricultural use; therefore, the Farm-Stay will have not had an impact on the scenic view area (Visual Resource Protection, ERAP 3.42).
- g) No more than eight (8) guests may visit the Farm-Stay at the same time, and each visitation will average one-three (1-3) days, therefore minimizing potential conflicts with the primary use of the land, and neighboring properties resulting from traffic, noise, or trespass. The productivity of the pasture area, where parking is proposed, will be maintained, the area will be aerated in November to ensure soils are not compacted. By operating with these measures, the proposed Farm-Stay will comply with the Land Use §5.3 (AE) Agricultural Exclusive, 3.34 Agriculture Sections of the ERAP.

**4. FINDING:**

The proposed development is consistent with the purpose of the existing zone and combining zones in which the site is located, and the proposed development conforms to all applicable standards and requirements of these regulations.

**EVIDENCE:**

- a) The project area encompasses lands zoned Agricultural Exclusive-60-acre minimum lot size (AE-60), with the combining zones: Flood Hazard Areas (F), Streams and Riparian Corridors Protection (R), Transitional Agricultural Lands (T), and Unclassified (U). The Farm-Stay establishment proposes a compatible blend of existing agricultural and residential uses, encouraging continued agricultural production and operating accessory to the agriculture operation, as is consistent with the General Plan. The proposed project will include a Farm-Stay and will modify an existing Coastal Development Permit (PLN-2018-14105) to allow Farm-Stay guests to use event areas as part of their Farm-Stay visitation. Existing facilities would be utilized on a seasonal and temporary basis. No new development is proposed and the portions of the parcel that do not contain development are being used for agriculture. The approximately 122-acre site contains an existing single-family dwelling where the Farm-Stays will be held. The proposed Farm-Stay is a new use, no more intensive than existing onsite uses principally permitted in the AE zone (HCC §313-7.1).
- b) The Agriculture Exclusive (AE) zone principally permits general agriculture and single-family residential use, it also conditionally permits "Any use not specifically enumerated in this Division (HCC §313-7.1) if it is similar to and compatible with the uses permitted in the AE zone". The proposed Farm-Stay will restrict the number of guests to a maximum of eight (8) during one time. The proposed Farm-Stay is intended to support the existing agricultural uses and event venue onsite, it is compatible with the uses permitted in the AE zone and existing onsite.
- c) The Flood Hazard Areas (HCC §313-21.1) Combining Zone standards have been met, no new development is proposed, the project area is located within the 500-year flood zone and outside of the tsunami inundation area, all new development shall conform with the County Flood Insurance Program.
- d) The Streams and Riparian Corridors Protection (HCC §313-33.1) Combining Zone standards have been met, no new development is proposed, the project involves Farm-Stays that are temporary visitations averaging one-three (1-3) days in length and located on an upland portion of the parcel that is developed with pasture, gravel driveways, a residence, and milking barn. The closest stream and riparian corridor buffer zone is approximately 500 feet south of the proposed Farm-Stay operation.
- e) The Transitional Agricultural Lands (HCC §313-35) Combining Zone standards have been met, no new development is proposed, and the proposed Farm-Stays are not located near any wetlands or environmentally sensitive habitat areas, the nearest wetland is approximately 450 feet south of the proposed Farm-Stays and existing development. The Transitional Agriculture Lands zoned AE are exempt from wetland buffer requirement (HCC §313-125.5.3), no new development is proposed, and based on a site inspection with California Department of Fish and Wildlife and Planning Division staff



for another project on the same parcel (CDP-18-018), no negative impacts on sensitive biological resources are anticipated.

- f) The proposed Farm-Stay conforms to all development standards associated with the respective zones. The proposed Farm-Stay is setback approximately 450 feet from the nearest wetland (HCC §313-125 and Wetland Buffer Areas National Wetlands Inventory designated: Freshwater Emergent Wetland, Freshwater Pond, and Freshwater Forested/Shrub Wetland). Transitional Agriculture Lands zoned AE are exempt from wetland buffer requirement HCC §313-125.5.3. However, no new development is proposed, and based on a site inspection with California Department of Fish and Wildlife and Planning Division staff for another project on the same parcel (CDP-18-018), no negative impacts on sensitive biological resources are anticipated.
- g) Only the Farm-Stay guests will be served food from the kitchen located within the existing farmhouse as part of their visitations. The Farm-Stay proposes to use four (4) bedrooms for guests, averaging one-three (1-3) days per visitation for a maximum of eight (8) guests at one time; the owner/operator resides on the property.

**5. FINDING:** The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity (HCC §312-17.1.4).

**EVIDENCE:** All reviewing agencies have either not commented or recommended conditional approval of the proposed project. The Farm-Stay will be established in an existing farmhouse, no significant negative impacts are anticipated as part of the project.

**6. FINDING:** The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (HCC §312-17.1.5).

**EVIDENCE:** a) The project does not include any residential development, the Farm-Stay will be established in an existing residence and in conjunction with an existing event venue. The owner will continue to reside on the property.

**7. FINDING:** The proposed Farm-Stay establishment is similar and compatible with the conditionally permitted uses in the coastal, agricultural exclusive (AE) zone (HCC §313-7.1).

**EVIDENCE:** a) The proposed Farm-Stay is compatible with the neighborhood, including but not limited to the nature of the proposed site and the treatment given, such as landscaping, screening, open spaces, lighting and signs (HCC 312-32.2.1-3). No new development is proposed at this time and any new signs must comply with the standards of the conditions of approval of the Farm-Stay.

**8. FINDING:** The road and driveway access to the proposed Farm-Stay is compliant with County requirements.

**EVIDENCE:**

- a) Public Works referral response dated May 19, 2021, indicates that the Department recommends approval and has no comment at this time.
- b) Applicant submitted photo-evidence of paved roadways (Church Lane) leading to the project site. A minimal increase in traffic is anticipated as part of the Farm-Stays; no more than eight (8) guests are allowed at one time (estimated 1-4 cars per Farm-Stay).

**NOW, THEREFORE,** based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

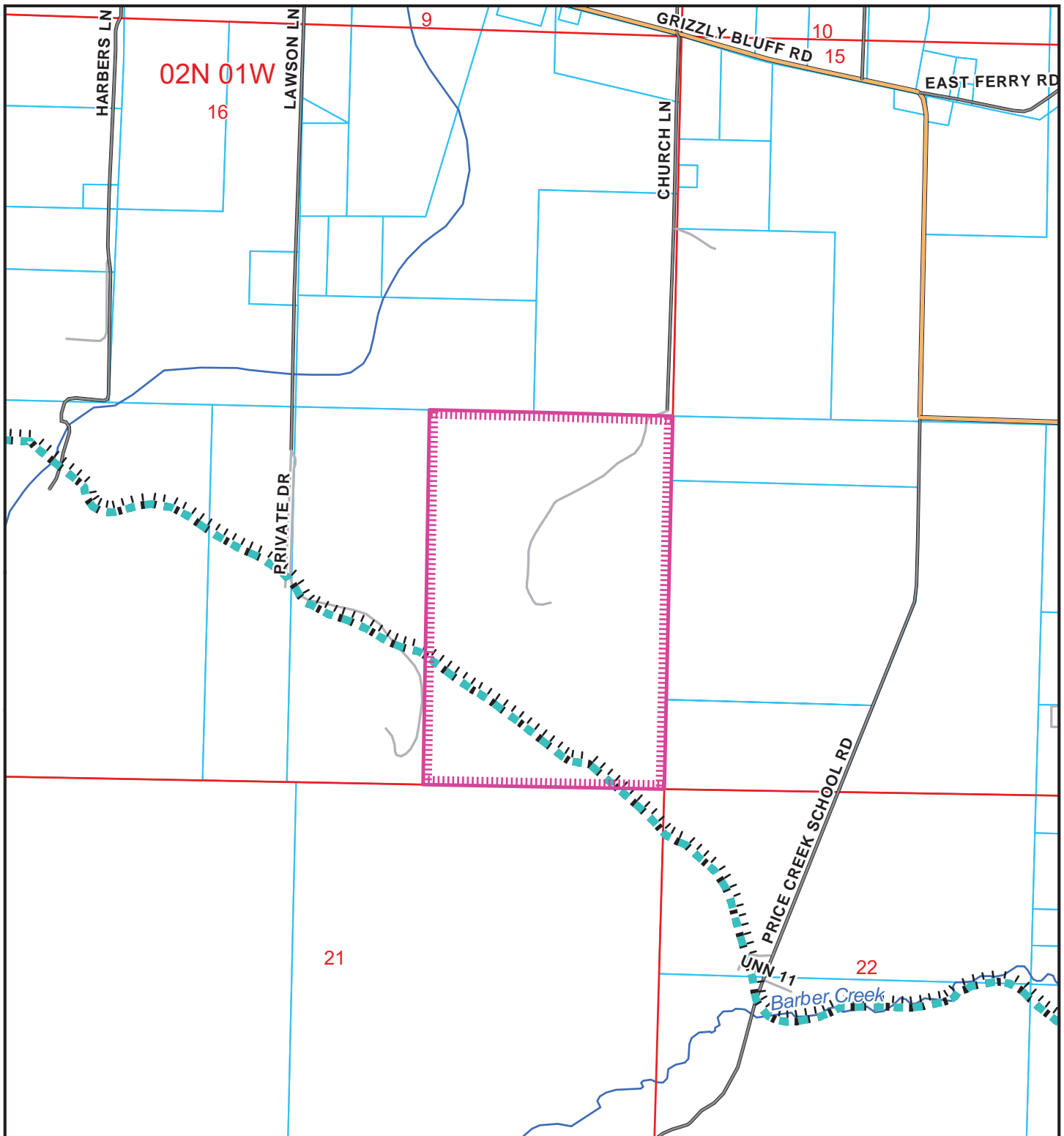
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit and Modification of a Coastal Development Permit for At The Bluff Farm Stay, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **February 3, 2022**

I, John H. Ford, 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 Planning Commission at a meeting held on the date noted above.

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John H. Ford, Planning Commission  
Planning and Building Department



# LOCATION MAP

## PROPOSED AT THE BLUFF FARM STAY CONDITIONAL USE PERMIT, COASTAL DEVELOPMENT PERMIT

Project Area = 

Coastal Zone Boundary 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

FERNDALE AREA  
PLN-2021-17197  
APN: 106-111-004  
T02N R01W S16 HB&M (Fortuna)

0 500 1,000 Feet  
Exhibit No. 8  
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## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

#### Conditions of Approval for the Conditional Use Permit and Modification of a Coastal Development Permit

APPROVAL OF THE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS

##### Conditions of Approval:

1. Farm-Stays shall be conducted consistent with the approved project Operations Plan and Description and these conditions of approval. Changes to the project, except for Minor Deviations per Section 312-11.1 of the Humboldt County Zoning Regulations, shall require modification of this permit.
2. Per the referral comments received from the Environmental Health Department on August 16, 2021, Farm-Stay requires plan review and Restricted Food Services Facility Permit w/ DEH Consumer Protection Program if facility is providing potentially hazardous foods and onsite produced baked goods for gift basket at farm stay. Applicant must submit Application to Operate a Water System to DEH Consumer Protection Program and meet all requirements to operate as a transient non-community water system depending on number of connections
3. Applicant shall obtain a Building Permit for any proposed physical alteration of the existing structure used for the proposed Farm-Stay operation.
4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$50.00.
6. All work subject to Construction and Demolition and Inert debris as provided in California Code of Regulations T14 Chapter 5, Articles 5.9 (Transfer/Processing) and 6.0 (Disposal) will be performed in compliance with those regulations.
7. At the time the applicant applies for any building permit for the demolition of buildings covered under this CDP and CUP, the applicant shall provide DEH with all available details associated with planned demolition and planned storage of the demolition debris on any of the project's parcels.
8. Before the import of any Construction and Demolition and Inert debris (CDI) not generated by the demolition or construction on any parcel subject to this project, the applicant will consult with DEH Solid Waste Local Enforcement Agency (LEA) program staff for regulatory parameters.



9. The property owner shall reside onsite during overnight stays. No consistent with previous discussions.
10. No more than four (4) guest bedrooms with a maximum of eight (8) guests will be used at one time. Only Farm-Stay guests will be served food from the kitchen located within the existing farmhouse to be used as a Farm-Stay. The owner/operator shall reside on the premises. No other onsite kitchens are approved for use to serve Farm-Stay guests as part of this permit.
11. There shall be a minimum of one (1) parking space for each sleeping unit, plus two (2) manager parking spaces.
12. Each normal size parking space shall be not less than eight feet (8') wide, eighteen feet (18') long and contain seven feet (7') of vertical clearance.
13. All parking must be located on the project site.
14. The parking area shall be annually aerated in November to ensure soils are not compacted.
15. Permanent signs advertising the site must comply with the following standards: "One sign is permitted advertising the Farm-Stay establishment. Notwithstanding any other provision of this Code, such sign shall not exceed four square feet (4sf) in the aggregate, shall be non-moving, and shall have, if any, only illumination which is indirect and non-flashing and shielded to prevent illumination off-site" (HCC §313-44) Zoning Regulations.
16. **Noise:** All amplified music and speakers shall be directed inward from property lines and turned off by 10:00 p.m. Noise level shall not exceed 60 dB at the property line and not be continuously or significantly heard on neighboring properties. Noise readings using a handheld meter approved by the Planning Division shall be taken from the north and east property lines during each event with amplified music. The results of each reading shall be logged and included in the Annual Monitoring Report.
17. The applicant shall be responsible for proper off-site disposal of trash the cleanup of any litter created by each Farm-Stay. Containers for disposal of recyclable item shall be provided.
18. Any exterior lighting associated with a Farm-Stay shall be directed so as not to extend beyond the boundaries of the parcel and shall be limited to actual Farm-Stay dates.
19. **Calendar:** The applicant shall provide to all interested neighbors, a calendar schedule of Farm-Stays planned for the season. The notice shall include a contact number for the event operator, the days and times of each Farm-Stay, the expected number of guests, the days and times for set-up and clean-up.
20. **Hours of operation:** Set up and cleanup of event site shall only occur on Fridays and Sundays from 12:00 p.m. to 6:00 p.m. For Saturday events, all guests must leave the event site by 11:00 p.m.
21. The use shall be conducted so as not to be detrimental to the public health, safety, or welfare, or a nuisance.
22. All uses and development on Assessor's Parcel Number (APN) 106-111-004, require permit. Prior to development for new uses and implementation of new uses, the applicant shall consult with the Planning Department.

23. **Unpermitted uses:** *Vacation rentals are not a permitted use on this parcel. Use of the residence in a manner inconsistent with the zoning shall constitute a violation and shall be grounds for permit revocation of this use permit. The Farm-Stay shall not be advertised as a vacation rental.*

**Informational Notes:**

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
2. The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.
3. The Conditional Use Permit and Modification to a Coastal Development Permit shall expire and become null and void at the expiration of five (5) years after all appeal periods have lapsed (see "Effective Date"); except where use in reliance on the permit has commenced prior to such anniversary date. The period within which use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.

## ATTACHMENT 2

### Applicant's Evidence in Support of the Required Findings

Attachment 2 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

- Application Form (in file)
- Floor Plan (**attached**)
- Site Plan (**attached**)
- Map Set – Location Map (**attached**)
- Plan of Operation (**attached**)
- Current Deed (in file)