

### ATTACHMENT 3

**Ordinance No. \_\_\_\_\_, by adding section 314-61.05; amending sections 314-6.6, 314-9.1, 314-9.2, 314-55.4.10.7, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-163.1.3, and 314-177.6; and repealing sections 314-37, 314-44.1 AND 314-172.2 of Chapter 4 of Division 1 of Title III of the Humboldt County Code relating to Short-term Rentals.  
(Inland Short-term Rental Ordinance)**

**ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 4 OF HUMBOLDT COUNTY CODE**

The Board of Supervisors of the County of Humboldt ordains as follows:

**SECTION 1. PURPOSE OF ZONING REGULATION AMENDMENTS.**

Title III, Division 1, Chapter 4 of the Zoning Regulations is hereby amended to allow operation of Short-term Rentals while protecting the public health, safety, and welfare of the residents of the coastal unincorporated areas of Humboldt County, preserving housing stock, protecting neighborhood quality, supporting tourism and economic development, and balancing the needs of property owners, tenants and neighbors. This ordinance also eliminates Bed and Breakfast provisions and updates definitions. This ordinance adds section 314-61.05, amends sections 314-6.6, 314-9.1, 314-9.2, 314-55.4.10.7, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-163.1.3, and 314-177.6, and repeals sections 314-37, 314-44.1, and 314-172.2 of Chapter 4 of Division 1 of Title III of the County Code; relating to Short-term Rentals.

**SECTION 2. SHORT-TERM RENTAL ORDINANCE**

Subdivision 314-60.05 regarding Short-term Rentals in Title III, Division 1, Chapter 4 of the Humboldt County Code is hereby added by 314-60.05 as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

**314-60.05 SHORT-TERM RENTALS**

60.05.1 Purpose. The purpose and intent of this Section (the “Short-term Rental Ordinance”) is to protect and promote the public health, safety and welfare, support tourism and economic development, protect housing stock, preserve the quality of neighborhoods, and balance the needs of property owners, tenants, and neighbors.

60.05.2 Applicability. These provisions apply when dwelling units are used as Short-term Rentals.

60.05.3 Allowed Zones. Short-term Rentals may be permitted in zoning districts where residential use is a permitted use subject to these regulations.

60.05.4 Application. In addition to all materials required for a permit pursuant to 312-5.2, a complete application for a Short-term Rental Permit shall include the following:

- A. Current grant deed for the subject parcel.

- B. Affidavit signed by the permit holder confirming delivery of the *Good Neighbor Guide* to all neighbors in the closest 10 dwellings and within 300 feet up and down the street, if applicable.
- C. Evidence of property-owner consent if the permit-holder is someone other than the property owner. If the property owner withdraws consent at any time when the permit is active, the permit is immediately revoked.
  - i. Where the owner is an LLC or other corporation, the ownership of the corporation(s) shall include the people who own the corporation or controlling corporation via an ownership roster or operating agreement identifying all parties involved within the LLC or other corporation(s) for said owner or operator.
- D. Access route, if seeking a Special Permit and the site is accessed via a shared private road system.

**60.05.5 Existing Operations.** No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Three months after the effective date of this ordinance the department will issue permits for qualifying locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation prior to October 26, 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in Section 60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap. A permit shall not be issued on a parcel with active violations.

**60.05.6 Permit Requirements.**

**60.05.6.1 Administrative Permit Required.** A Short-term Rental meeting the requirements herein shall be permitted with an Administrative Permit.

**60.05.6.2 Special Permit Required.** A Short-term Rental seeking exception from standards identified in Section 60.05.9.1 and Section 60.05.10.3 may only be allowed upon issuance of a Special Permit.

**60.05.6.2.1 Required findings.** A Special Permit for a Short-term Rental may be approved only if the following findings are made:

- A. The Short-term Rental would not result in significant adverse effects on the health, safety, and welfare of the community; and

- B. The Short-term Rental would not result in significant adverse effects on the quality of the neighborhood.

60.05.6.2.2 **Special Noticing Requirements.** In addition to following the procedures identified in Section 312-8.1 Notice of Application Submittal, notice shall be sent to all owners and occupants of property accessed through shared private road system.

60.05.7 **Permit Term for Short-term Rentals.** All Short-term Rental Permits (including non-conforming approvals) shall lapse two years after the effective date of the permit unless all of the following requirements are met:

- A. The permit holder shall submit a *Statement of Continued Operation* as provided by the Planning & Building Department, indicating a desire to continue operation provided that there is evidence of hosting stays; and
- B. There are no outstanding violations associated with the permit; and
- C. The permit holder shall submit evidence showing that no outstanding taxes are associated with the subject parcel.

60.05.8 **Violations.** Continuous use of a Short-term Rental without resolution of the violation(s) of Humboldt County Code of this section may result in Code Enforcement action, Permit Suspension or Permit Revocation.

60.05.8.1 **Suspension or Revocation.** Consistent with the procedures in Section 312-14 of the Zoning Ordinance a Short-term Rental permit may be suspended or revoked for violations of the Short-term Rental Ordinance and/or violations of permit terms or conditions.

60.05.9 **Home-share Rental.** This section applies to Home-share Rentals which are a short-term rental of a portion of a dwelling unit where the caretaker remains in residence.

60.05.9.1 **Standards for Home-share Rentals.**

60.05.9.1.1 **Health and Safety Standards.** Exception to Standards C and D may be sought with a Special Permit.

- A. **Building, Fire and Health.**
  - i. Dwellings shall be permitted or legal nonconforming.

- ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Dwelling Unit.
- B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.
- C. **Access.** The access road shall be built to a Category 3 standard.
- D. **Maximum overnight occupancy.** Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

**60.05.9.1.2 Neighborhood Quality and Public Nuisance Standards.**

Exception to Standard C may be sought with a Special Permit.

- A. **Resident Caretaker.** The caretaker shall reside within the dwelling unit and be present when rooms are occupied by guests.
- B. **Noise.** The maximum noise levels allowed in all outdoor areas and indoor common areas of the property are as follows: 65 dB during the hours of 8 a.m. to 10 p.m. and 60 dB from 10 p.m. to 8 a.m.
- C. **Parking.** Each Home-share Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

**60.05.10 Short-term Rental.** This section applies to short-term rental of whole dwelling units. Short-term rentals may be rented for the whole or a portion of the year. A residence which is rented on a short-term basis for less than 3 months out of the year does not count against the Cap provided that it is occupied as long-term housing for the remainder of the year.

**60.05.10.1 Short-term Rentals Prohibited.** Short-term Rentals are not allowed in dwellings with any of the following limitations:

**60.05.10.1.1 Recorded Limitation.** Dwellings subject to a recorded covenant, agreement, deed restriction or other recorded document to which the county is a party that limits the use of the dwelling to affordable housing, or

otherwise prohibits use as a Short-term Rental.

60.05.10.1.2 **SB9 California H.O.M.E. Act.** Dwellings on lots approved pursuant to Section 66411.7 of Chapter 1 of Division 2 of Title 7 of the California Government Code (SB 9 – “The California H.O.M.E. Act”) shall not be permitted as Short-term Rentals.

60.05.10.1.3 **Accessory Dwelling Unit.** ADUs permitted after January 1, 2020, shall not be permitted as Short-term Rentals.

60.05.10.1.4 **Alternative Owner Builder.** Dwellings permitted pursuant to the Alternative Owner Builder (AOB) provisions of Section 331.5-4 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals.

60.05.10.1.4.1 AOB dwellings may be permitted after-the-fact, pursuant to the building code in effect at the time of original permit issuance. A Short-term Rental Permit application may be submitted concurrently with the Building Permit application. The permit for the Short-Term Rental shall not be approved until after the Certificate of Occupancy is issued by the Building Division.

#### 60.05.10.2 **Short-term Rental Permit Limitations.**

60.05.10.2.1 **Short-term Rental Cap.** The total number of Short-term Rentals shall be limited.

60.05.10.2.1.1 Not more than 2% of the overall housing stock may be permitted as Short-term Rentals in the Greater Humboldt Bay Area Short-term Rental Cap Area which is comprised of the following Community Plan Areas: Trinidad-Westhaven Community Plan Area [CPA], McKinleyville CPA, Fieldbrook-Glendale CPA, Blue Lake CPA, Arcata CPA, Jacoby Creek CPA, Freshwater CPA, Eureka CPA, Fortuna CPA, Hydesville-Carlotta CPA and the Rio Dell-Scotia CPA. In addition to the 2% cap on Short-term Rentals in the Greater Humboldt Bay Area, not more than 5% of housing stock within each Community Plan Area can be used for Short-term Rentals.

60.05.10.2.1.2 In areas where the Cap applies, applications for new Short-term Rentals can be submitted 90 days from the effective date of this ordinance.

60.05.10.2.2 **Non-Transferable.** Short-term Rental Permits shall not be transferred between property owners.

60.05.10.2.3 **Per Person Limit.** An individual or business shall not own more than three (3) parcels with Short-term Rental permits.

60.05.10.2.3 **Resource Zone Districts.** Short-term Rentals in Agriculture Exclusive Zone, Agriculture General Zone, Forestry Recreation Zone, and Timberland Production Zone may only be permitted as farm stays.

60.05.10.2.4 **No Violations.** A permit shall not be issued on a parcel with active violations.

60.05.10.3 **Standards for Short-term Rentals.**

60.05.10.3.1 **Health and Safety.** Exception to Standards C and D may be sought with a Special Permit.

A. **Building and Fire.**

- i. Dwellings shall be permitted or legal nonconforming.
- ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Short-term Rental.

B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.

C. **Access.** The access road shall be built to a Category 3 standard.

- i. **Road Maintenance Association (RMA).** If a private access road has an established RMA, the permit-holder shall be a member in good standing.

D. **Maximum overnight occupancy.** Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

60.05.10.3.2 **Neighborhood Quality and Public Nuisance.** These provisions

apply to parcels that are within a Community Plan Area, are less than 10 acres in area, and where the Short-term Rental is located within 1,000 feet of the nearest neighboring residence. Exception to Standards C - G may be sought with a Special Permit.

A. **Good Neighbor Guide.** Prior to the operation of the Short-term Rental, the permit holder shall submit to the Planning and Building Department a signed affidavit certifying the delivery of a Good Neighbor Guide to all neighbors with dwellings within 300 feet of the Short-term Rental as the crow flies, and to the nearest five (5) neighbors up and down the access road. The Good Neighbor Guide shall also be submitted to the Planning and Building Department and must be present and available for tenants in all Short-term Rentals. The Good Neighbor Guide must contain, at a minimum, the following:

- i. Name and telephone number for a caretaker who shall:
  - a. Respond to all questions or concerns timely.
  - b. Remedy complaints related to health and safety (e.g., gas leak or power outage), as well as any violations of Humboldt County Code timely.
- ii. Location of the approved parking spaces.
- iii. Permit standards.
- iv. Safety manual identifying evacuation route(s) and the locations of the nearest public service facilities (e.g., hospitals, police stations, fire stations).
- v. Traffic etiquette pamphlet.

B. **Lighting.** No direct light shall spill onto adjacent properties or create glare above the property.

C. **Per Parcel Limit.** One Short-term Rental may be permitted per legal parcel.

D. **Neighborhood Concentration.** Each Short-term Rental may not exceed the following neighborhood concentration limitations,



except within the Shelter Cove Community Plan Area where this standard does not apply.

- i. Parcels with a General Plan density of one (1) or fewer acres per dwelling unit:
    - a. Short-term Rentals shall not exceed 10% of the dwellings on the access road; and
    - b. As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.
  - ii. Parcels with a General Plan density of more than one (1) acre per dwelling unit:
    - a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.
- E. **Private Gatherings and Parties.** Gatherings and parties shall have no more than twice the maximum occupancy of the short-term rental, only allowed during the hours of 8 a.m. to 10 p.m. (not eligible for stay). If gatherings are intended, they must be included in the application for the short-term rental and the application must include provisions for parking, which can be on street where allowed.
- F. **Noise.** The maximum noise levels allowed in all outdoor areas and indoor common areas of the property are as follows: 65 dB during the hours of 8 a.m. to 10 p.m. and 60 dB from 10 p.m. to 8 a.m.
  - i. Following one or more noise complaint(s) for a Short-term Rental, the permit holder shall install noise sensor and provide recorded data to the Planning & Building Department upon request.
- G. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

## SECTION 3. DEFINITIONS

The following subdivisions of 314, Index of Definitions of Language, in Title III, Division 1, Chapter 4 of the Humboldt County Code are added or amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike-out~~ and additions as underlined text; modifications proposed here are shown in ~~double-strike-out~~ and additions as double underlined text):

### **314-138 Definitions (C).**

**Cannabis Farm Stay.** See, Farm Stay

### **314-141 Definitions (F).**

**Farm Stay.** Farm stays are a form of Short-term Rental that provides activities and experiences that educate guests about local agriculture and are located on parcels where the primary use of the land is agriculture.

### **314-143 Definitions (H).**

**Home-share Rental.** Short-term Rental of a portion of a dwelling unit where the caretaker remains in residence.

### **314-153 Definitions (R).**

#### **Recreation:**

a. *Recreation Commercial.* Recreation facilities open to the general public for a fee, or, if restricted to members when operated for profit as a business. (Former Section INL#312-60(a); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

b. *Recreation, Private, Noncommercial.* Clubs or recreation facilities operated by a non-profit organization and open only to bona fide members of such non-profit organization and their guests. (Former Section INL#312-60(b); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

c. *Recreational Accommodations.* Transient and tourist-related habitation that support on-site recreation activities such as dude ranches, ski lodges, health spas, ~~bed and breakfast inns~~, transient habitation and other similar accommodations that provide recreational related lodging to guests. (Former Section INL#312-60(c); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

### **314-154 Definitions (S).**

**Short-term Rental.** Permitted or legal non-conforming dwelling units, rented to guests for 30 consecutive days or fewer.

**Short-term Rental Caretaker.** The person or persons that lives in the subject dwelling unit attends to day- to-day operations associated with the maintenance of the Short-term Rental and who is the point of contact for neighborhood concerns.

**Short-term Rental Permit Holder (“Permit Holder”).** The person or persons that has control and responsibility for the Short-term Rental of a dwelling unit and that is responsible for ensuring compliance with all applicable laws and regulations.

### **314-157 Definitions (V).**

~~Vacation Home Rental: Vacation Home Rental includes the transient use of single and two-family (duplex) dwelling units. Vacation home rentals are subject to the provisions in Section 314 22.2, Greenway and Open Space Combining Zone. (Former Section INL#312 75.5; Added by Ord. 2154, Sec. 1, 12/9/97)~~

## **SECTION 4. LISTING OF USE CLASSIFICATIONS**

Subdivision 314-163.1.3 of Chapter 4, Section D of the Humboldt County Code, Listing of Use Type and Principal Permitted Use Classifications, Commercial Use Types, is amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

### **163.1.3 Commercial Use Types.**

Automotive Sales, Service and Repair (allowed in C-3)

~~Bed and Breakfast Establishment (allowed in RA)~~

Heavy Commercial (allowed in C-3)

Neighborhood Commercial (allowed in C-3, RA)

Office and Professional Service (allowed in C-3, MB)

Private Recreation (allowed in RA)

Retail Sales (allowed in C-3, MB)

Retail Service (allowed in C-3, MB)

Transient Habitation (allowed in MB)

Warehousing, Storage and Distribution (allowed in C-3, MB)

## **SECTION 5. GLOSSARY OF USE TYPES, COMMERCIAL USE TYPES**

Subdivision 314-172 of Chapter 4, Section D of the Humboldt County Code, Part 2: Glossary of Use Types, Commercial Use Types, is amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

#### ~~172.2~~ **BED AND BREAKFAST ESTABLISHMENT**

~~172.2.1~~ The ~~Bed and Breakfast Establishment Use Type~~ refers to a residential structure with one family in permanent residence where a maximum of four (4) bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided. (From Section CZ#A313-7(K); Added to INL by Ord. 2205, Sec. 1, 4/11/00)

~~172.2.2~~ This use type does not include “hotels and motels” which are included in the Transient Habitation Use Type; nor does this use type include rooming and boarding houses which are included under the Group Residential Use Type. (From Section CZ#A313-7(K); Added to INL by Ord. 2205, Sec. 1, 4/11/00)

### SECTION 6. GLOSSARY OF USE TYPES, RESIDENTIAL USE TYPES

Subdivision 314-177 of Chapter 4, Section D of the Humboldt County Code, Part 2: Glossary of Use Types, Residential Use Types, is amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

#### **177.6 SINGLE FAMILY RESIDENTIAL**

The Single Family Residential Use Type includes the residential occupancy of a single detached main building by one family on a non-transient basis, ~~except for rental of single family dwellings as vacation homes, where the use would not be otherwise different than the uses allowed to be made of single family dwellings.~~ (See also, ~~Vacation Home Rental~~) and accessory uses necessarily and customarily associated with residential use. (From Section CZ#A313-5(B); Added to INL by Ord. [2205](#), Sec. 1, 4/11/00)

**SECTION 7. RESIDENTIAL ZONE DISTRICTS**

Tables in Section 314-6 regarding Residential Zone Districts in Title III, Division 1, Chapter 4, Section A of the Humboldt County Code, Part 1: Principal Zones, are amended as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

**6.6 RA: RURAL RESIDENTIAL AGRICULTURE**

Principal Permitted Uses. The following use types are permitted pursuant to the Development Permit Procedures in Chapter 2 of this Division. (Former Section INL#314-20; Added by Ord. [2205](#), Sec. 1, 4/11/00)

|                        |   |
|------------------------|---|
| <b>314-6.6</b>         | <b>RA: RURAL RESIDENTIAL AGRICULTURE</b>  |
| <b>Use Type</b>        | <b>Principal Permitted Use</b>  |
| Residential Use Types  | Single Family Residential<br>Accessory Dwelling Unit (Amended by Ord. <a href="#">2167</a> , Sec. 16, 4/7/98)             |
| Civic Use Types        | Minor Utilities   |
| Agricultural Use Types | General Agriculture   |
| Industrial Use Types   | Cottage Industry; subject to the Cottage Industry Regulations<br>(Amended by Ord. <a href="#">2167</a> , Sec. 16, 4/7/98) |
| <b>Use Type</b>        | <b>Conditionally Permitted Use</b>  |
| Residential Use Types  | Guest House   |

|                      |  |
|----------------------|--|
| Civic Use Types      | <p>Essential Services</p> <p>Community</p> <p>Assembly</p> <p>Public Recreation and Open Space</p> <p>Solid Waste Disposal; subject to the Solid Waste Disposal Regulations</p> <p>Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations</p> <p>Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations</p> <p>Minor Generation and Distribution Facilities</p> |
| Commercial Use Types | <p>Neighborhood Commercial</p> <p><del>Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations</del></p>   |

|                            |   |
|----------------------------|---|
| <b>314-6.6</b>             | <b>RA: RURAL RESIDENTIAL AGRICULTURE</b>                              |
|                            | Private Recreation  |
| Agricultural Use Types     | <p>Stables and</p> <p>Kennels</p> <p>Intensive</p> <p>Agriculture</p> |
| Commercial Timber Use Type | Timber Production   |
| Extractive Use Type        | Surface Mining - 2; subject to the Surface Mining Regulations         |

|                                    |  |
|------------------------------------|--|
| Natural Resource Use Types         | Fish and Wildlife<br>Management Watershed<br>Management Wetland<br>Restoration<br>Coastal Access Facilities                      |
| Use Types Not Listed in This Table | Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the RA zone. |

**314-6.6**

**RA: RURAL RESIDENTIAL AGRICULTURE**

**Development Standards**

**Minimum Lot Size and Minimum Lot Width**

| Zone Designation | Minimum Lot Size | Minimum Lot Width |
|------------------|------------------|-------------------|
| RA-1             | 1.0 acre         | 150 feet          |
| RA-2             | 2.0 acres        | 175 feet          |
| RA-2.5           | 2.5 acres        | 175 feet          |
| RA-5             | 5.0 acres        | 250 feet          |

**314-6.6**

**RA: RURAL RESIDENTIAL AGRICULTURE**

|                          |                               |          |
|--------------------------|-------------------------------|----------|
| RA-10                    | 10.0 acres                    | 350 feet |
| RA-20                    | 20.0 acres                    | 475 feet |
| RA-40                    | 40.0 acres                    | 750 feet |
| <b>Maximum Lot Depth</b> | Four (4) times the lot width. |          |

|                               |  |   |
|-------------------------------|--|---|
| <b>Maximum Density</b>        | Either one dwelling unit per lawfully created lot or two dwelling units per lawfully created lot if a Special Permit is secured for a second residential unit.<br><br>(Amended by Ord. <a href="#">2167</a> , Sec. 16, 4/7/98) |   |
| <b>Minimum Yard Setbacks*</b> | <b>Minimum Lot Size Less Than 2.5 Acres</b>  | <b>Minimum Lot Size 2.5 Acres or Greater</b>  |
| Front                         | Twenty (20) feet   | Twenty (20) feet; Thirty (30) feet for flag lots  |
| Rear                          | Ten (10) feet  | Thirty (30) feet  |
| Interior Side                 | Five (5) feet  | Thirty (30) feet  |
| Exterior Side                 | Twenty (20) feet   | Thirty (30) feet  |
| Flag Lots                     | The Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for vehicular turn around on the lot.  | The Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for vehicular turn around on the lot. |
| Double Frontage Lots          | Front and rear yards shall be twenty (20) feet, except that the rear yard setback may be reduced to ten (10) feet where  | Front and rear yards shall be twenty (20) feet, except that the rear yard setback may be reduced to ten (10) feet where                                 |

|                                |  |                           |
|--------------------------------|--|---------------------------|
| <b>314-6.6</b>                 | <b>RA: RURAL RESIDENTIAL AGRICULTURE</b> |                           |
|                                | such yard abuts an alley.                | such yard abuts an alley. |
| <b>Maximum Ground Coverage</b> | Thirty-five percent (35%)                |                           |
| <b>Maximum Structure</b>       | Thirty-five (35) feet.                   |                           |



|                                      |  |
|--------------------------------------|--|
| <b>Height</b>                        |  |
| <b>Permitted Main Building Types</b> | Residential Single Detached<br>Limited Mixed Residential - Nonresidential<br>Nonresidential Detached or Multiple/Group |

\* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

(From Sections CZ#A313-17(A)(1-4); CZ#A313-17(B)(1-7); CZ#A313-17(C)(1-6); Amended by Ord. [2167](#), Sec. 16, 4/7/98) (Ord. 2678, Section 4, 7/13/2021; Ord. 2693, Section 9, 6/7/2022)

## SECTION 8 MIXED USE ZONE DISTRICTS

Subdivision 314-9 of Chapter 4, Section A of the Humboldt County Code, Part 1: Principal Zones, is amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

### 9.1 MU1: MIXED USE (URBAN)

The purpose of the Mixed Use (Urban) or MU1 Zone is to provide for pedestrian-oriented, mixed use development (commercial, office, and higher density residential). The permitted uses and other regulations may be modified through community specific planning by the application of the appropriate Special Area Combining Zone, such as a D – Design Control or Q – Qualified Combining Zone.

|                       |  |
|-----------------------|--|
| <b>314-9.1</b>        | <b>MU1: MIXED USE (URBAN)</b>  |
| <b>Use Type</b>       | <b>Principal Permitted Use</b>   |
| Residential Use Types | Two (2) Family Dwellings and Multiple Dwellings and Dwelling Groups Single-Family Residential<br>Accessory Dwelling<br>Unit Guest House<br>Emergency Shelter |

|                      |  |
|----------------------|--|
| Commercial Use Types | Neighborhood Commercial<br>Retail Sales and Retail<br>Services |
|----------------------|--|

|                               |  |
|-------------------------------|--|
| <b>314-9.1</b>                | <b>MU1: MIXED USE (URBAN)</b>  |
|                               | Transient Habitation<br>Office and Professional Service<br><del>Bed and Breakfast Establishment; Subject to the Bed and<br/>Breakfast Establishment Regulations</del><br>Commercial and Private Recreation |
| Civic Use Types               | Minor Utilities<br>Essential Services Conducted Entirely Within an Enclosed<br>Building Community Assembly<br>Public and Parochial Parks, Playgrounds and Playing Fields<br>Noncommercial Recreation       |
| Industrial Use Types          | Cottage Industry; Subject to the Cottage Industry Regulations  |
| <b>Use Type</b>               | <b>Conditionally Permitted Use</b>   |
| Civic Use Types               | Public Recreation and Open Space<br>Minor Generation and Distribution Facilities   |
| Natural Resource Use<br>Types | Fish and Wildlife<br>Management Watershed<br>Management Wetland<br>Restoration<br>Coastal Access Facilities  |

|                                    |  |
|------------------------------------|--|
| Use Types Not Listed in This Table | Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the MU zone. |
| <b>Development Standards</b>       |  |
| <b>Minimum Lot Area</b>            | Two thousand (2,000) square feet.  |

|                                 |  |
|---------------------------------|--|
| <b>314-9.1</b>                  | <b>MU1: MIXED USE (URBAN)</b>  |
| <b>Minimum Lot Width</b>        | Twenty-five feet (25').  |
| <b>Minimum Yard Setbacks*</b>   |  |
| Front                           | None, except that where frontage is in a block which is partially in a residential zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such residential zone.   |
| Rear                            | Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').   |
| Side                            | None, except that a side yard of an interior lot abutting on a residential zone (RS, R-1, R-2, R-3, R-4) or agricultural zone (AE, AG) shall be not less than the front yard required in such residential zone or agricultural zone. |
| <b>Maximum Ground Coverage</b>  | One hundred percent (100%).  |
| <b>Maximum Structure Height</b> | Seventy-five feet (75').   |

\* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

## 9.2 MU2: MIXED USE (RURAL)

The purpose of the Mixed Use (Rural) or MU2 Zone is to provide for small-scale mixed

use development (commercial, office, and residential) for smaller population bases. The permitted uses and other regulations may be modified through community specific planning by the application of the appropriate Special Area Combining Zone, such as a D – Design Control or Q – Qualified Combining Zone.

|                       |  |
|-----------------------|--|
| <b>314-9.2</b>        | <b>MU2: MIXED USE (RURAL)</b>  |
| <b>Use Type</b>       | <b>Principal Permitted Use</b>   |
| Residential Use Types | Two (2) Family Dwellings<br>Single-Family Residential<br>Accessory Dwelling Unit |

|                      |  |
|----------------------|--|
| <b>314-9.2</b>       | <b>MU2: MIXED USE (RURAL)</b>  |
|                      | Guest House<br>Emergency Shelter   |
| Commercial Use Types | Neighborhood Commercial<br>Retail Sales and Retail Services Office and Professional Service<br><del>Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations</del><br>Commercial and Private Recreation |

|                        |  |
|------------------------|--|
| Civic Use Types        | Minor Utilities<br>Essential Services Conducted Entirely Within an Enclosed Building<br>Community Assembly<br>Public and Parochial Parks, Playgrounds and Playing Fields<br>Noncommercial Recreation |
| Industrial Use Types   | Cottage Industry; Subject to the Cottage Industry Regulations  |
| Agricultural Use Types | General Agriculture  |
| <b>Use Type</b>        | <b>Conditionally Permitted Use</b>   |
| Residential Use Types  | Multiple Dwellings Containing Four (4) or Fewer Units per Building<br>Manufactured Home Parks  |
| Commercial Use Types   | Heavy<br>Commercial<br>Transient<br>Habitation   |
| Civic Use Types        | Public Recreation and Open Space<br>Minor Generation and Distribution Facilities   |

|                            |   |
|----------------------------|---|
| <b>314-9.2</b>             | <b>MU2: MIXED USE (RURAL)</b>   |
| Natural Resource Use Types | Fish and Wildlife<br>Management Watershed<br>Management Wetland<br>Restoration<br>Coastal Access Facilities |

|                                    |   |
|------------------------------------|---|
| Use Types Not Listed in This Table | Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the MU zone.  |
| <b>Development Standards</b>       |   |
| <b>Minimum Lot Area</b>            | Five thousand (5,000) square feet.  |
| <b>Minimum Lot Width</b>           | Fifty feet (50').   |
| <b>Minimum Yard Setbacks*</b>      |   |
| Front                              | Fifteen feet (15').   |
| Rear                               | Ten feet (10').   |
| Interior Side                      | Five feet (5').   |
| Exterior Side                      | Same as front or one-half (1/2) the front if all parts of the main building are more than twenty-five feet (25') from the rear lot line, and the exterior side yard does not abut a collector or higher order street. (In questionable cases, the Public Works Director shall classify the subject street.) |
| <b>Maximum Ground Coverage</b>     | Fifty percent (50%).  |
| <b>Maximum Building Height</b>     | Fifty feet (50').   |

\* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

SECTION 9. REGULATIONS THAT APPLY IN ALL OR SEVERAL ZONES

Subdivision 314-37 and 314-44.1 of Chapter 4, Section A of the Humboldt County Code, Part 2: Regulations for the Combining Zones, is amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike-out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike-out~~ and additions as double underlined text):

**314-37 ~~“V” Combining Zone Designations~~**

**37.1 ~~V - VACATION HOME RENTAL~~**

**37.1.1 ~~Purpose.~~** ~~The purpose of these regulations is to increase and enhance coastal public access, access to other County visitor serving facilities, to preserve the residential character of neighborhoods by controlling and regulating transient uses which may be incompatible with the character of the neighborhood. (Former Section INL#315 10(A); Added by Ord. 2154, Sec. 2, 12/9/97)~~

**37.1.2 ~~Applicability.~~** ~~These regulations shall apply to all lands designated “V” on the zoning maps. (Former Section INL#315 10(B); Added by Ord. 2154, Sec. 2, 12/9/97)~~

**37.1.3 ~~Principally Permitted Uses.~~** ~~The following uses may be permitted upon obtaining a Special Permit on all lands designated with the “V” or Vacation Home Rental Combining Zone:~~

**37.1.3.1 ~~Vacation Home Rentals as defined in Section C: Index of Definitions of Language and Legal Terms.~~** ~~(Former Section INL#315 10(C)(1); Added by Ord. 2154, Sec. 2, 12/9/97)~~

**37.1.4 ~~Performance Standards.~~** ~~All vacation home rentals are subject to the following performance standards:~~

**37.1.4.1 ~~Compliance with residential parking standards as required by Section 314 109.1 of this code;~~** ~~(Former Section INL#315 10(D)(1); Added by Ord. 2154, Sec. 2, 12/9/97)~~

**37.1.4.2 ~~The number of occupants shall not exceed ten (10) persons.~~** ~~(Former Section INL#315 10(D)(2); Added by Ord. 2154, Sec. 2, 12/9/97)~~

**37.1.4.3 ~~Availability of the rental unit to the public shall not be advertised on site;~~** ~~(Former Section INL#315 10(D)(3); Added by Ord. 2154, Sec. 2, 12/9/97)~~

The Humboldt County Code is current through Ordinance 2667, passed February 9, 2021.

~~37.1.4.4 Owners of rental units must provide the name, address and telephone number of a contact person for the unit to all occupied residences within a 300 foot radius of the rental unit. The notice shall be mailed to property owners prior to renting the unit and thereafter as contact information changes. An owner of a rental unit who does not reside in a five-mile radius of the residence being rented, shall designate a person within a 5-mile radius of the rental unit, as the local contact person. The owner or contact person must be available 24 hours a day to respond to tenant and neighborhood questions or concerns and to otherwise be responsible for assuring that the rental unit complies with the requirements of this Section and other applicable provisions of the code; (Former Section INL#315-10(D)(4); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.5 Prior to commencing vacation home rentals, the applicant shall obtain a Business license from the Humboldt County Tax Collector. The owner/Operator shall collect and remit to the Humboldt County Tax Collector the transient occupancy tax; (Former Section INL#315-10(D)(5); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.6 It is the responsibility of the property owner to ensure that trash will be disposed of (picked up) on a weekly basis. (Former Section INL#315-10(D)(6); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.7 Compliance with the requirements of this Section shall be considered conditions of approval. Noncompliance will constitute a nuisance subject to administrative penalties and revocation of the business license. (Former Section INL#315-10(D)(7); Added by Ord. 2154, Sec. 2, 12/9/97)~~

### **314-44.1 BED AND BREAKFAST ESTABLISHMENTS**

~~44.1.1 **Applicability.** Bed and Breakfast Inns as a cottage industry may be permitted in all those zones which allow cottage industries, as well as R-2, R-3, and R-4 zones, upon the issuance of a Special Permit. (Former Section INL#316.3-5(a); Added by Ord. 1876, Sec. 10, 9/26/89; Amended by Ord. 2166, Sec. 30, 4/7/98)~~

~~44.1.2 **Occupancy Standards.**~~



~~44.1.2.1 A maximum of four (4) guest bedrooms or eight (8) guests at one time shall be permitted by a Bed and Breakfast establishment. (Former Section INL#316.3 5(b)(1); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.2 The owner/operator shall reside on the premises. (Former Section INL#316.3 5(b)(2); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.3 Any rooms used for rooming or boarding shall be included in the total number of permitted guest rooms. (Former Section INL#316.3 5(b)(3); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.4 The guest rooms shall not include kitchen facilities. (Former Section INL#316.3 5(b)(4); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.3 **Provisions for Meals.** Meals shall only be served to overnight guests of the establishment. (Former Section INL#316.3 5(c)(1); Added by Ord. 1876, Sec. 10, 9/26/89)~~

## SECTION 314-55. COMMERCIAL CANNABIS LAND USES: INLAND

Subdivision 314-55.4.10.7 of Chapter 4, Section B of the Humboldt County Code, Part 1: Uses and Activities, is amended to read as follows (modifications approved on January 30, 2024, are shown in ~~strike out~~ and additions as underlined text; modifications proposed here are shown in ~~double strike out~~ and additions as double underlined text):

**314-55.4.10.7 Cannabis Farm Stays.** Cannabis farm stays may be permitted in conjunction with a cannabis cultivation permit on properties in conformance with the public accommodation performance standards ~~with a special permit as specified in Section 314-44.1 applicable to bed and breakfast establishments.~~ as specified in Section 314-60.05 of the Zoning Ordinance (“Short-term Rentals”).

SECTION 10. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED AND ADOPTED this 30<sup>TH</sup> day of January 2024, on the following vote, to wit:

AYES: Supervisors:

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:

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REX BOHN, CHAIRPERSON,  
HUMBOLDT COUNTY BOARD OF SUPERVISORS

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors  
of the County of Humboldt, State of California

By: \_\_\_\_\_

Nicole Turner, Deputy Clerk

Date: