

**CALIFORNIA COASTAL COMMISSION**

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



# F8a

**LCP-1-HUM-21-0067-3**

**(HUMBOLDT COUNTY ACCESSORY DWELLING UNITS)**

**February 10, 2023**

## **APPENDICES**

- 1. Suggested Modifications to the Implementation Plan ..... 2**
- 2. Amendments to the Six Land Use Plans as Adopted by the County..... 35**

**APPENDIX A**  
**IMPLEMENTATION PLAN AMENDMENTS**  
(As Adopted by the County, with the Commission's Suggested Modifications)

Text changes adopted by the County July 13, 2021 (Ordinance No. 2679) are shown in ~~single strike-out~~ and single underlined text.

The Commission's suggested modifications are shown in ~~bold double strike-out~~ and **bold double underlined** text.

**I. Amend IP sec. 312-6.3, Public Review, regarding applications for permits and variances, as follows:**

**6.3 PUBLIC REVIEW**

Following project review, the written report prepared by the Director, or designee, shall be mailed or delivered to the Hearing Officer and the applicant. Public notice shall be given in accordance with Section 312-8, Public Notice Procedures. Public hearings shall be held as required by Section 312-9, Public Hearing Requirements and Authorized Hearing Officer.

6.3.1 Applications for Accessory Dwelling Units (ADUs) generally do not require a Public Hearing, but may require a Coastal Development Permit if within the Coastal Zone. In the Coastal Zone, notice of an application for a Coastal Development Permit for an ADU, where no public hearing is required, must be given in accordance with Section 312-8.1 and 8.2.

...

**8.1 NOTICE OF APPLICATION SUBMITTAL**

Notice of application for a development permit where a public hearing may be waived, and which will be decided administratively by the Zoning Administrator or the Director, shall be given as follows:

8.1.1 Notice shall be provided at least ten (10) working days prior to the date the Hearing Officer will act on the application.

8.1.2 Notice shall be provided by first class mail to:

8.1.2.1 The applicant;

8.1.2.2 All property owners, as indicated on the Assessor's current Secured records, and residents, based on registered addresses in the Department, within three hundred feet of the perimeter of the parcel on which the development is proposed;

8.1.2.3 All persons who have requested to be on the mailing list for that development project; and

8.1.2.4 For development proposed within the coastal zone:

8.1.2.4.1 All persons who have requested to be on the mailing list for development located in the coastal zone; and

8.1.2.4.2 The Coastal Commission.

## 8.2 CONTENT OF THE NOTICE OF APPLICATION SUBMITTAL

The Notice of Application Submittal shall include:

8.2.1 The name of the applicant and the date of filing of the application; and

8.2.2 The file number assigned to the application;

8.2.3 A description of the proposed development, including the location. If located in the Coastal Zone, the application shall so state;

8.2.4 The following statement, in bold letters;

“The purpose of this notice is to inform you that an application for the described project has been submitted to the Community Development Services Department. The Hearing Officer may approve the application without holding a public hearing, unless a public hearing is requested in writing by you or any individual wanting to comment on the project prior to the scheduled approval date. **A public hearing is not required for an Accessory Dwelling Unit but written comments may be submitted.** Anyone may comment on the project.”

If you challenge the decision of the Hearing Officer in court, you may be limited to raising only those issues you or someone else stated orally at the project's Public Hearing. Written correspondence delivered to the Hearing Officer at or prior to the public hearing, also counts as an issue the court may hear.”

The Board of Supervisors will not hear appeals of the Planning Commission's or Zoning Administrator's decision if said appellant has not given written or oral

testimony at the Planning Commission or the Zoning Administrator’s hearing level.

8.2.5 A description of the procedure for requesting the scheduling of a public hearing or for filing an appeal.

**II. Amend IP sec. 312-9 regarding public hearings as follows:**

**9.1 PUBLIC HEARINGS REQUIRED UNLESS WAIVED**

Public Hearings are required for all development permits, variances, and exceptions, unless waived pursuant to these regulations. The following table, “Public Hearing Requirements and Authorized Hearing Officer,” specifies the Hearing Officer who is authorized to approve, approve with conditions, or deny applications for permits or variances. The table also indicates when the Public Hearing requirement may be waived by the Hearing Officer.

**9.2 PUBLIC HEARING MAY BE WAIVED.**

A public hearing may be waived, as indicated in the table, “Public Hearing Requirements and Authorized Hearing Officer,” upon making all of the following findings:

9.2.1 The permit application, in the Hearing Officer’s opinion, qualifies for approval; and

9.2.2 The permit application is not being processed in conjunction with an application that requires a public hearing; and

9.2.3 A written request for a public hearing has not been received by the Department prior to the Hearing Officer’s administrative action.

9.2.4 TABLE: PUBLIC HEARING REQUIREMENTS AND AUTHORIZED HEARING OFFICER<sup>\*\*\*</sup>

Application Type	May Be Waived <sup>1</sup>	Director <sup>2</sup>	Zoning Administrator <sup>2</sup>	Planning Commission
Special Permit (SP)	W	O		O
Use Permits (UP) that are categorically exempt from environmental review under CEQA			O	O
Use Permits (UP) that require environmental review under			O	O

CEQA				
Coastal Development Permits that are appealable to the California Coastal Commission			O	O
Coastal Development Permits that are appealable to the California Coastal Commission and qualify as minor development consistent with Section 312-9.2.5	W			
<del>Coastal Development Permits for Accessory Dwelling Units (ADUs), if they do not involve a Special Permit, Conditional Use Permit or Variance, and are not otherwise appealable to the California Coastal Commission</del>	<del>NR</del>			
Coastal Development Permits that <del>do not involve ADUs and</del> are not appealable to the California Coastal Commission	W	O		
Planned Unit Development Permits			O	O

**\*\*\* Consistent with Government Code Section 65852.2 there is no requirement to hold a public hearing for Accessory Dwelling Units that require Coastal Development Permit (CDP).**

“W” indicates that the Public Hearing may be waived.

“O” identifies the Authorized Hearing Officer.

~~“NR” indicates Public Hearing not required, pursuant to, Govt. Code section 65852.2, but members of the public still may provide written comments.~~

<sup>1</sup> Subject to making all required findings of Section 312-9.2 of this Chapter.

<sup>2</sup> The Zoning Administrator or Director may refer any application for a permit or variance to the Planning Commission for a decision, as permitted by Section 312-1.2.5.

9.2.5 The Hearing Officer may waive the requirement for a public hearing on a Coastal Development Permit application for a minor development that is appealable to the Coastal Commission only if both of the following occur:

9.2.5.1 Notice is provided to all persons who would otherwise be required to be notified of a public hearing as well as any other persons known to be interested in receiving notice that a public hearing will not be held unless requested by any interested person within 15 days.

9.2.5.2 No request for a public hearing is received by the local government within 15 working days from the date of sending the notice pursuant to section 9.2.5.1

9.2.6 ~~Second residential~~ **Accessory dwelling** units (**ADUs**) do not require a public hearing consistent with the applicable provisions of Government Code Section 65852.2.

**III. Repeal IP sec. 313-87.1 (Second Residential Unit) and replace it with new IP sec. 313-69.05 (Accessory Dwelling Unit):**

**313-69.05 - ACCESSORY DWELLING UNIT**

**69.05.1 Purpose and Findings.**

The provisions of this chapter are intended to set forth standards in accordance with state law for creation or conversion of at least one Accessory Dwelling Unit (ADU) per lot zoned to allow single family or multifamily dwelling residential use. In addition, this ordinance **includes provisions for the regulation of Junior Accessory Dwelling Units (JADUs) as defined in section 313-145 and provisions to** allow a Tiny House or Moveable Tiny House as defined in sections 313-155 and 313-148 as an ADU when developed consistent with this section. An ADU does not exceed the allowable density for the lot on which it is located.

~~For purposes of this section, a junior accessory dwelling unit (JADU) is an attached unit that is no more than 500 square feet contained entirely within another structure, that may include separate sanitation facilities, or may share sanitation facilities with the existing structure; and that meets the criteria as defined in Govt. Code section 65852.22. JADUs are permitted as ADUs, except that special rules apply to JADUs as set forth in section 69.05.3.8 of this code, which allows a combination JADU and a detached ADU on the same lot.~~

**69.05.2 Accessory Dwelling Units Generally Permitted.**

In general, ADUs **and JADUs** are permitted without a public hearing in any zone that allows single family or multifamily dwelling residential use and includes a proposed or existing dwelling, if the general provisions in 69.05.3 are met, and the ADU **and/or JADU** meets the Development Regulations and Standards of section 69.05.4, and the Exceptions in 69.05.2.2 do not apply. As specified in the Principal Zones in Sections 313-2.1 through 313-7.3, ADUs are allowed in the RS, RM, R2, RA, AE, TC, and TPZ zones with a Coastal Development Permit (CDP) as set forth below.

**69.05.2.1 Coastal Development Permit Requirements For ADUs **and JADUs****

~~Coastal Development Permits (CDPs) **may be are** required for ADUs **and JADUs** as follows if the ADU/JADU meets the definition of “development” under the~~

California Public Resources Code (Section 30106) and is not excluded from CDP requirements under the California Public Resources Code (Section 30000, and following) or the California Code of Regulations.

(a) In some cases, an ADU or JADU may require a Special Permit if located within the areas identified in section 69.05.6, or when the ADU or JADU does not meet the criteria of subsections 69.05.4.3.1 or 69.05.4.6.

(ab) ADUs Exempt from CDP Requirements.

i. Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADU's) as defined in ~~Govt. Code~~ sections ~~65852-22~~ 313-136 to -145 that ~~convert habitable space in a primary residence do not require conform to requirements of that section are exempt from the requirement for~~ a CDP unless the conversion involves alteration to the size of the residence, removal or replacement of major structural components, or the placement or erection of any solid material or structure on land, or unless specified otherwise in a previously issued CDP requires a CDP or CDP amendment for any existing development on the lot.

ii ADUs that meet the requirements of the Categorical Exclusion Order E-86-4 may be excluded from CDP requirements as accessory structures if they are located: (i) within the Order's defined geographic area, (ii) not within a Coastal Commission appeals jurisdiction, (iii) not within an archaeological resource area, (iv) not within 200 feet of a coastal stream or wetland; and the ADU does not require a Special Permit or Variance.

(bc) ADUs and JADUs Allowed Without a Public Hearing.

An ADU's or JADU that requires are allowed with a CDP that does not involve require a public hearing if they are located outside the geographic area of the Categorical Exclusion Order E-86-4, outside the Coastal Commission appeals jurisdiction, and outside archaeological resource areas, and do not require a Special Permit or Variance. Notice must be given in accordance with Section 312-8 of this code, and final notice of the decision must be provided as described in Section 312-6.7.

(c) ADUs Allowed With a Public Hearing.

ADU's that do not meet the above criteria in paragraphs (a) or (b) require a CDP with a public hearing in accordance with Section 312-9. Notice must be given in accordance with Section 312-8 of this

~~code, and final notice of the decision must be provided as described in Section 312-6.7.~~

#### 69.05.2.2 Exceptions.

ADUs and JADUs may be prohibited or may require a Special Permit in addition to a Coastal Development Permit in certain designated areas as described in section 69.05.6, based on adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. Outside the ADU Special Permit Area, an ADU that cannot meet all the criteria in subsection 69.05.4.3.1 or 69.05.4.6 may still be permitted with a Special Permit subject to meeting the requirements in 69.05.06 under certain circumstances. If an earlier CDP issued for an existing structure indicates that future improvements would require a development permit, a CDP with public hearing is required.

#### 69.05.2.3 Expedited Application Review.

The county shall act on the building permit application for an accessory dwelling unit, and any associated CDP, within 60 days from the date the completed application is received if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an ADU or a JADU requires a Special Permit or discretionary Coastal Development Permit pursuant to Section 69.05.6.1, action on the Special Permit and associated CDP may exceed the 60-day time period.

### 69.05.3 General Provisions.

The following provisions apply to ADUs and JADUs.

#### 69.05.3.1 One or more ADUs per lot.

In general, one ADU is permitted per lot developed or proposed to be developed with a single-family dwelling, and two ADUs are permitted with a multifamily dwelling. For AE lots sixty (60) acres or larger in size, an ADU unrestricted in size may be allowed in addition to a main residence. Configurations with more than one ADU are allowed in residential, mixed use, and multi-family zones as described in section 69.05.3.8.

#### 69.05.3.2 Ownership and Occupancy.

##### 69.05.3.2.1 Ownership

An ADU or JADU shall not be sold separately from the principal dwelling, except that Moveable Tiny Houses maybe be sold when removed from the lot; or where the ADU or the primary dwelling was built or developed by a qualified nonprofit corporation, and the other conditions of Government Code section 65852.26 are met.

##### 69.05.3.2.2 JADU Owner Occupancy

Appendix A, Implementation Plan Amendments  
(Certify with Suggested Modifications)

LCP Amendment No. LCP-1-HUM-21-0067-3

(Humboldt County ADUs)



**The owner of the single-family residence containing a JADU must reside in either the single-family residence or the JADU unless the owner is a governmental agency, land trust, or housing organization.**

69.05.3.3 Renting Permitted.

The ADU may, but need not be, rented.

69.05.3.4 Short-term Lodging Prohibited.

Neither the ADU nor the primary residence shall be rented for periods of 30 days or less.

69.05.3.5 Building Type.

The ADU may be within, attached to, or detached from, the existing or proposed principal residence and may be over a garage. An ADU may also be a Tiny House as defined in Section 313-155; a Moveable Tiny House as defined in Section 313-148; or a manufactured home as defined in Section 18007 of the Health and Safety Code. **A JADU may be constructed within the walls of a proposed or existing single-family residence, including within an attached garage or other enclosed use within the residence.**

69.05.3.5.1 Manufactured Homes as Accessory Dwelling Units.

A manufactured home certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 is permitted as an ADU with a building permit on parcels where single-family residences are allowed. It may or may not be placed on a permanent foundation, but must meet building and zoning regulations, skirting requirements, and foundation or setup configurations as described in Section 81.1.1.3 of this code.

69.05.3.5.2 Tiny Houses and Moveable Tiny Houses as ADUs.

A Tiny House as defined in Section 313-155 that meets all applicable building and development standards in this code is deemed a **single-family permanent** dwelling, and is allowed as an ADU. A Moveable Tiny House as defined in Section 313-148 that meets all applicable building and development standards in this code, and meets the criteria in 69.05.5, is deemed a single-family dwelling and is allowed as an ADU.

69.05.3.6 Sewer and Water Service.

All new ADUs within Urban Service Areas shall connect to public wastewater systems if wastewater treatment is available. Where wastewater treatment is not available, a private sanitation and/or water supply system must meet County Health Department requirements. Outside Urban Service Areas, sanitation facilities, plumbing, and water

supply for the ADU, including any septic or waterless toilet systems used, shall comply with all applicable County Health Department requirements for sewage disposal and water supply.

#### 69.05.3.7 Existing Single-Family Residence

Where one single-family dwelling unit exists on a lot, a larger home may be constructed as the principal dwelling unit, and the existing unit treated as the ADU, provided all other **applicable** development regulations and standards can be met for both units.

#### 69.05.3.8 ADU and JADU Configurations Within Residential and Mixed Use Zones

Combinations of ADUs and JADUs may be permitted on the same lot within residential or mixed-use zones in the configurations listed below. A junior accessory dwelling unit (JADU) is defined in ~~69.05.21 above, and in Govt. Code~~ section ~~65852.22~~ **313-145**.

##### 69.05.3.8.1 ADU or JADU Within Existing Single Family Structure

One accessory dwelling unit **or one junior accessory dwelling unit** per lot with a proposed or existing single-family dwelling if all of the following apply:

- (i) The accessory dwelling unit or junior accessory dwelling unit is within the **existing or** proposed space of a single-family dwelling, or **the accessory dwelling unit is** within the existing space of a single-family dwelling or accessory structure, and may include an expansion of no more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
- (ii) The ADU or JADU has separate exterior access from the proposed or existing single-family dwelling.
- (iii) The side and rear setbacks are sufficient for fire and safety as established either by the local fire authority, or by Fire Safe regulations if the site is within a State Responsibility Area for fire response.
- (iv) The junior accessory dwelling unit complies with the requirements of Section **313-145 and the other applicable sections of this chapter**, ~~65852.22~~ including a maximum size of 500 square feet floor area.

~~A GDP is required for conversion of a non-habitable accessory building to an ADU unless exempt or excluded from GDP requirements as described in Section 69.05.2.~~

##### 69.05.3.8.2 New Detached ADU

One detached, newly constructed accessory dwelling unit with minimum four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. In addition to the detached accessory dwelling unit, one JADU is allowed on the lot, if the JADU is within a single-family residence or accessory structure as described in subsection 69.05.3.8.1, and:

(a) The detached ADU contains no more than 800 square feet of floor space, and its height is no more than 16 feet.

### 69.05.3.8.3 ADUs in Existing Multifamily Structures

Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. At least one accessory dwelling unit shall be allowed within an existing multifamily dwelling, and up to 25 percent of the existing multifamily dwelling units may be allowed.

### 69.05.3.8.49 Detached ADUs with Existing Multifamily Structures

Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling, subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

## **69.05.4 Development Regulations, Standards, and Applicable Codes.**

The following development regulations and standards shall apply to all ADUs **and as applicable to JADUs:**

### 69.05.4.1 Utilities.

Utilities may be shared in common with or separate from the main dwelling unit, whichever method may afford compliance with the applicable requirements of the County Code, including the currently effective versions of the Uniform Building Codes and Uniform Plumbing Codes, except that:

#### 69.05.4.1.1 Connection Fees

An accessory dwelling unit shall not be considered to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, except for water and sewer services as set forth in section 69.05.4.1.4, unless the accessory dwelling unit was constructed with a new single-family dwelling.

#### 69.05.4.1.2 Impact Fees.

A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit. For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" as defined in subdivision (b) of Govt. Code Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

#### 69.05.4.1.3 No New Connections in Existing Structures

No new or separate utility connection shall be required between the ADU and the utility, and no related connection fee or capacity charge shall be imposed if the ADU is contained within the existing space of a single family residence or accessory structure and meets conditions in Section 69.05.3.8.1, unless the accessory dwelling unit was constructed with a new single family dwelling.

#### 69.05.4.1.4 New Detached Units.

For an accessory dwelling unit that is not contained within the existing space of a single family residence or accessory structure, or does not meet conditions in Section 69.05.3.8.1, a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Govt. Code Section 66013, the connection may be subject to a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit upon the water or sewer system, based upon either its size in square feet or its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials. This fee or charge shall not exceed the reasonable cost of providing this service.

#### 69.05.4.1.5 Districts Under Moratoria or Compliance Orders

A district, resort improvement district, or community service district that is under a moratorium on new connections, or under a compliance order for treatment issues, may not be compelled to provide water or sewer service for an Accessory Dwelling Unit.

#### 69.05.4.2 Building Site.

The accessory dwelling unit shall be on the same lot as the proposed or existing primary residence. Accessory dwelling units must meet local building code requirements that apply to detached dwellings, as appropriate. In areas zoned TPZ,

TC, or AE, the curtilage area for residences, ADUs, associated residential structures, driveways, and utilities shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Residences, ADUs, associated residential structures, driveways, and utilities shall be sited so as to avoid prime soils to minimize impacts to agriculturally related activities. ADUs are prohibited on prime soils on agricultural lands. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. **All new detached accessory dwelling units on agricultural lands and timberlands shall be clustered with other existing structures to the maximum extent feasible.**

#### 69.05.4.3 Total Floor Area.

The total floor area of a detached ADU shall not exceed 1,200 square feet. If there is an existing primary residence, the total area of floor space of an attached accessory dwelling unit shall not exceed fifty percent (50%) of the area of the existing primary residence or 1,200 square feet. The minimum floor area shall be 150 square feet. Floor area includes all enclosed habitable living space but excludes sheds, garages and storage areas.

69.05.4.3.1 ADUs that exceed 1,200 square feet or attached ADUs that exceed fifty (50) percent of the area of the existing primary residence may be permitted with a Special Permit.

#### 69.05.4.4 Sprinklers

Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

#### 69.05.4.5 Setbacks

No setback shall be required for an ADU or a portion of an ADU, converted from an existing living area or accessory structure, or a structure constructed in the same location and to the same dimensions as an existing structure. A setback of no more than four feet from the side and rear lot lines shall be required for an ADU that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

#### 69.05.4.6 Parking

Each ADU requires one (1) parking space. These spaces may be provided in tandem on a driveway. Off street parking shall be permitted in setback areas or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

#### 69.05.4.6.1 Exceptions to Parking Standards.

Parking standards for an ADU **or** JADU shall not apply if the ADU **or** JADU is (1) located within one-half mile walking distance of public transit; (2) located within an architecturally and historically significant district; (3) part of the proposed or existing primary residence or an existing accessory structure; or (4) when on-street parking permits are required but not offered to the occupant of the ADU; or (5) when there is a car share vehicle located within one block of the accessory dwelling unit. In mapped Housing Opportunity Zones, **for** ADUs less than 1,000 square feet in size, no parking shall be required.

#### 69.05.4.7 No Frontage Improvements.

No frontage improvements shall be required for ADUs.

#### 69.05.4.8 Services.

The applicant shall provide evidence of adequate services to serve the accessory dwelling unit including water supply and sewage disposal.

#### 69.05.4.9 Public Access.

Accessory dwelling units shall not obstruct public access to and along the coast or public trails and shall conform to the Public Access Policies and Standards of the applicable Coastal Plan.

#### 69.05.4.10 Visual Resources.

Accessory dwelling units shall not significantly obstruct public views from any public road, trail, or public recreation area to, and along the coast, and shall conform to the Visual Resource Protection Policies and Standards of the applicable Coastal Plan.

#### 69.05.4.11 Environmentally Sensitive Habitat Areas and Wetlands.

All development associated with accessory dwelling units shall conform to the Natural Resources Protection Policies and Standards of the applicable Coastal Plan.

#### 69.05.4.12 Agricultural Lands.

All development associated with accessory dwelling units shall be prohibited on prime agricultural soils and where there are no prime soils, be sited so as to minimize impacts to the use of land for agriculturally related activities. **All new detached accessory dwelling units shall be clustered with other existing structures to the maximum extent feasible.**

#### 69.05.4.13 Timberlands.

All development associated with accessory dwelling units shall be sited so as to

minimize impacts to timber related activities. **All new detached accessory dwelling units shall be clustered with other existing structures to the maximum extent feasible.**

#### 69.05.4.14 Accessory Dwelling Units on Lots with Nonconforming Use or Structure.

Accessory dwelling units may be approved on lots with nonconforming uses, structures, or support facilities provided that no greater degree of nonconformity is created **and the ADU complies with all ESHA protection policies.**

### 69.05.5 Moveable Tiny House as an ADU.

In addition to the other provisions of this section, Movable Tiny Houses as defined in Section 313-148 used as ADUs shall comply with all of the following provisions:

#### 69.05.5.1 Skirting

The undercarriage (wheels, axles, tongue and hitch) must be hidden from view.

#### 69.05.5.2 Foundation or Pad

##### 69.05.5.2.1 Foundation.

If the wheels are removed so the unit may sit on a foundation, the foundation requirements for a Movable Tiny House shall follow the State approved requirements for foundation systems for manufactured housing, or follow an alternative design certified by a licensed engineer.

##### 69.05.5.2.2 Paved or Alternate Pad.

If the wheels are not removed, the parking area shall include bumper guards, curbs, or other installations adequate to prevent movement of the unit. The wheels and leveling or support jacks must sit on a paving surface compliant with either the following.

###### 69.05.5.2.2.1 Paving.

A parking area for a moveable tiny house on wheels shall be paved with hard, durable asphaltic paving that has been mixed at a plant and is at least two inches thick after compaction, with Portland cement paving at least three inches thick, or an alternative as described below.

###### 69.05.5.2.2.2 Alternative Paving Materials.

An alternative paving material is one of the following: porous asphalt, porous concrete, permeable interlocking concrete pavers, permeable pavers, decomposed granite, crushed rock, gravel, and restrained

systems (a plastic or concrete grid system confined on all sides to restrict lateral movement, and filled with gravel or grass in the voids.) Alternative paving materials are permitted subject to all the following requirements:

(a) Permeable interlocking concrete pavers and permeable pavers shall have a minimum thickness of 80 mm (3.14 inches).

(b) Products and underlying drainage material shall be installed to meet manufacturers' specifications. Sub-grade soils shall be compacted as required to meet the product installation specifications.

### 69.05.5.3 Mechanical equipment

Mechanical equipment shall be incorporated into the structure and not located on the roof.

### 69.05.5.4 Sprinklers

Movable Tiny Houses are not required to have sprinklers, but shall follow the ANSI 119.5 standards relating to health, fire and life-safety.

### 69.05.5.5 Applicable Codes

Moveable Tiny Houses shall meet either the provisions of ANSI 119.5 or NFPA 1192 standards, or the provisions of the California Building Code, including 2019 CA Residential Code Appendix Q Tiny Houses or other adopted alternatives, or both.

### 69.05.5.6 Design standards.

Movable Tiny Houses must comply with all requirements for Detached ADUs and shall have the following design elements:

- (a) Materials used as exterior wall covering shall be natural or man-made, non-reflective materials; and no more than 10% of the exterior may be reflective in nature;
- (b) Windows shall be at least double pane glass and labelled for building use, and shall include exterior trim;
- (c) Roofs shall have a minimum of a 1:12 pitch for greater than 50% of the roof area;
- (d) The unit shall be plumbed to allow connection to an approved means of sewage disposal, septic system, or waterless toilet. Portable or enclosed waste storage tanks are not allowed for sewage disposal.
- (e) A Moveable Tiny House need not be connected to a source of electrical



power, but if it is, the installation shall be in accordance with the California Electrical Code, Part 3, Title 24, California Code of Regulations.

## **69.05.6 ADU Special Permit Area.**

### **69.05.6.1. Locations with Potential Safety or Coastal Resource Impacts**

Lots located in the ADU Special Permit Area are presumed to have certain water and sewer service limitations, adverse impacts on traffic flow, ~~and/or~~ public safety conditions, **and/or potentially raise coastal resource issues** that may preclude construction of an ADU **or JADU or which may require certain mitigation measures.** An ADU **or JADU** may be prohibited or may require a Special Permit **(or associated discretionary Coastal Development Permit) if any of** these conditions are present:

- (a) Areas outside a Fire Protection District;
- (b) Airport incompatibility. A Special Permit may not be issued if the ADU exceeds the density limit in an airport zone;
- (c) Areas of active or historic landslides; areas of potential liquefaction; or areas along a bluff or cliff where the proposed ADU is within the "area of demonstration of stability" as defined in the relevant Local Coastal Program.
- (d) Flood and tsunami hazards, **including areas subject to future sea level rise (SLR) with a 75-year design life horizon as determined by the Planning Director based on the best available science consistent with the California Coastal Commission's adopted 2018 SLR Policy Guidance (and any subsequent updates);**
- (e) Proximity within 1000 feet of a toxic cleanup site as designated by California Department of Toxic Substances.
- (f) **Areas outside of water and sewer service areas where there is a necessity to expand service or construct water wells or septic systems to serve the ADU or JADU.**
- (g) **Parcels within Special Combining Zones that protect coastal resources, as mapped on the County's GIS, including A: Archaeological Resource Area and Special Archaeological Resource Area for Shelter Cove; B: Beach and Dune Areas; C: Coastal Resource Dependent; D: Design Review; E: Coastal Elk Habitat; R: Streams and Riparian Corridors; T: Transitional Agricultural Lands; and W: Coastal Wetland Areas Combining Zones.**

### **69.05.6.2. Required Findings for Permits**

(a) On a parcel within a mapped ADU Special Permit Area due to one or more of the conditions ~~above~~ in Section 69.05.6.1, an ADU or JADU may be allowed with a Special Permit/CDP only if (1) evidence shows that the health and safety conditions for which it was included do not apply to that site or can be ~~adequately successfully reduced or~~ mitigated, and (2) the ADU or JADU can be developed ~~is~~ consistent with all other applicable provisions of the Local Coastal Plan.

(b) When an ADU or JADU does not meet the criteria of sections 69.05.4.3.1 or 69.05.4.6, an ADU or JADU may be allowed with a Special Permit only if (1) the ADU or JADU is consistent with all other applicable provisions of this chapter, and (2) the ADU or JADU can be developed consistent with all other applicable provisions of the Local Coastal Plan.

### 69.05.6.3. Hazard Disclosure Requirements

Where an ADU or JADU would be located in an area listed in Section 69.05.6.1(c) or in an area of future sea level rise (with a 75-year horizon) as determined by the Planning Director pursuant to Section 69.05.6.1(d), the record owner of the ADU or JADU shall be required to acknowledge and agree, and property owners, except public agencies, must also record a deed restriction against the property on which the ADU is located to acknowledge and agree: (1) that the ADU or JADU is located in a hazardous area, or an area that may become hazardous in the future; (2) to assume the risks of injury and damage from such hazards in connection with the permitted development; (3) that they have no rights under Coastal Act Section 30235 and related LCP policies to shoreline armoring in the future; (4) that sea level rise and related coastal hazards could render it difficult or impossible to provide services to the site (e.g., maintenance of roadways, utilities, sewage or water systems), thereby constraining allowed uses of the site or rendering it uninhabitable; and (5) that the structure may be required to be removed or relocated and the site restored if it becomes unsafe or if removal is required pursuant to other applicable provisions of the Local Coastal Plan. The record owner of the ADU or JADU shall also provide notice to all occupants of the ADU or JADU of these specified acknowledgements.

### ~~69.05.7 Coastal Resource Protection~~

~~In order to protect coastal resources, parcels with the following characteristics may require a discretionary Coastal Development Permit.~~

~~(a) Lands within Coastal Commission appeals jurisdictions, as mapped on the County's GIS;~~

~~(b) Parcels within Special Combining Zones that protect coastal resources, as mapped on the County's GIS, including A: Archaeological Resource Area and Special Archaeological Resource Area for Shelter Cove; B: Beach and Dune Areas; C: Coastal Resource~~

~~Dependent; D: Design Review; E: Coastal Elk Habitat; R: Streams and Riparian Corridors; T: Transitional Agricultural Lands; and W: Coastal Wetland Areas Combining Zones;~~

~~(c) ADUs are not permitted on parcels within Coastal Natural Resources areas as mapped on the County's GIS.~~

#### **69.05.87 Delayed Enforcement of Building Code Violations**

Any owner of an existing ADU built before the effective date of this ordinance, who receives notice of a building code violation, may request a delay in enforcement for five years. The Chief Building Official must grant the delay if the correction is not required to protect health and safety.

#### **69.05.98 Accessory Dwelling Units Allowed With Alternative Owner Builder Residence.**

An accessory dwelling unit may be permitted under the Alternative Owner Builder code, Chapter 1.5, Section 331.5 of Humboldt County Code in rural areas outside a community service district, provided that all the requirements of this code and of the Alternative Owner Builder Code are met, including that:

- (a) An inspection of the dwelling has been made by the appropriate county official(s); and
- (b) The Official(s) determine(s) that the requirements of the applicable County codes, including modifications, have been met or substantially met to the extent that no abnormal risk to health or safety will result from occupancy of the dwelling; and
- (c) All other conditions applicable to accessory dwelling units have been met.

#### **IV. Amend IP sec. 313, Section C, Index of Definitions of Language, as follows:**

##### **313-136 DEFINITIONS (A)**

...

**Accessory Dwelling Unit:** An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons, that includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot where a single family or multifamily dwelling is or will be situated. ~~An accessory dwelling unit is an accessory building for purposes of Categorical Exclusion Order E-86-4, Section 1(a).~~ An accessory dwelling unit also includes a manufactured home, as defined in Section 18007 of the Health and Safety Code; and a Tiny House or

Moveable Tiny House as defined in this code. (See, Residential Use Types, Accessory Dwelling Unit, in Section D: Use Types; Tiny House, Section 155 Definitions (T); and Moveable Tiny House, Section 148 Definitions (M)).

...

### **313-137 DEFINITIONS (B)**

...

**Building Type, Residential:** A group of building types that comprise the following:

- A. Single Detached: One (1) dwelling unit, freestanding and structurally separated from any other dwelling unit or building, located on a lot or building site which is unoccupied by any other dwelling unit or main building.
- B. Duplex: Two (2) dwelling units with at least ten (10) feet of a common wall, structurally separated from any other dwelling unit or building and located on a lot or building site which contains no other dwelling unit or main building
- C. Multiple Unit: A building containing at least three (3) dwelling units in any vertical or horizontal arrangement, located on a lot or building site which contains no other dwelling unit or main building
- D. Manufactured Home: A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) feet or more in width, or forty (40) feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; except that a manufactured home constructed to the standards required by the County Building Regulations for a Single Detached Residential Building Type shall be classified as a Single Detached Residential Building Type. The manufactured home building type includes mobile homes
- E. Ancillary Residential: A dwelling which is not the principal residence or main building on a lot or parcel, such as a ~~second residential unit~~, an accessory dwelling unit, guest house, caretaker's residence, farm laborers' residence, etc.

...

### **313-145 DEFINITIONS (J)**

**Junior Accessory Dwelling Unit. An attached unit that is no more than 500 square feet contained entirely within a single-family residence that may include separate sanitation facilities or may share sanitation facilities with the existing structure and that includes an efficiency kitchen.**

### 313-148 DEFINITIONS (M)

...

**Moveable Tiny House.** Moveable Tiny House. A structure no larger than 400 square feet intended for separate, independent living quarters, designed as a permanent, year-round residence for one household that meets these six conditions:

1. Is licensed and registered with the California Department of Motor Vehicles and meets National Fire Protection Association (NFPA) RV 1192 standards, or if certified after January 1, 2021, meets American National Standards Institute (ANSI) 119.5 Park Model standards. Certification must be made by a qualified third-party inspector accredited through American Society for Testing and Materials.
2. Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection, and is not designed to move under its own power;
3. Is no larger than allowed by California State Law for movement on public highways;
4. Has at least 120 square feet of first floor interior living space;
5. Is a detached self-contained unit that includes basic functional areas that support normal daily routines such as cooking, sleeping, and sanitation; and
6. Substantially complies with local building, health, and safety codes as set forth in this code so that it qualifies as a permanent dwelling.

...

### 313-154 DEFINITIONS (S)

...

**~~Second Residential Unit:~~** ~~(See, Residential Use Types, Second Residential Unit, in Section D: Use Types.)~~

**~~Secondary Dwelling Unit:~~** ~~(See, Residential Use Types, Second Residential Unit, in Section D: Use Types.)~~

...

### 313-155 DEFINITIONS (T)

...

**Tiny House.** A structure intended for separate, independent living quarters, designed as a permanent, year-round residence for one household that:

1. Is built or installed on a permanent foundation or anchored with a foundation system meeting State approved requirements for manufactured housing, or that is designed by a licensed architect or engineer to meet those requirements;
2. Is no larger than 400 square feet;
3. Has at least 120 square feet of first floor interior living space;
4. Is a detached self-contained unit that includes basic functional areas that support normal daily routines such as cooking, sleeping, and sanitation.

...

**V. Amend the Zoning District Tables in IP sec. 313-5.2 through 313-7.3 regarding as follows:**

**313-1 LISTS OF ZONE MAPPING DESIGNATIONS AND LISTS OF PERMITTED USE TYPES**

...

**313-5 RECREATION AND CONSERVATION ZONES**

...

<b>313-5.2 CR: Commercial Recreation</b>	
	<b>Principal Permitted Use</b>
	Commercial Recreation Principal Permitted Use (See Section 313-163.1.9 for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Single Family Residential <u>Junior Accessory Dwelling Unit</u> Caretaker's Residence
Civic Use Types	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	Recreational Vehicle Park
Commercial Timber Use Type	Timber Production
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration

**Appendix A, Implementation Plan Amendments  
(Certify with Suggested Modifications)**

LCP Amendment No. LCP-1-HUM-21-0067-3

(Humboldt County ADUs)

	Boating Facilities Improvements
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.
<b>Development Standards</b>	
<b>Minimum Lot Size</b>	5,000 square feet.
<b>Minimum Lot Width</b>	Fifty feet (50').
<b>Maximum Lot Depth</b>	Three (3) times the lot width.
<b>Maximum Density</b>	(None specified.)
... ..	

...

### 313-6 RESIDENTIAL ZONE DISTRICTS

<b>313-6.1 RS: Residential Single Family</b>		
...		
<b>Development Standards</b>		
<b>Minimum Lot Size and Minimum Lot Width</b>		
Zone Designation	Minimum Lot Size	Minimum Lot Width
RS-5	5,000 sq. ft.	50 feet
RS-7.5	7,500 sq. ft.	60 feet
RS-10	10,000 sq. ft.	60 feet
RS-20	20,000 sq. ft.	75 feet
RS-40	40,000 sq. ft.	150 feet
<b>Maximum Lot Depth</b>	Three (3) times the lot width.	
<b>Maximum Density</b>	<p>Either <del>one</del> <u>One</u> dwelling unit (1du) per lawfully created lot <del>or two dwelling units (2du) per lawfully created lot if a Special Permit is secured for a second residential unit plus one accessory dwelling unit or one accessory dwelling unit and one junior accessory dwelling unit as described in 69.05.3.8. Accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located.</del> In a manufactured home park, one dwelling unit per manufactured home lot is permitted up to the maximum density allowed by the General Plan...</p>	
<b>Minimum Yard Setbacks***</b>		
Front	Twenty feet (20').	
Rear	Ten feet (10').	
Interior Side	Five feet (5').	

Exterior Side	Same as front or one-half (½) 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" (see, this Chapter, Section C: Index of Definitions of Language and Legal Terms). In questionable cases, the Public Works Director shall classify the subject street. A record of all streets so classified shall be maintained as a public record which is available to the public at Community Development Services and/or the Department of Public Works.
Double Frontage Lots	Front and rear yards shall be twenty feet (20'); except that the rear yard setback may be reduced to ten feet (10') where such yard abuts an alley.
Flag Lots	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.
<b>Maximum Ground Coverage</b>	Thirty-five percent (35%).
<b>Maximum Structure Height</b>	Thirty-five feet (35').
<b>Permitted Main Building Types</b>	Residential Single Detached; <u>Ancillary Residential</u> ; Manufactured Homes in Manufactured Home Parks. Limited Mixed Residential-Nonresidential. Nonresidential Detached or Multiple/Group

<b>313-6.2 RM: Residential Multi-Family</b>	
	<b>Principal Permitted Use</b>
	Residential Multi Family Principal Permitted Use (See Section 313-163.1.9 for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Single Family Residential <del>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.</del> Manufactured Home Parks; subject to the Manufactured Home Park Regulations
Civic Use Types	Essential Services Community Assembly Non-Assembly Cultural 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
Commercial Use Types	Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations Transient Habitation Private Recreation Neighborhood Commercial



	Office and Professional Service Private Institution
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.
<b>Development Standards</b>	
<b>Minimum Lot Size</b>	5,000 square feet.
<b>Minimum Lot Width</b>	Fifty feet (50').
<b>Maximum Lot Depth</b>	Three (3) times the lot width.
<b>Maximum Density</b>	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.

<b>313-6.3</b>	<b>R2: Mixed Residential</b>
...	
<b>Development Standards</b>	
<b>Minimum Lot Size</b>	5,000 square feet.
<b>Minimum Lot Width</b>	Fifty feet (50').
<b>Maximum Lot Depth</b>	Three (3) times the lot width.
<b>Maximum Density</b>	(None specified.)
<b>Minimum Yard Setbacks***</b>	
Front	Twenty feet (20').
Rear	Ten feet (10').
Interior Side	Five feet (5').
Exterior Side	Same as front or one-half (½) 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" (see, this Chapter, Section C: Index of Definitions of Language and Legal Terms). In questionable cases, the Public Works Director shall classify the subject street. A record of all streets so classified shall be maintained as a public record which is available to the public at Community Development Services and/or the Department of Public Works.
Double Frontage Lots	Front and rear yards shall be twenty feet (20'), except that the rear yard setback may be reduced to ten feet (10') where such yard abuts an alley.

Flag Lots	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.
<b>Maximum Ground Coverage</b>	Thirty-five percent (35%).
<b>Maximum Structure Height</b>	Thirty-five feet (35').
<b>Permitted Main Building Types</b>	Residential Single Detached; Manufactured Homes in Manufactured Home Parks; <u>Ancillary Residential</u> . Only one dwelling per lot or manufactured home lot except for an <u>accessory dwelling unit</u> (see, <u>Accessory Dwelling Unit in Section 313-69.05</u> ). Duplex. Limited Mixed Residential-Nonresidential. Nonresidential Detached or Multiple/Group.

<b>313-6.4 RA: Rural Residential Agriculture</b>		
...		
<b>Development Standards</b>		
<b>Minimum Lot Size and Minimum Lot Width</b>		
Zone Designation	Minimum Lot Size	Minimum Lot Width
RA -1	1.0 acres	150 feet
RA -2	2.0 acres	175 feet
RA -2.5	2.5 acres	175 feet
RA -5	5.0 acres	250 feet
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>	<del>Either one dwelling unit (1du) per lawfully created lot or two dwelling units (2du) per lawfully created lot if a Special Permit is secured for a second residential unit.</del> <u>plus one accessory dwelling unit. Accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located.</u>	
<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 feet (20')	Twenty feet (20'); Thirty feet (30') for flag lots
Rear	Ten feet (10')	Thirty feet (30')
Interior Side	Five feet (5')	Thirty feet (30')
Exterior Side	Twenty feet (20')	Twenty feet (20')

Flag Lots	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.
Double Frontage Lots	Front and rear yards shall be twenty feet (20'), except that the rear yard setback may be reduced to ten feet (10') where such yard abuts an alley.	Front and rear yards shall be twenty feet (20'), except that the rear yard setback may be reduced to ten feet (10') where such yard abuts an alley.
<b>Maximum Ground Coverage</b>	Thirty-five percent (35%)	
<b>Maximum Structure Height</b>	Thirty-five feet (35').	
<b>Permitted Main Building Types</b>	Residential Single Detached; <u>Ancillary Residential</u> Limited Mixed Residential- Nonresidential Nonresidential Detached or Multiple/Group	

...

### 313-7 Resource Use Regulations

<b>313-7.1 AE: Agriculture Exclusive</b>	
	<b>Principal Permitted Use</b>
	Agriculture Exclusive Principal Permitted Use (See Section 313-163.1.9 for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Guest House Farm Employee Housing Labor Camp Second Agriculture or Commercial Timber Production Residence (on a lot less than sixty acres (60a) in size) Single Family Residential (a Use Permit is required on a lot less than sixty acres (60a) in size for a second single detached dwelling <u>other than an Accessory Dwelling Unit</u> )
Civic Use Types	Essential Services Solid Waste Disposal; subject to the Solid Waste Disposal Regs 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
Industrial Use Types*	Aquaculture, allowed within non-prime agricultural lands only Cottage Industry; subject to the Cottage Industry Regulations
Agricultural Use Types	Hog Farming Feed Lots/Slaughter House Kennels

**Appendix A, Implementation Plan Amendments  
(Certify with Suggested Modifications)**

LCP Amendment No. LCP-1-HUM-21-0067-3

(Humboldt County ADUs)

	Agriculture-Related Recreation Intensive Agriculture
Extractive Use Types	Oil and Gas Drilling and Processing; subject to the Oil and Gas Drilling and Processing Regulations Surface Mining - 2; subject to the Surface Mining Regulations Surface Mining - 3; subject to the Surface Mining Regulations Metallic Mineral Extraction; subject to the Surface Mining Regs.
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Resource-Related Recreation 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 AE zone.

<b>313-7.2 TC: Commercial Timber</b>	
	<b>Principal Permitted Use</b>
	Commercial Timber Principal Permitted Use (See Section 313-163.1.9 for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	<del>Single Family Residential</del> . A Use Permit is required for a second single family residence <u>other than an Accessory Dwelling Unit</u> .
Civic Use Types	Essential Services Solid Waste Disposal; subject to the Solid Waste Disposal Regulations 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
Industrial Use Types*	Timber Products Processing Aquaculture Cottage Industry; subject to the Cottage Industry Regulations
Agricultural Use Types	Agricultural Related Recreation
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations Oil and Gas Drilling and Processing; subject to the Oil and Gas Drilling and Processing Regulations Metallic Mineral Extraction; subject to the Surface Mining Regulations
Natural Resource Use Type	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 TC zone.
<b>Use Type</b>	<b>Compatible Uses Permitted with a Special Permit</b>

Residential Use Types	Labor Camp
Commercial Timber Use Type	Timber Related Recreation
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration

<b>313-7.3 TPZ: Timberland Production Zone</b>	
	<b>Principal Permitted Use</b>
	Timber Production Principal Permitted Use (See Section 313-163.1.9 for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	<del>Single Family Residential</del> . A Use Permit is required for a second single family residence <u>other than an Accessory Dwelling Unit</u> .
Civic Use Types	Essential Services Solid Waste Disposal; subject to the Solid Waste Disposal Regulations 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
Industrial Use Types*	Timber Products Processing Aquaculture Cottage Industry; subject to the Cottage Industry Regulations
Agricultural Use Types	Agriculture-Related Recreation
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations Oil and Gas Drilling and Processing; subject to the Oil and Gas Drilling and Processing Regulations
Natural Resource Use Type	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 TPZ zone.
<b>Use Type</b>	<b>Compatible Uses Permitted with a Special Permit</b>
Residential Use Types	Labor Camp
Commercial Timber Use Type	Timber Related Recreation
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration

**VI. Amend IP sec. 313-163 regarding Use Type and Classifications as follows:**

**313-163 LISTING OF USE TYPE AND PRINCIPAL PERMITTED USE CLASSIFICATIONS**

Appendix A, Implementation Plan Amendments  
(Certify with Suggested Modifications)

LCP Amendment No. LCP-1-HUM-21-0067-3

(Humboldt County ADUs)

163.1 All uses are classified into the following use types and principal permitted uses .  
Use types are described and defined in Section D, Part 2: Glossary of Use Types.

...

163.1.8 Residential Use Types.

Accessory Dwelling Unit

(See Residential Zoning Designations, Principal Permitted Uses)

Caretaker’s Residence

Community Care Facility

Family Day Care Center

Family Day Care Home

Farm Employee Housing

Group Residential

Guest House

Labor Camp

Manufactured Home Park Development

Multi Family Residential

Residence Incidental to Agriculture or Commercial

Timber Production

(See, Agriculture or Commercial Zoning Designations, Principal Permitted Uses.)

Second Agriculture or Commercial Timber Production Residence

(See, Agriculture or Commercial Zoning Designations, Principal Permitted Uses.)

~~Second Residential Unit (See also, Second Dwelling Unit, Secondary Dwelling Unit)~~

Single Family Residential

**163.1.9 Principal Permitted Uses.** These are uses that are allowed without a conditional use permit and that are considered the “principal permitted use” for purposes of appeal to the Coastal Commission (with the exception of (a) Single Family Residential, Accessory Dwelling Unit, Second Agriculture or Commercial Timber Production Residence (on a lot sixty (60) acres or larger in size), or Cottage Industry uses in the Agriculture Exclusive zoning district as enumerated in Section 163.1.9.9 below, and (b) Single Family Residential, Accessory Dwelling Unit, or

Cottage Industry uses in the Timber Production zoning district as enumerated in Section 163.1.9.11 below). Subdivisions, including lot line adjustments, are not considered a principal permitted use in any zoning district in the coastal zone.

...

#### **163.1.9.5 Residential Single Family**

The Residential Single Family Principally Permitted Use includes the following uses: Single Family Residential, ~~Second Residential Unit~~, Accessory Dwelling Unit, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

#### **163.1.9.6 Residential Multi Family**

The Residential Multi Family Principally Permitted Use includes the following uses: Multi Family Residential, Accessory Dwelling Unit, Group Residential, and Minor Utilities to serve these uses.

#### **163.1.9.7 Mixed Residential**

The Mixed Residential Principally Permitted Use includes the following uses: Single Family Residential, Accessory Dwelling Unit, Multi Family Residential (Duplex only), Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

#### **163.1.9.8 Rural Residential Agricultural**

The Rural Residential Agricultural Principally Permitted Use includes the following uses: Single Family Residential, ~~Second Residential Unit~~, Accessory Dwelling Unit, General Agriculture, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

#### **163.1.9.9 Agricultural Exclusive**

The Agricultural Exclusive Principally Permitted Use includes the following uses: Single Family Residential (on lots sixty (60) acres or larger in size, two single detached dwellings, or one single detached and one accessory dwelling are permitted), General Agriculture, Timber Production, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses. Single Family Residential, Accessory Dwelling Unit, Second Agriculture or Commercial Timber Production Residence (on a lot sixty (60) acres or larger in size), and Cottage Industry use types do not require a conditional use permit, but are not considered the principal permitted use for purposes of appeal to the Coastal Commission pursuant to Section 312-13.12.3 of the Coastal Zoning Ordinance and Section 30603(a)(4) of the Coastal Act.

#### 163.1.9.10 Commercial Timber

The Commercial Timber Principally Permitted Use includes the following uses: Single Family Residential, Accessory Dwelling Unit, General Agriculture, Timber Production, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

#### 163.1.9.11 Timber Production

The Timber Production Principally Permitted Use includes the following uses: Single Family Residential, Accessory Dwelling Unit, Timber Production, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses. Single Family Residential, Accessory Dwelling Unit, and Cottage Industry use types do not require a conditional use permit, but are not considered the principal permitted use for purposes of appeal to the Coastal Commission pursuant to Section 312-13.12.3 of the coastal Zoning Ordinance and Section 30603(a)(4) of the Coastal Act.

### VII. Amend IP sec. 313-177 regarding Glossary of Use Types as follows:

#### 313-177 RESIDENTIAL USE TYPES

Residential Use Types include the occupancy of dwelling units on a wholly or principally non-transient basis. Residential uses do not include institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylum, and prisons, except as otherwise provided for various community care facilities.

...

177.05 **Accessory Dwelling Unit.** The Accessory Dwelling Unit Use Type refers to a fully equipped dwelling unit which is ancillary to a principal dwelling unit located on the same lot for occupancy by individuals or a household. (See Section 313-69.05, Accessory Dwelling Unit for regulations governing accessory dwelling units.)

177.1 **Caretaker's Residence...**

...

~~177.13 **Second Residential Unit (Second/Secondary Dwelling Unit).** The Second Residential Unit Use Type refers to a fully equipped dwelling unit which is ancillary and subordinate to a principal dwelling unit located on the same lot for occupancy by individuals or a family household. (See Section 313-87.1, Second Residential Unit for regulations governing second residential units.)~~



...

**VIII. Amend IP sec. 313-107.1 regarding Manufactured Home Park Development as follows:**

**313-107.1 MANUFACTURED HOME PARK DEVELOPMENT**

107.1.1 Purpose. The purpose of these regulations is to establish standards for the development of new manufactured home parks and the expansion of existing manufactured home parks in Humboldt County.

107.1.2 Applicability. These regulations shall apply to the development, expansion, or alteration of any manufactured home park, as defined in the Manufactured Home Park use type.

107.1.3 Development Standards. The construction, alteration or expansion of a manufactured home park shall be subject to the following development standards, except as provided herein:

...

107.1.4 Exceptions for Existing Substandard Manufactured Home Parks. The Hearing Officer may modify the requirements of Section 107.1.3 for an existing substandard park proposed to be enlarged or altered provided that the modifications are limited to the extent that an overall improvement in the design or standards of such existing park will result, and subject to making the applicable findings for granting exceptions in Chapter 2, Procedures, of this Code. (For more information on manufactured homes, see Section 313-132, Nonconforming Structures, and Section 313-87.169.05, Second Residential Accessory Dwelling Units.)

**IX. Amend IP sec. 313-109.1.4 regarding Off-Street Parking as follows:**

**313-109.1 OFF-STREET PARKING**

109.1.1 Purpose.

...

109.1.2 Applicability. These requirements shall apply in all zones to the activities specified herein.

109.1.3 General Requirements...

...

109.1.4 Parking Spaces Required. The number of off-street parking spaces required

shall not be less than the following:

109.1.4.1 Residential Uses.

109.1.4.1.1 Single Detached and Duplex Building Types

109.1.4.1.1.1 Spaces Required, Setback. One (1) parking space is required for each dwelling unit containing not more than one (1) bedroom; two (2) parking spaces for each dwelling unit containing more than one (1) bedroom. The required parking shall be sited outside the front yard setback. The following exceptions apply to Accessory Dwelling Units:

109.1.4.1.1.1 Accessory Dwelling Unit Exception

- (a) One (1) parking space for each accessory dwelling unit. These spaces may be provided in tandem on a driveway. Off-street parking shall be permitted in setback areas or through tandem parking, unless parking in setback areas or tandem parking is not feasible based specific site conditions, or regional topographical conditions, or fire and life safety conditions.
- (b) Parking standards for an ADU shall not apply if the ADU is (1) located within one-half mile of public transit; (2) located within an architecturally and historically significant district; (3) part of the proposed or existing primary residence or an existing accessory structure; or (4) when on-street parking permits are required but not offered to the occupant of the ADU; or (5) when there is a car share vehicle located within one block of the accessory dwelling unit. In mapped Housing Opportunity Zones, for ADUs less than 1,000 square feet in size, no parking shall be required.

...

**APPENDIX B**  
**LAND USE PLAN AMENDMENTS**  
(As Adopted by the County; Certify as Submitted)

The amendments to the six Land Use Plans are shown below by LUP and by relevant section(s) within each LUP. Additional policy text beyond the policies to be amended is included for context. Text changes adopted by the County July 13, 2021 (Resolution 21-70) are shown in ~~single strike-out~~ and single underlined text.

I. Amend Humboldt Bay Area Plan Chapter 3 policies [Rural Development Policies and Standards] sec. 3.23-B-1(e) and 3.24-B-2(a) regarding Timberlands and Agriculture (respectively) as follows:

3.23 TIMBERLANDS

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

A. PLANNED USES

There are approximately 250 acres planned for commercial timberland, all on the fringe of the planning area. Presently, all of these lands are enrolled in the County's timberland protection program have been zoned TPZ...

B. DEVELOPMENT POLICIES

1. Identification of Timberlands

...

(c) All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, shall be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ...

...

(e) No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber, and compatible uses other than the direct growing and harvesting of timber shall be restricted to:

- (1) Management for watershed.
- (2) Management for fish and wildlife habitat.
- (3) Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
- (4) The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
- (5) Grazing and other agricultural uses.
- (6) No more than two single-family dwelling units, one of which may be an accessory dwelling unit, and normal accessory uses and structures for owner and caretaker. ADUs, associated residential structures, driveways, utilities, and fire safety setbacks shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. An accessory dwelling unit is subject to the limitations established in Chapter 3 of the Zoning Code, 313-69.05. A second dwelling unit that is not an accessory dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.
- (7) Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
- (8) Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
- (9) Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

### 3.24 AGRICULTURE

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

#### A. PLANNED USES

Approximately 10,600 acres within the planning area are planned for agricultural use, which includes all land currently in agricultural production except for the following:...

...

#### B. DEVELOPMENT POLICIES

1. Identification of Agricultural Lands - Prime/Non-Prime...

...

2. Compatible Uses

a. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands, and a A conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the

parcel; except that on parcels 60 acres or larger, a second house for parents or children of the owner-operator shall be considered a direct part of agricultural production. Instead of a second house, one accessory dwelling unit shall be permitted without discretionary review, and without occupancy restriction.

Other uses considered compatible with agricultural operations include:

- (1) Management for watershed
- (2) Management for fish and wildlife habitat.
- (3) Recreational uses not requiring non-agricultural development under the control of the owner.
- (4) The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)
- (5) Farm labor housing and temporary labor camps of less than one-year duration shall require a conditional use permit.
- (6) An accessory dwelling unit not located on prime agricultural soil shall be permitted without occupancy restriction

- b. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.
- c. No greenhouse shall be approved for use on prime agricultural land, where the greenhouse has a slab foundation that would cover the underlying soil.

3. Grazing Lands - Table Bluff

- a. Grazing lands on Table Bluff shall be designated for agricultural use to insure availability of upland grazing sites and minimize conflicts with agriculture from conversion of these lands to other uses. Division of these lands may be permitted into parcels of less than 160 acres only when consistent with this plan's agriculture policies and other policies of Chapter 3 and when approved pursuant to rezoning and parcel map procedures provided:...

...

## II. Amend Humboldt Bay Area Plan Chapter 4 sec. 4.10, Land Use Designation descriptions, as follows:

#### 4.10 A. URBAN LAND USE DESIGNATIONS

##### **RH: RESIDENTIAL/HIGH DENSITY**

**PURPOSE:** to maximize effective use of limited urban lands and promote concentration of urban residential use where public services and overall community design make this both feasible and desirable.

**PRINCIPLE USE:** multiple-unit residential development for occupancy by individuals, groups or families, exclusive of mobile home developments-; accessory dwelling units as specified in 313-69.05.3.8.3 and 69.05.3.8.4.

**CONDITIONAL USES:** Hotels, motels, boarding houses, mobile home development, single family residences, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

##### **RM: RESIDENTIAL/MEDIUM DENSITY**

**PURPOSE:** to make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

**PRINCIPAL USE:** duplex, multiple unit and mobile home residential development for occupancy by individuals or families-; accessory dwelling units within or accessory to multifamily dwellings, as specified in 313-69.05.3.8.3 and 69.05.3.8.4.

**CONDITIONAL USES:** same as RH, plus guest houses, office and professional private institutions, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

##### **RL: RESIDENTIAL/LOW DENSITY**

**PURPOSE:** to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available.

**PRINCIPAL USE:** detached single family residences and accessory dwelling units.

CONDITIONAL USES: private institutions, private recreation facilities, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**RE: RESIDENTIAL ESTATES**

PURPOSE: to allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

PRINCIPAL USE: detached single family residences and accessory dwelling units.

CONDITIONAL USES: same as RL.

...

**RV: URBAN RESERVE**

PURPOSE: to protect from premature subdivision and development urban lands not now developed to urban densities or adequately provided with urban services but expected to develop to urban uses and densities when services are available.

PRINCIPAL USE: open space uses including agriculture and timber production while services are unavailable or if specifically planned for urban uses, when services become available, those uses permitted under that respective designation if the development can satisfy on-site water and wastewater requirements...

...

**CG: COMMERCIAL GENERAL...**

...

**CR: COMMERCIAL RECREATIONAL**

PURPOSE: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

PRINCIPAL USE: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.15.



CONDITIONAL USES: single-family house and junior accessory dwelling unit on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

...

**AG: AGRICULTURAL/GENERAL**

PURPOSE: to protect agricultural lands with Urban Limits for continued agricultural use where such lands are economically viable, compatible with the development of urban uses and most reasonable included within Urban Limits.

PRINCIPAL USE: production of agricultural crops with a residence and accessory dwelling unit incidental to this use.

CONDITIONAL USES: hog production, watershed management, management for fish and wildlife habitat, recreation (exclusive of those requiring non-agricultural development), utility transmission lines, farm labor housing, and timber harvesting.

...

...

**4.10 B. RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

**RX: RESIDENTIAL/EXURBAN**

PURPOSE: to allow development of rural community neighborhoods not depending on urban levels of service.

PRINCIPAL USE: residential single-family and accessory dwelling unit with neighborhood commercial services as allowed by Section 3.28C of this document...

...

**RR: RURAL RESIDENTIAL**

PURPOSE: to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development.

PRINCIPAL USE: residential and accessory dwelling unit.

CONDITIONAL USES: production of food, fiber or plants...

...

**AE: AGRICULTURE EXCLUSIVE/PRIME AND NON-PRIME LANDS**

PURPOSE: to protect prime and non-prime agricultural lands for long term productive agricultural use.

**PRINCIPAL USE:** production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one-owner occupied residence and one accessory dwelling unit that is not on prime ag soil, and the principle uses permitted under TC; ancillary development such as barns, storage sheds, and similar agricultural structures..

**CONDITIONAL USES:** hog production, watershed management, management for fish and wildlife habitat, recreation (such as hunting camps and stables except those requiring non- agricultural development), utility transmission lines, farm labor housing, greenhouses, feed lots and similar confined livestock operations...

...

**AEG: AGRICULTURE EXCLUSIVE/GRAZING LANDS**

**PURPOSE:** to protect coastal grazing lands for long-term productive grazing use.

**PRINCIPAL USE:** production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one-owner occupied residence and one accessory dwelling unit that is not on prime ag soil, and principle permitted uses under TC.

**CONDITIONAL USES:** same as AE...

...

**TC: COASTAL COMMERCIAL TIMBERLAND**

**PURPOSE:** to protect productive timberlands for long-term production of merchantable timber.

**PRINCIPAL USE:** timber production including all necessary site preparation, road construction and harvesting, and residential and accessory dwelling unit use incidental to this use as provided in Section 3.23 of this document, and principle uses permitted under AE, ~~except second dwelling~~.

**CONDITIONAL USES:** management of watershed, management for fish and wildlife, utility and transmission lines, ~~second dwellings~~, temporary labor camps, permanent timber processing plants for commercial processing of wood and wood products

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

**PRINCIPAL USE:** commercial recreational, including recreational vehicle parks, hotels

and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.27 of this document.

CONDITIONAL USES: single-family house and junior accessory dwelling unit on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

...

III. Amend North Coast Area Plan Chapter 3 policies [Rural Development Policies and Standards] sec. 3.33-B-1 and 3.34-B-1(f) regarding Agriculture and Timberlands (respectively) as follows:

3.33 AGRICULTURE

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not

feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

A. IDENTIFICATION OF AGRICULTURAL LANDS

...

B. COMPATIBLE USES

1. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands, ~~and a~~ A conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel; except that on parcels 60 acres or larger, a second house for parents or children of the owner-operator shall be considered a direct part of agricultural production. Instead of a second house, one accessory dwelling unit shall be permitted without discretionary review, and without occupancy restriction.

Other uses considered compatible with agricultural operations include:

- (a) Management for watershed
  - (b) Management for fish and wildlife habitat.
  - (c) Recreational uses not requiring non-agricultural development under the control of the owner.
  - (d) The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)
  - (e) Farm labor housing and temporary labor camps of less than one-year duration shall require a conditional use permit.
  - (6) An accessory dwelling unit not located on prime agricultural soil shall be permitted without occupancy restriction
2. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.
  3. No greenhouse shall be approved for use on prime agricultural land, where the greenhouse has a slab foundation that would cover the underlying soil.

3.34 TIMBERLANDS

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

A. IDENTIFICATION OF TIMBERLANDS

...

3. All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, shall be protected for timber harvesting and production; ...

...

B. COMPATIBLE USES

1. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than direct growing and harvesting of timber shall be restricted to:
  - a. Management for watershed.
  - b. Management for fish and wildlife habitat.
  - c. Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
  - d. The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
  - e. Grazing and other agricultural uses.
  - f. No more than two single-family dwelling units, one of which may be an accessory dwelling unit, and normal accessory uses and structures for owner and caretaker. ADUs, associated residential structures, driveways, utilities, and fire safety setbacks shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. An accessory dwelling unit is subject to the limitations established in Chapter 3 of the Zoning Code, 313-69.05. The A second dwelling that is not an accessory dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.
  - g. Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.

- h. Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
- i. Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

**IV. Amend North Coast Area Plan Chapter 5 sec. 5.20 and 5.30, Land Use Designation descriptions, as follows:**

**5.20 URBAN PLAN DESIGNATIONS**

(The standards below apply only within Urban Limits as shown in the Area Plan)

**RE: RESIDENTIAL ESTATES**

**PURPOSE:** to allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

**PRINCIPAL USE:** detached single family residences, accessory dwelling units.

**CONDITIONAL USES:** Private institutions and private recreational facilities as provided in Section 3.23B.

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

**PRINCIPAL USE:** commercial recreational (such as recreational vehicle parks, hotels and motels) and visitor-serving developments (such as antique shops, art galleries, restaurants, taverns) subject to the requirements of Section 3.23A, B and C of this document.

**CONDITIONAL USES:** single-family house on existing lots, junior accessory dwelling unit, a caretaker's residence, apartments on the upper floor of multi-story structures.

...

**5.30 RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

**RX: RESIDENTIAL/EXURBAN**

PURPOSE: to allow development of rural community neighborhoods not depending on urban levels of service.

PRINCIPAL USE: residential single-family and accessory dwelling unit with neighborhood commercial services as allowed by Section 3.36B of this document...

...

**RR: RURAL RESIDENTIAL**

PURPOSE: to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development.

PRINCIPAL USE: residential and accessory dwelling unit.

CONDITIONAL USES: production of food, fiber or plants...

...

**AEP: AGRICULTURE EXCLUSIVE/PRIME LANDS**

PURPOSE: To protect prime agricultural lands for long term productive agricultural use.

PRINCIPAL USE: Production of food, fiber or plants, as provided in Section 3.54 with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one-owner occupied residence and one accessory dwelling unit that is not on prime ag soil; barns, storage sheds, and similar agricultural structures and principal structures and principal uses permitted under TC.

CONDITIONAL USES: hog production, watershed management, management for fish and wildlife habitat, recreation such as hunting camps and stables (except those requiring non-agricultural development), utility transmission lines, farm labor housing, greenhouses, feed lots and similar confined livestock operations...

...

**AG: AGRICULTURAL/GENERAL**

PURPOSE: To protect productive non-prime agricultural lands from conversion to non-agricultural uses.

PRINCIPAL USE: Production of food, fiber, plants or the grazing of recreational livestock, with a residence and accessory dwelling unit that is not on prime ag soil incidental to this use.

CONDITIONAL USES: Hog production, watershed management, management for fish and wildlife habitat, recreation such as hunting, camps and stables (exclusive of those requiring nonagricultural development, utility transmission lines, farm labor housing, and timber harvesting, green houses, feed lots, and similar confined livestock operations....

...

**TC: COASTAL COMMERCIAL TIMBERLAND**

**PURPOSE:** to protect productive timberlands for long-term production of merchantable timber.

**PRINCIPAL USE:** timber production as provided in Section 3.34 including all necessary site preparation, road construction and harvesting, and residential and accessory dwelling unit use incidental to this use, and principle uses permitted under AEP; ~~except second dwelling.~~

**CONDITIONAL USES:** Management of watershed, management for fish and wildlife, utility and transmission lines, ~~second dwellings,~~ temporary labor camps, permanent timber processing plants for commercial processing of wood and wood products.

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

**PRINCIPAL USE:** commercial recreational (such as recreational vehicle parks, hotels and motels) and visitor-serving developments (such as antique shops, art galleries, restaurants, taverns)...

**CONDITIONAL USES:** single-family residences and junior accessory dwelling units on existing lots, caretaker's residence, apartments on the upper floor of multi-story structures.

...

**V. Amend Trinidad Area Plan Chapter 3 policies [Rural Development Policies and Standards] sec. 3.24-A-1(e)(6) regarding Timberlands as follows:**

**3.24 TIMBERLAND**

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

**A. PLANNED USES**

There are approximately 671 acres planned for commercial timberland. Presently all but two areas, near Scotty Point and east of Westhaven Drive, are enrolled in the County's



Timberland Protection Program and are zoned TPZ (Timberland Preserve Zone). The other two areas were recommended for inclusion under 'list A' and are presently zoned Agriculture Exclusive. The development policies below, generally reflect the County's current program with the addition of inclusion of 20 acre parcels with timber soils rated as "good site III" or better. In addition, these policies also require that joint timber management plans required of subdivisions of less than 160 acres include provisions which will ensure continued commercial timber productivity.

## 1. Identification of Timberlands

...

(c) All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, shall be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ...

...

(e) No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than the direct growing and harvesting of timber shall be restricted to:

- (1) Management for watershed.
- (2) Management for fish and wildlife habitat.
- (3) Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
- (4) The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
- (5) Grazing and other agricultural uses.
- (6) No more than two single-family dwelling units, one of which may be an accessory dwelling unit, and normal accessory uses, ADUs, associated residential structures, driveways, utilities, and fire safety setbacks shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. A second dwelling that is not an accessory dwelling unit shall require a use permit and shall be conditioned so as not to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total

parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.

- (7) Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
- (8) Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
- (9) Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

**VI. Amend Trinidad Area Plan Chapter 4 sec. 4.20 and 4.30, Land Use Designation descriptions, as follows:**

**4.20 URBAN PLAN DESIGNATIONS**

(The standards below apply only within Urban Limits as shown on the Area Plan.)

**RE: RESIDENTIAL ESTATES**

**PURPOSE:** to allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

**PRINCIPAL USE:** detached single family residences, accessory dwelling units.

**CONDITIONAL USES:** private institutions, private recreation facilities.

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

**PRINCIPAL USE:** commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.13.

**CONDITIONAL USES:** single family house and junior accessory dwelling unit on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

...

#### 4.30 RURAL PLAN DESIGNATIONS

(The standards below apply outside Urban Limits as shown in the Area Plan.)

##### **RX: RESIDENTIAL/EXURBAN**

**PURPOSE:** to allow development of rural community neighborhoods not depending on urban levels of service.

**PRINCIPAL USE:** residential single-family and accessory dwelling unit, with neighborhood commercial services as allowed by Section 3.26 of this document.

**CONDITIONAL USES:** Cottage industry.

...

##### **RR: RURAL RESIDENTIAL**

**PURPOSE:** to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development

**PRINCIPAL USE:** residential, accessory dwelling unit.

**CONDITIONAL USES:** production of food, fiber or plants, and Cottage Industry.

...

##### **RV: RURAL VILLAGE**

**PURPOSE:** to allow development of rural community neighborhoods where minimal urban levels of services currently exist and only minimal expansion of these services is expected

**PRINCIPAL USE:** residential single-family and accessory dwelling unit, with neighborhood commercial services as allowed by Section 3.26 B2.

**CONDITIONAL USES:** production of food, fiber, or plants, and Cottage Industry.

...

##### **TC: COASTAL COMMERCIAL TIMBERLAND**

**PURPOSE:** to protect productive timberlands for long-term production of merchantable timber.

**PRINCIPAL USE:** timber production as provided in Section 3.24 of this document including all necessary site preparation, road construction and harvesting, and residential and accessory dwelling unit use incidental to this use ~~as provided in Section 3.24 of this document~~, and principal uses permitted under AEP ~~except second dwelling~~.

**CONDITIONAL USE:** management of watershed, management for fish and wildlife, utility and transmission lines, ~~second dwellings~~, temporary labor camps, permanent

timber processing plants for commercial processing of wood and wood products.

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

**PRINCIPAL USE:** commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.25 of this document.

**CONDITIONAL USES:** maximum density of twelve overnight units per gross developed area.

...

**VII. Amend McKinleyville Area Plan Chapter 3 policies [Rural Development Policies and Standards] sec. 3.34-B-1 and 3.35-B-1(f) regarding Agriculture and Timberlands (respectively) as follows:**

**3.34 AGRICULTURE**

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

A. IDENTIFICATION OF AGRICULTURAL LANDS

...

B. COMPATIBLE USES

1. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands; and a conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel; except that on parcels 60 acres or larger, a second house for parents or children of the owner-operator shall be considered a direct part of agricultural production. Instead of a second house, one accessory dwelling unit shall be permitted without discretionary review, and without occupancy restriction.

Other uses considered compatible with agricultural operations include:

- (a) Management for watershed
- (b) Management for fish and wildlife habitat.
- (c) Recreational uses not requiring non-agricultural development under the control of the owner.
- (d) The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)
- (e) Farm labor housing and temporary labor camps of less than one-year duration shall require a conditional use permit.
- (f) An accessory dwelling unit not located on prime agricultural soil shall be permitted without occupancy restriction.

2. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals

(over 6 months old) shall require a conditional use permit.

3. No greenhouse shall be approved for use on prime agricultural land, where the greenhouse has a slab foundation that would cover the underlying soil.

### 3.35 TIMBERLANDS

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

#### A. IDENTIFICATION OF TIMBERLANDS

...

(3) All Coastal Commercial Timberland shall be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ...

...

#### B. COMPATIBLE USES

1. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than the direct growing and harvesting of timber shall be restricted to:
  - (a) Management for watershed.
  - (b) Management for fish and wildlife habitat.
  - (c) Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
  - (d) The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
  - (e) Grazing and other agricultural uses.
  - (f) No more than two single-family dwelling units, one of which may be an accessory dwelling unit, and normal accessory uses and structures for owner and caretaker. ADUs, associated residential structures, driveways, utilities, and fire safety setbacks shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. An accessory dwelling unit is subject to the limitations established in Chapter 3 of the

Zoning Code, 313-69.05. The A second dwelling that is not an accessory dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.

- (g) Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
- (h) Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
- (i) Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

VIII. Amend McKinleyville Area Plan Chapter 5 sec. 5.20 and 5.30, Land Use Designation descriptions, as follows:

5.20 URBAN PLAN DESIGNATIONS

(The standards below apply only within Urban Limits as shown on the Area Plan.)

**RH: RESIDENTIAL/HIGH DENSITY**

**PURPOSE:** to maximize effective use of limited urban lands and promote concentration of urban residential use where public services and overall community design make this both feasible and desirable.

**PRINCIPLE USE:** multiple-unit residential development for occupancy by individuals, groups or families, exclusive of mobile home developments; accessory dwelling units as specified in 313-69.05.3.8.3 and 69.05.3.8.4.

**CONDITIONAL USES:** Hotels, motels, boarding houses, mobile home development, single family residences, neighborhood commercial, office and professional uses.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**RM: RESIDENTIAL/MEDIUM DENSITY**

PURPOSE: to make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

PRINCIPAL USE: duplex, multiple unit and mobile home residential development for occupancy by individuals or families; accessory dwelling units as specified in 313-69.05.3.8.3 and 69.05.3.8.4.

CONDITIONAL USES: same as RH, plus guest houses, private institutions, neighborhood commercial, office and professional uses.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**RL: RESIDENTIAL/LOW DENSITY**

PURPOSE: To allow the development of homeowner residential uses making conservative use of urban land where adequate services are available.

PRINCIPAL USE: Detached single family residences, accessory dwelling units.

CONDITIONAL USES: private institutions, private recreation facilities s (as provided in Section 3.25 B of this document), and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**RE: RESIDENTIAL ESTATES**

PURPOSE: to allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

PRINCIPAL USE: detached single family residences and accessory dwelling units.

CONDITIONAL USES: same as RL.

...



**RV: URBAN RESERVE**

**PURPOSE:** to protect from premature subdivision and development urban lands not now developed to urban densities or adequately provided with urban services but expected to develop to urban uses and densities when services are available.

**PRINCIPAL USE:** open space uses including agriculture and timber production while services are unavailable or if specifically planned for urban uses, when services become available, those uses permitted under that respective designation if the development can satisfy on-site water and wastewater requirements...

...

**CG: COMMERCIAL GENERAL...**

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

**PRINCIPAL USE:** commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.25 (Recreational and Visitor Serving Uses).

**CONDITIONAL USES:** single-family house and junior accessory dwelling unit on existing lots, a caretaker’s residence, apartment on the upper floor of multi-story structures.

...

**AG: AGRICULTURAL/GENERAL**

**PURPOSE:** to protect productive non-prime agricultural lands from conversion to non-agricultural uses.

**PRINCIPAL USE:** Production of food, fiber, plants or the grazing of recreational livestock, with a residence and accessory dwelling unit incidental to this use.

**CONDITIONAL USES:** Hog production, watershed management, management for fish and wildlife habitat, recreation such as hunting, camps and stables (exclusive of those requiring non-agricultural development, utility transmission lines, farm labor housing, and timber harvesting, green houses, feed lots, and similar confined livestock operations.

...

**5.30 RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

**RX: RESIDENTIAL/EXURBAN**

**PURPOSE:** to allow development of rural community neighborhoods not depending on urban levels of service.

**PRINCIPAL USE:** residential single-family and accessory dwelling unit, with neighborhood commercial services.

**CONDITIONAL USES:** Cottage industry.

...

**RR: RURAL RESIDENTIAL**

**PURPOSE:** To allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development

**PRINCIPAL USE:** Residential, accessory dwelling unit.

**CONDITIONAL USES:** production of food, fiber or plants, and Cottage Industry.

...

**AEP: AGRICULTURE EXCLUSIVE/PRIME LANDS**

**PURPOSE:** To protect prime agricultural lands for long term productive agricultural use.

**PRINCIPAL USE:** Production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one single detached and one accessory dwelling unit that is not on prime agricultural soil, as provided in Section 3.34 (Agriculture) of this document, and principal uses permitted under TC; ancillary development such as barns, storage sheds and similar agricultural structures

**CONDITIONAL USES:** Hog production, watershed management, management for fish and wildlife habitat, recreation (such as hunting camps and stables except those requiring non-agricultural development) utility transmission lines, farm labor housing, greenhouses, feed lots & similar confined livestock operations.

...

**AEG: AGRICULTURE EXCLUSIVE/GRAZING LANDS**

**PURPOSE:** To protect coastal grazing lands for long-term productive grazing use.

**PRINCIPAL USE:** Production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one-owner occupied residence and one accessory dwelling unit that is not on prime ag

soil, and the principle permitted uses under TC.

CONDITIONAL USES: same as AEP...

...

**AG: AGRICULTURAL/GENERAL**

PURPOSE: To protect productive non-prime agricultural lands from conversion to non-agricultural uses.

PRINCIPAL USE: Production of food, fiber, plants or the grazing of recreational livestock, with a residence and accessory dwelling unit that is not on prime ag soil incidental to this use.

CONDITIONAL USES: Same as AG within the Urban Limit Line and AEP...

...

**TC: COASTAL COMMERCIAL TIMBERLAND**

PURPOSE: to protect productive timberlands for long-term production of merchantable timber.

PRINCIPAL USE: Timber production including all necessary site preparation, road construction and harvesting, and residential and accessory dwelling unit use incidental to this use as provided in Section 3.35 (Timberlands) of this document, and principle uses permitted under AEP. ~~except second dwelling.~~

CONDITIONAL USES: Management of watershed, management for fish and wildlife, utility and transmission lines, ~~second dwellings~~, temporary labor camps, permanent timber processing plants for commercial processing of wood and wood products

...

**CR: COMMERCIAL RECREATIONAL**

PURPOSE: To protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

PRINCIPAL USE: Commercial recreational (such as recreational vehicle parks, hotels, and motels for example, and visitor-serving developments including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.25 (Recreational and Visitor Serving Uses) of this document.

CONDITIONAL USES: Single-family house and junior accessory dwelling unit on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

...

IX. Amend Eel River Area Plan Chapter 3 policies [Rural Development Policies and Standards] sec. 3.34-B-1 and 3.35-B-1(f) regarding Agriculture and Timberlands (respectively) as follows:

3.24 AGRICULTURE WITHIN THE URBAN LIMIT

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

A. CONVERSION OF AGRICULTURAL LANDS TO NON-AGRICULTURAL USES

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

1. Lands designated for Agricultural Use within the Urban Limit by the Area Plan shall not be considered a part of the serviceable area of a utility providing water or sewer service, unless such lands are already serviced

by such a utility; and shall be protected for agricultural use by the agricultural zoning.

2. The owner of a parcel zoned for agricultural use within the Urban Limit may apply for a rezoning to a non-agricultural use if the Area Plan shows a non-agricultural use, and such application shall be approved where all of the following findings can be made:
  - a. That specified urban uses severely limit the economic viability of continued agricultural operations, and that alternative agricultural uses have been explored
  - b. That conversion would not diminish the productivity of adjacent prime agricultural land outside the Urban Limit Line;
  - c. That the subject parcel would be either: Immediately serviceable by existing utility systems; or zoned for a use not requiring off-site services, that does not constitute a conversion from the use designated in the Area Plan.
3. While agricultural use is considered compatible within an Urban Limit Line, the inclusion of agricultural lands within the Urban Limit indicates that these lands may one day be suitable for conversion to an urban use. Therefore it is the policy of Humboldt County that, in addition to lands designated for agricultural use in the Area Plan, all lands currently in agricultural use, and all lands 20 acres or larger with prime soils, falling within the Urban Limit, shall be zoned for agricultural use regardless of the designated use in the Area Plan, unless or until such time as the findings required by 3.24A 2 are made.

...

### 3.34 AGRICULTURE [within the “Rural Development Policies and Standards” section]

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas’ agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

A. IDENTIFICATION OF AGRICULTURAL LANDS – PRIME/NON-PRIME

...

B. COMPATIBLE USES

1. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands; and a conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel; except that on parcels of 60 acres or larger, a second house for parents or children of the owner-operator or accessory dwelling unit or a junior accessory dwelling unit shall be considered a direct part of agricultural production. Instead of a second house, one accessory dwelling unit shall be permitted without discretionary review, and without occupancy restriction.

Other uses considered compatible with agricultural operations include:

- a. Management for watershed
- b. Management for fish and wildlife habitat.
- c. Recreational uses not requiring non-agricultural development under the control of the owner.
- d. The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional

use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)

e. Farm labor housing and temporary labor camps of less than one-year duration shall require a conditional use permit.

f. An accessory dwelling unit not located on prime agricultural soil shall be permitted without occupancy restriction.

2. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.

3. No greenhouse shall be approved for use on prime agricultural land, where the greenhouse has a slab foundation that would cover the underlying soil.

C. GRAZING LANDS – TABLE BLUFF

1. Grazing lands on Table Bluff shall be designated for agricultural use to insure availability of upland grazing sites and minimize conflicts with agriculture from conversion of these lands to other uses. Division of these lands may be permitted into parcels of less than 160 acres only when consistent with this plan's agriculture policies and other policies of Chapter 3 and when approved pursuant to rezoning and parcel map procedures provided:...

...

D. GRAZING LANDS – CENTERVILLE BEACH TO GUTHRIE CREEK

1. Non-prime grazing lands located between Centerville Beach and Guthrie Creek, within the Eel River Planning Area, shall be designated for agricultural use to insure the continuation of large acreage grazing operations. Division of these lands may be permitted into parcels of less than 600 acres only when consistent with this plan's agriculture policies and other policies of Chapter 3 and when approved pursuant to rezoning and parcel map procedures provided:...

...

E. EXCEPTION TO MINIMUM PARCEL SIZE - BOTTOM LANDS AND GRAZING LANDS

...

F. PUBLIC ACQUISITION

...

3.35 TIMBERLANDS

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

A. IDENTIFICATION OF TIMBERLANDS

...

3. All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, should be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ. ...

...

B. COMPATIBLE USES

1. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than the direct growing and harvesting of timber shall be restricted to:
  - a. Management for watershed.
  - b. Management for fish and wildlife habitat.
  - c. Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
  - d. The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
  - e. Grazing and other agricultural uses.
  - f. No more than two single-family dwelling units, one of which may be an accessory dwelling unit, and normal accessory uses and structure for owner and caretaker. ADUs, associated residential structures, driveways, utilities, and fire safety setbacks shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. An accessory dwelling unit is subject to the limitations established in Chapter 3 of the Zoning Code, 313-69.05. ~~The A second dwelling that is not an accessory dwelling unit~~ shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an



area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.

- g. Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
- h. Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
- i. Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

**X. Amend Eel River Area Plan Chapter 5 sec. 5.20 and 5.30, Land Use Designation descriptions, as follows:**

**5.20 URBAN PLAN DESIGNATIONS**

(The standards below apply only within Urban Limits as shown in the Area Plan)

**RM: RESIDENTIAL/MEDIUM DENSITY**

**PURPOSE:** to make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

**PRINCIPAL USE:** duplex, multiple unit and mobile home residential development for occupancy by individuals or families.

**CONDITIONAL USES:** Hotels, motels, boarding houses, mobile home development, single family residences, accessory dwelling units, guest houses, office and professional private institutions, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**RL: RESIDENTIAL/LOW DENSITY**

**PURPOSE:** to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available.

**PRINCIPAL USE:** detached single family residences, accessory dwelling units.

CONDITIONAL USES: private institutions, private recreation facilities, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**CR: COMMERCIAL RECREATIONAL**

PURPOSE: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

PRINCIPAL USE: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.25.

CONDITIONAL USES: single-family house and junior accessory dwelling unit on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

...

**AG: AGRICULTURAL/GENERAL**

PURPOSE: to protect agricultural lands with Urban Limits for continued agricultural use where such lands are economically viable, compatible with the development of urban uses and most reasonably included within Urban Limits.

PRINCIPAL USE: production of agricultural crops with a residence and accessory dwelling unit incidental to this use.

CONDITIONAL USES: hog production, watershed management, management for fish and wildlife habitat, recreation (exclusive of those requiring non-agricultural development), utility transmission lines, farm labor housing, and timber harvesting.

...

**5.30 RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

**RX: RESIDENTIAL/EXURBAN**

PURPOSE: to allow development of rural community neighborhoods not depending on

urban levels of service.

PRINCIPAL USE: residential single-family and accessory dwelling unit with neighborhood commercial services as allowed by Section 3.37B of this document.

...

**RR: RURAL RESIDENTIAL**

PURPOSE: to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development.

PRINCIPAL USE: residential and accessory dwelling unit.

CONDITIONAL USES: production of food, fiber or plants...

...

**AE: AGRICULTURE EXCLUSIVE/PRIME AND NON-PRIME LANDS**

PURPOSE: to protect prime and non-prime agricultural lands for long term productive agricultural use.

PRINCIPAL USE: production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one single detached and one accessory dwelling unit that is not on prime agricultural soil; and principal uses permitted under TC; ancillary development such as barns, storage sheds, and similar agricultural structures.

CONDITIONAL USES: hog production, watershed management, management for fish and wildlife habitat, recreation (such as hunting camps and stables except those requiring non- agricultural development), utility transmission lines, farm labor housing, greenhouses, feed lots and similar confined livestock operations...

...

**AEG(1): AGRICULTURE EXCLUSIVE/GRAZING LANDS (1)**

PURPOSE: to protect coastal grazing lands for long-term productive grazing use.

PERMITTED USE: production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one- single detached and one accessory dwelling unit that is not on prime ag soil, and principal permitted uses under TC.

CONDITIONAL USES: same as AE.

GROSS DENSITY: 160 acre minimum parcel size, as permitted by Sec. 3.34C and E.

**AEG(2): AGRICULTURE EXCLUSIVE/GRAZING LANDS (2)**

PURPOSE: to protect coastal grazing lands for long-term productive grazing use.

PERMITTED USE: production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one-single detached and one accessory dwelling unit that is not on prime ag soil, and principal permitted uses under TC.

CONDITIONAL USES: same as AE...

GROSS DENSITY: 600 acre minimum parcel size, as permitted by Sec. 3.34C and E.

**TC: COASTAL COMMERCIAL TIMBERLAND**

PURPOSE: to protect productive timberlands for long-term production of merchantable timber.

PRINCIPAL USE: timber production including all necessary site preparation, road construction and harvesting, and residential and accessory dwelling unit use incidental to this use as provided in Section 3.35 of this document, and principle uses permitted under AEP, ~~except second dwelling~~.

CONDITIONAL USES: management of watershed, management for fish and wildlife, utility and transmission lines, ~~second dwellings~~, temporary labor camps, permanent timber processing plants for commercial processing of wood and wood products

...

**CR: COMMERCIAL RECREATIONAL**

PURPOSE: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

PRINCIPAL USE: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.36.

CONDITIONAL USES: single-family house and junior accessory dwelling unit on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

...

XI. Amend South Coast Area Plan Chapter 3 policies [Rural Development Policies and Standards] sec. 3.34-B-1 and 3.35-B-1(f) regarding Agriculture and Timberlands (respectively) as follows:

3.34 AGRICULTURE

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

A. IDENTIFICATION OF AGRICULTURAL LANDS

...

B. COMPATIBLE USES

1. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands; and a conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel; except that on parcels 60 acres or larger, a second house for parents of children of the owner-operator shall be considered a direct part of agricultural production. Instead of a second house, one accessory dwelling unit shall be permitted without discretionary review, and without occupancy restriction.

Other uses considered compatible with agricultural operations include:

- a. Management for watershed
  - b. Management for fish and wildlife habitat.
  - c. Recreational uses not requiring non-agricultural development under the control of the owner.
  - d. The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)
  - e. Farm labor housing and temporary labor camps of less than one-year duration shall require a conditional use permit.
  - f. An accessory dwelling unit not located on prime agricultural soil shall be permitted without occupancy restriction.
2. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.

### 3.35 TIMBERLANDS

\*\*\* The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

#### A. IDENTIFICATION OF TIMBERLANDS

...

3. All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, should be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ. ...

...

## B. COMPATIBLE USES

1. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than direct growing and harvesting of timber shall be restricted to:
  - a. Management for watershed.
  - b. Management for fish and wildlife habitat.
  - c. Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
  - d. The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
  - e. Grazing and other agricultural uses.
  - f. No more than two single-family dwelling units, one of which may be an accessory dwelling unit, and normal accessory uses and structures for owner and caretaker. ADUs, associated residential structures, driveways, utilities, and fire safety setbacks shall not exceed two acres per parcel, or 50% of total acreage, whichever is smaller. Accessory dwelling units on timber lands shall not result in conversion to units of noncommercial size. An accessory dwelling unit is subject to the limitations established in Chapter 3 of the Zoning Code, 313-69.05. The A second dwelling that is not an accessory dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a home-site and appurtenant uses. The total area need not be a contiguous unit.
  - g. Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.

- h. Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating fishing, hunting, and skiing.
- i. Reforestation activities including site preparation under the authority of the California Department of Forestry and Fire Protection (CDF) and other State Agencies having regulatory jurisdiction.

**XII. Amend South Coast Area Plan Chapter 5 sec. 5.20 and 5.30, Land Use Designation descriptions, as follows:**

**5.20 URBAN PLAN DESIGNATIONS**

(The standards below apply only within Urban Limits as shown in the Area Plan)

**RM: RESIDENTIAL/MEDIUM DENSITY**

**PURPOSE:** to make efficient use of available land for residential purposes.

**PRINCIPAL USE:** ~~detached single family homes, d~~Duplexes, and guest houses.

**CONDITIONAL USES:** Hotels, motels, boarding houses, mobile home development, single family residences, accessory dwelling units, guest houses, office and professional private institutions, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

**RL: RESIDENTIAL/LOW DENSITY**

**PURPOSE:** to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available.

**PRINCIPAL USE:** detached single family residences, accessory dwelling units.

**CONDITIONAL USES:** private institutions, private recreation facilities, and neighborhood commercial.

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials).



2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures.

...

...

**CR: COMMERCIAL RECREATIONAL**

**PRINCIPAL USE:** Commercial and visitor-serving developments subject to the requirements of Sections 3.25 and 3.36 of this document, such as: recreational vehicle parks, hotels and motels (commercial recreational facilities); and antique shops, art galleries, tackle shops, restaurants, and taverns (visitor-serving facilities).

**CONDITIONAL USES:** apartments on the upper floor of multi-storied structures, and commercial fishing facilities.

...

**5.30 RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

...

**AEG: AGRICULTURE EXCLUSIVE/GRAZING LANDS**

**PURPOSE:** to protect coastal grazing lands for long-term productive grazing use.

**PERMITTED USE:** production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, or one single detached and one accessory dwelling unit that is not on prime ag soil, and principal permitted uses under TC.

**CONDITIONAL USES:** See Section 3.34.

...

**TC: COASTAL COMMERCIAL TIMBERLAND**

**PURPOSE:** to protect productive timberlands for long-term production of merchantable timber.

**PRINCIPAL USE:** Timber production including all necessary site preparation, road construction and harvesting, and residential and accessory dwelling unit use incidental to this use, and principal uses permitted under ~~AEP~~ AEG, ~~except second dwelling~~.

**CONDITIONAL USES:** management of watershed, management for fish and wildlife, utility and transmission lines, ~~second dwellings~~, temporary labor camps.

...

...

**CR: COMMERCIAL RECREATIONAL**

**PURPOSE:** to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors in the area.

**PRINCIPAL USE:** commercial recreational and visitor-serving developments subject to the requirements of Sections 3.25 and 3.36 of this document.