

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT,
STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on March 5, 2024

ORDINANCE NO. 2733

ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 3 OF HUMBOLDT COUNTY CODE by adding section 313-61.05; amending sections 313-6 and 313-50.1.4.2, 313-55.4.10.6, 313-137, 313-138, 313-141, 313-143, 313-154, 313-163.1.3, 313-172.18, 313-177.10, and 313-177.14, and repealing sections 313-44 and 313-172.2 of Chapter 3 of Division 1 of Title III of the County Code, Coastal Zoning Code relating to Short-term Rentals. (Coastal Short-term Rental Ordinance)

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

SECTION 1. PURPOSE OF ZONING REGULATION AMENDMENTS.

Title III, Division 1, Chapter 3 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 313-61.05, amends sections 313-6, 313-50.1.4.2, 313-55.4.10.6, 313-137, 313-138, 313-141, 313-143, 313-154, 313-163.1.3, 313-172.18, 313-177.10, and 313-177.14, and repeals sections 313-44, and 313-172.2 of Chapter 3 of Division 1 of Title III of the County Code; relating to Short-term Rentals.

SECTION 2. SHORT-TERM RENTAL ORDINANCE

Subdivision 313-61.05 regarding Short-term Rentals in Title III, Division 1, Chapter 3 of the Humboldt County Code is hereby added by 313-61.05 as follows (modifications approved on March 5, 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):

313-61.05 SHORT-TERM RENTALS

61.05.1 Purpose. The purpose and intent of this Section (the “Short-term Rental Ordinance”) is to protect and promote the public health, safety and welfare, protect and maintain the overall quality of the coastal zone environment and its natural and human made resources, assure orderly, balanced utilization and conservation of coastal zone resources, maximize public access to and along the coast, support tourism and economic development, minimize the loss of housing stock available to long-term renters, preserve

the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors.

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

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

61.05.4 **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. **Good Neighbor Guide.** Consistent with the provisions of Sections 61.05.9.1.2.C and 61.05.10.3.2.A of this Ordinance.
- C. 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.
- D. 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.
- E. Access route, if seeking a Special Permit and the site is accessed via a shared private road system.
- F. Farm Stay Applications. Provide documentation describing the educational activities or experiences in which the tenants will participate in as an immersive encounter with agricultural living.

61.05.5. **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 61.05.10.2.1, 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.

61.05.6. Permit Requirements.

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

61.05.6.2 Special Permit Required. A Short-term Rental seeking exception from standards identified in Section 61.05.9.1 and Section 61.05.10.3 may only be allowed upon issuance of a Special Permit.

61.05.6.2.1 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.

61.05.6.2.2 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.

61.05.6.3 Conditional Use Permit Required. Whole dwelling unit Short-term Rentals within the Tsunami Hazard Zone of the Humboldt Bay Area Plan may only be allowed upon the issuance of a Conditional Use Permit.

61.05.6.3.1 Required Findings. A Conditional Use Permit for Short-term Rental may be approved only if the following findings are made:

- A. The Short-term Rental would not adversely impact the health, safety, and welfare of the community; and
- B. The Short-term Rental would not adversely affect the quality of the neighborhood.

61.05.7 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.

- D. A fee which allows for review of the materials and investigation of any complaints and violations as established in the County Fee Schedule.

61.05.8 Violations. Continuous use of a Short-term Rental without resolution of 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.

61.05.9 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.

61.05.9.1 Standards for Home-share Rentals.

61.05.9.1.1 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.

61.05.9.1.2 Neighborhood Quality and Public Nuisance Standards.

Exception to Standard D 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. **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 guidelines.
- D. **Parking.** Each Home-share 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.

61.05.10 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 60 consecutive days or fewer 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.

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

61.05.10.1.1 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.

61.05.10.1.2 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.

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

61.05.10.1.4 **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.

61.05.10.1.4.1 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.

61.05.10.2 **Short-term Rental Permit Limitations.**

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

61.05.10.2.1.1 Not more than 2% of the overall housing stock may be permitted as Short-term Rentals in the Coastal Greater Humboldt Bay Area Short-term Rental Cap Area which is comprised of the following Coastal Plan Areas: Trinidad Area Plan [AP], McKinleyville AP, Humboldt Bay AP and the Eel River AP. In addition to the 2% cap on Short-term Rentals in the Greater Humboldt Bay Area, not more than 2% of housing stock within each Coastal Area Plan can be used for Short-term Rentals. Big Lagoon Park Subdivision/Big Lagoon Estates Subdivision (along Roundhouse Creek Road and Ocean View Drive) shall be included within the Trinidad AP for purposes of applying the Cap. Farm-stays and homes listed on the local, state, or federal historic registry are exempt from the Cap.

61.05.10.2.1.2 Not more than 5% of the overall housing stock outside of the Greater Humboldt Bay Area Short-term Rental Cap Area may be permitted as Short-term Rentals with the exception of Shelter Cove which has no limit. If the Cap is exceeded, a Short-term Rental may be approved with a Special Permit.

61.05.10.2.1.3 In areas where the Cap applies, applications for existing Short-term Rentals can be submitted for 60 days from the effective date of this ordinance. The Department shall assess the status of the cap within 90 days of the effective date of this ordinance. No applications for new permits will be accepted within the area subject to the cap within 90 of the effective date of this ordinance.

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

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

61.05.10.2.4 **Resource Zone Districts.** Short-term Rentals in Agriculture Exclusive Zone, Commercial Timberland Zone, and Timberland Production Zone may only be permitted as farm stays.

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

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

61.05.10.3.1 **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.

61.05.10.4 **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 guidelines.

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

61.05.10.6 Neighborhood Quality and Public Nuisance. These provisions apply to parcels that are within the Trinidad AP, McKinleyville AP, Humboldt Bay AP and the Eel River AP, are less than 10 acres in area, and where the Short-term Rental is located within 1,000 of the nearest neighboring residence. Exception to Standards C - G may be sought with a Special Permit.

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

- D. **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.
- E. **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 313, Section C, Index of Definitions of Language, in Title III, Division 1, Chapter 3 of the Humboldt County Code are added or amended to read as follows (modifications approved on March 5, 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):

313-137 Definitions (B).

~~Bed and Breakfast Establishments:~~ (See, Commercial Use Types in Section D: Use Types.)

313-138 Definitions (C).

Cannabis Farm Stay. See, Farm Stay

313-141 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 and where the owner, or farm tenant, reside on the property.

313-143 Definitions (H)

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

313-154 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.

SECTION 4. LISTING OF USE TYPE AND PRINCIPAL PERMITTED USE

CLASSIFICATIONS

Subdivision 313-163.1.3 of Chapter 3, 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 March 5, 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

~~Bed and Breakfast Establishment~~

Coastal-Dependent Commercial Recreation

Commercial Recreation

Heavy Commercial

Neighborhood Commercial

Office and Professional Service

Private Institution

Private Recreation

Recreational Vehicle Park

Retail Sales

Retail Service

Transient Habitation

Visitor Serving Facilities

Warehousing, Storage and Distribution (Former Section CZ#A313-2(C))

SECTION 5. GLOSSARY OF USE TYPES, COMMERCIAL USE TYPES

Subdivision 313-172 of Chapter 3, 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 March 5, 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. (Former Section CZ#A313- 7(K))~~

~~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. (Former Section CZ#A313-7(K))~~

172.18 VISITOR SERVING FACILITIES

The Visitor Serving Facilities Use Type includes public and private developments that provide accommodations, food and services for tourists, including, for example, transient habitation facilities, ~~hotels, motels~~, tent camps, restaurants, ~~vacation home rentals~~, and commercial-recreation developments such as art galleries, antique shops, curio shops, eating and amusement areas. (Former Section CZ#A313- 7(L); Amended by Ord. 2153, Sec. 2, 12/9/97; Amended by Ord. 2167, Sec. 7, 4/7/98)

SECTION 6. GLOSSARY OF USE TYPES, RESIDENTIAL USE TYPES

Subdivision 313-177 of Chapter 3, 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 March 5, 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):

177.10 MULTI FAMILY RESIDENTIAL

The Multi Family Residential Use Type includes the residential occupancy of a duplex, or multiple main building or buildings by individuals or families on a non-transient basis and accessory uses necessarily and customarily associated with residential use. The specific types of multi-family uses allowed on a lot are specified in the Zoning Designations contained in this Chapter 3, Section A: Regulations for Zoning Districts. (Former Section CZ#A313-5(C))

177.14 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. (Former Section CZ#A313-5(B))

SECTION 7. RESIDENTIAL ZONE DISTRICTS

Tables in Section 313-6 regarding Residential Zone Districts in Title III, Division 1, Chapter 3, Section A of the Humboldt County Code are amended as follows (modifications approved on March 5, 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):

313-6 RESIDENTIAL ZONE DISTRICTS

<u>313-6.1</u>	RS: Residential Single Family
	Principal Permitted Use
	Residential Single Family Principal Permitted Use (See Section <u>313-163.1.9</u> for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities

Commercial Use Types	Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations Neighborhood Commercial Private Institution Private Recreation
Commercial Timber Use Type	Timber Production

313-6.1	RS: Residential Single Family
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration 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 RS zone.

* See, Industrial Performance Standards, Section [313-103.1](#).

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section

313-165.

(Former Section CZ#A313-16(A-C); amended by Ord. [1853](#), 12/20/88; amended by Ord. [2167](#), Sec. 13, 4/7/98; amended by Ord. [2367A](#), 7/25/06)

313-6.2	RM: Residential Multi-Family
	Principal Permitted Use
	Residential Multi Family Principal Permitted Use (See Section 313-163.1.9 for description)

313-6.2	RM: Residential Multi-Family
Use Type	Conditionally Permitted Use
Residential Use Types	<p>Single Family Residential where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements.</p> <p>Manufactured Home Parks; subject to the Manufactured Home Park Regulations</p>

Civic Use Types	<p>Essential Services</p> <p>Community</p> <p>Assembly Non-</p> <p>Assembly Cultural</p> <p>Public Recreation and Open Space</p> <p>Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations</p> <p>Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations</p>
Commercial Use Types	<p>Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations</p> <p>Transient Habitation</p> <p>Private Recreation</p> <p>Neighborhood</p> <p>Commercial</p> <p>Office and Professional Service</p> <p>Private Institution</p>
313-6.2	RM: Residential Multi-Family
Commercial Timber Use Type	Timber Production

Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration 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 RM zone.
Development Standards	
Minimum Lot Size	5,000 square feet.
Minimum Lot Width	Fifty feet (50').
Maximum Lot Depth	Three (3) times the lot width.
Maximum Density	The maximum density as specified on the adopted zoning maps. A minimum of one dwelling unit (1du) per lawfully created lot is permitted, even if the specified maximum dwelling unit density is exceeded, if it meets all other development standards. The maximum density shall be calculated as the total number of dwelling units divided by the total area within the lot and within one-half of any adjacent street.

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-14(A-C); amended by Ord. [2167](#), Sec. 13, 4/7/98 ; amended by Ord. [2367A](#), 7/25/06)

313-6.3	R2: Mixed Residential
	Principal Permitted Use
	Mixed Residential Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities

Commercial Use Types	<p>Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations</p> <p>Neighborhood</p> <p>Commercial Private</p> <p>Institution</p> <p>Private Recreation</p>
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313-6.3	R2: Mixed Residential
Commercial Timber Use Type	Timber Production
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	<p>Fish and Wildlife</p> <p>Management Watershed</p> <p>Management Wetland</p> <p>Restoration</p> <p>Coastal Access Facilities</p>
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 R2 zone.

* See, Industrial Performance Standards, Section [313-103.1](#).

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-15(A)(1-2); amended by Ord. [1853](#), 12/20/88; amended by Ord. [1875](#), Sec. 2, 9/26/89 amended by Ord. [2167](#), Sec. 16, 4/7/98, amended by Ord. [2367A](#), 7/25/06)

313-6.4	RA: Rural Residential Agriculture
	Principal Permitted Use
	Rural Residential Agriculture Principal Permitted

313-6.4	RA: Rural Residential Agriculture
	Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Guest House

<p>Civic Use Types</p>	<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>
<p>Commercial Use Types</p>	<p>Neighborhood Commercial</p> <p>Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations</p> <p>Private Recreation</p>
<p>Industrial Use Types*</p>	<p>Cottage Industry; subject to the Cottage Industry Regulations</p>
<p>Agricultural Use Types</p>	<p>Stables and</p> <p>Kennels</p> <p>Intensive</p> <p>Agriculture</p>

313-6.4	RA: Rural Residential Agriculture
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 Management Watershed Management Wetland Restoration 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.

* See, Industrial Performance Standards, Section [313-103.1](#).

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-17(A-C); amended by Ord. [1853](#), 12/20/88, amended by Ord. [2167](#), Sec. 16, 4/7/98, amended by Ord. [2367A](#), 7/25/06)

SECTION 8. REGULATIONS THAT APPLY IN ALL OR SEVERAL ZONES

Subdivision 313-44, 313-50.1.4 AND 313-55.4.10.6 of Chapter 3, Section B of the Humboldt County Code, Part 1: Uses and Activities, is amended to read as follows (modifications approved on March 5, 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):

313-44**~~44.1 BED AND BREAKFAST ESTABLISHMENTS~~**

~~44.1.1 Purpose.~~ The purpose of these regulations is to establish standards to ensure compatibility of these commercial lodging establishments with the residential character of the surrounding neighborhoods. (Former Section CZ#A314-4(A))

~~44.1.2 Applicability.~~ These regulations shall apply in all zones in which the Bed and Breakfast use type is permitted. (Former Section CZ#A314-4(B))

~~44.1.3 Occupancy Standards.~~ A maximum of four (4) guest bedrooms or eight (8) guests at one time shall be provided by a Bed and Breakfast Establishment. The owner/operator shall reside on the premises. The calculation of total permitted guest rooms shall include any rooms used for rooming or boarding. The guest rooms shall not include kitchen facilities. (Former Section CZ#A314-4(C))

~~44.1.4 Provision of Meals for Guests.~~ Meals shall not be provided to other than guests of the establishment. (Former Section CZ#A314-4(D))

~~44.1.5 Signs.~~ One sign is permitted advertising the Bed and Breakfast 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. (Former Section CZ#A314-4(E))

~~44.1.6 Required Findings.~~ A Bed and Breakfast Establishment may be approved only if the applicable Commercial Use findings Chapter 2: Procedures, Supplemental Findings (312-2.19), are made. (Former Section CZ#A314-4(F))

...

313-50.1.4 **Exclusions.** The following activities shall not in any case qualify as a "home occupation:"

(Former Section CZ#A314-17(D)(13))

50.1.4.1 Teaching of organized classes totaling more than six (6) persons at one time. (The total number is applicable to the aggregate of all home occupations in the dwelling if more than one (1) home occupation exists); (Former Section CZ#A314-17(D)(1))

50.1.4.2 ~~Bed and Breakfast Inns; (Former Section CZ#A314-17(D)(2))~~ Short-term Rentals;

50.1.4.3 Care, treatment, boarding or breeding of animals for profit; (Former Section CZ#A314-17(D)(3))

50.1.4.4 Operation of a barbershop; (Former Section CZ#A314-17(D)(4))

50.1.4.5 Operation of food handling, processing or packing; (Former Section CZ#A314-17(D)(5))

50.1.4.6 Operation of an eating or drinking establishment or licensed premises; (Former Section CZ#A314-17(D)(6))

50.1.4.7 Operation of an antique shop or similar retail use; (Former Section CZ#A314-17(D)(7))

50.1.4.8 Operation of hospitals or sanitariums; (Former Section CZ#A314-17(D)(8))

50.1.4.9 Auto or other motor vehicle repair shop, junk or secondhand merchandise yard storage. (Former Section CZ#A314-17(D)(9))

SECTION 313-55. CANNABIS LAND USES: COASTAL

Subdivision 313-55.4.10.6 of Chapter 3, Section B of the Humboldt County Code, Part 1: Uses and Activities, is amended to read as follows (modifications approved on March 5, 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):

~~313-55.4.10.6 Cannabis Bed and Breakfast Use.~~ ~~Cannabis bed and breakfasts may be permitted in conjunction with a cannabis cultivation permit on RA-zoned properties in conformance with the public accommodation performance standards with a coastal development permit and a use permit when meeting all the requirements specified in Section 313-44.1 applicable to bed and breakfast establishments.~~ **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 in

Section 313-61.05 of the Zoning Ordinance (“Short-term Rentals”).

SECTION 9. EFFECTIVE DATE.

This ordinance shall become effective immediately upon certification by the Coastal Commission unless modifications to the proposed ordinance are required by the Coastal Commission for certification, in which case they must first be brought back to the Board of Supervisors for consideration at a future public hearing prior to certification by the Coastal Commission.

PASSED AND ADOPTED this 5th day of March 2024, on the following vote, to wit:

AYES: Supervisors:
NAYS: Supervisors:
ABSENT: Supervisors:
ABSTAIN: Supervisors:



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