

**Draft Short-term Rental Ordinance Coastal  
10.26.23**

Proposed additions, ~~proposed deletions~~

**313-61.05 SHORT-TERM RENTALS**

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

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

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

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

- A. Current grant deed for the subject parcel.
- B. Affidavit signed by the permit holder confirming delivery of the Good Neighbor Guide to all neighbors in the closest 10 dwellings and within 300 feet up and down the street, if applicable.
- C. Evidence of property-owner consent if the permit-holder is someone other than the property owner.

Alternative 1

- i. Where the owner is a LLC or other corporation, the ownership of the corporation(s) shall include the people who own the corporation or controlling corporation via an ownership roster or operating agreement identifying all parties involved within the LLC or other corporation(s) for said owner or operator.

- D. Access routeHaul route, if seeking a Special Permit and the site is accessed via a shared private road system.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. ThreeTwo months after the effective date of this ordinance the department will issue permits for qualifying locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation prior to the effective date

of this ordinance. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §61.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap. **A permit shall not be issued on a parcel with active violations.**

Alternative 2

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

**61.05.6. Permit Requirements.**

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

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

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

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

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

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

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

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

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

- A. The permit holder shall submit a Statement of Continued Operation as provided by the Planning & Building Department; and
- B. There are no outstanding violations associated with the permit.

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

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

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

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

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

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

**61.05.9.1.2 Neighborhood Quality and Public Nuisance Standards.** Exception to Standard C may be sought with a Special Permit.

- A. **Resident Caretaker.** The caretaker shall reside within the dwelling unit and be present when rooms are occupied by guests.
- B. **Noise.** The maximum noise levels allowed in all outdoor areas and indoor common areas of the property are as follows: 65 dB during the hours of 86 a.m. to 10 p.m. and 60 dB from 10 p.m. to 86-a.m.
- C. **Parking.** Each Home-share Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

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

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

**61.05.10.1.1 Recorded Limitation.** Dwellings subject to a recorded covenant, agreement, deed restriction or other recorded document to which the county is a party that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental.

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

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

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

**61.05.10.1.4.1** AOB dwellings may be permitted after-the-fact, pursuant to the building code in effect at the time of permit issuance.

Alternative 3

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

~~60.05.10.4.1 AOB dwellings may be permitted after the fact, pursuant the building code in effect at the time of permit issuance.~~

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

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

61.05.10.2.1.1 Not more than 2% of the housing stock may be permitted as Short-term Rentals in the Coastal Greater Humboldt Bay Area Short-term Rental Cap Area which is comprised of the following Community Plan Areas: Trinidad Area Plan [AP], McKinleyville AP, Humboldt Bay AP and the Eel River AP.

Alternative 4

60.05.10.2.1.1 No more than 2% of the housing stock may be permitted as Short-term Rentals within each of the following Community Planning Areas (per planning area): Trinidad-Westhaven Community Plan Area [CPA], McKinleyville CPA, Fieldbrook-Glendale CPA, Blue Lake CPA, Arcata CPA, Jacoby Creek CPA, Freshwater CPA, Eureka CPA, Fortuna CPA, Hydesville-Carlotta CPA and the Rio Dell-Scotia CPA.

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

Alternative 5

60.05.10.2.2 Transferability. Short-term rental permits may only be transferred to children or next of kin.

Alternative 6

60.05.10.2.2 Transferability. Short-term rentals may be transferred, so long as the recipient, if identified as an LLC or other corporation(s), provides an ownership roster or operating agreement identifying all parties involved within the LLC or other corporation(s).

**61.05.10.2.3 Per Person Limit.** An individual or business shall not own more than five (5) parcels with Short-term Rental permits.

Alternative 7

~~60.05.10.2.3 **Per Person Limit.** An individual or business shall not own more than five (5) parcels with Short-term Rental permits.~~

Alternative 8

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

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

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

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

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

A. **Building and Fire.**

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

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

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

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

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

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

A. **Good Neighbor Guide.** Prior to the operation of the Short-term Rental, the permit holder shall submit to the Planning and Building Department a signed

affidavit certifying the delivery of a Good Neighbor Guide to all neighbors with dwellings within 300 feet of the Short-term Rental as the crow flies, and to the nearest five (5) neighbors up and down the access road. The Good Neighbor Guide must contain, at a minimum, the following:

- i. Name and telephone number for a caretaker who shall:
    - a. Respond to all questions or concerns timely.
    - b. Remedy complaints related to health and safety (e.g., gas leak or power outage), as well as any violations of Humboldt County Code timely.
  - ii. Location of the approved parking spaces.
  - iii. Permit standards.
- B. **Lighting.** No direct light shall spill onto adjacent properties or create glare above the property.
- C. **Per Parcel Limit.** One Short-term Rental may be permitted per legal parcel.
- D. **Neighborhood Concentration.** Each Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply.
- i. Parcels with a Coastal Area Plan density of one (1) or fewer acres per dwelling unit:
    - a. Short-term Rentals shall not exceed 10% of the dwellings on the access road; and
    - b. As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.
  - ii. Parcels with a Coastal Area Plan density of more than one (1) acre per dwelling unit:
    - a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.
- E. **Private Gatherings and Parties.** Gatherings and parties shall have no more than 20 attendees.

Alternative 9

**Private Gatherings and Parties.** Gatherings and parties shall have no more than twice the maximum occupancy of the short-term rental. If gatherings are intended they must be included in the application for the short-term rental and the application must include provisions for parking which can be on street where allowed.

- F. **Noise.** The maximum noise levels allowed in all outdoor areas and indoor common areas of the property are as follows: 65 dB during the hours of 8~~6~~ a.m. to 10 p.m. and 60 dB from 10 p.m. to 8~~6~~ a.m.
- i. Following one or more noise complaint(s) for a Short-term Rental, the permit holder shall install noise sensor and provide recorded data to the Planning & Building Department upon request.
- G. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.



**313-6 Residential Zone Districts**

<a href="#">313-6.1</a>	<b>RS: Residential Single Family</b>
	<b>Principal Permitted Use</b>
	Residential Single Family Principal Permitted Use (See Section <a href="#">313-163.1.9</a> for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations  Guest House
Civic Use Types	Essential Services  Community Assembly  Public Recreation and Open Space  Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations  Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations  Minor Generation and Distribution Facilities
Commercial Use Types	<del>Bed and Breakfast Establishments; subject to the  Bed and Breakfast Establishment Regulations</del>  Neighborhood Commercial  Private Institution  Private Recreation
Commercial Timber Use Type	Timber Production

<a href="#">313-6.1</a>	<b>RS: Residential Single Family</b>
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RS zone.

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

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

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

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<a href="#">313-6.2</a>	<b>RM: Residential Multi-Family</b>
	<b>Principal Permitted Use</b>
	Residential Multi Family Principal Permitted Use (See Section <a href="#">313-163.1.9</a> for description)

<a href="#">313-6.2</a>	<b>RM: Residential Multi-Family</b>
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	<p>Single Family Residential where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements.</p> <p>Manufactured Home Parks; subject to the Manufactured Home Park Regulations</p>
Civic Use Types	<p>Essential Services</p> <p>Community Assembly</p> <p>Non-Assembly Cultural</p> <p>Public Recreation and Open Space</p> <p>Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations</p> <p>Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations</p>
Commercial Use Types	<p><del>Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations</del></p> <p>Transient Habitation</p> <p>Private Recreation</p> <p>Neighborhood Commercial</p> <p>Office and Professional Service</p> <p>Private Institution</p>

<a href="#">313-6.2</a>	<b>RM: Residential Multi-Family</b>
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.

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

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

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<a href="#">313-6.3</a>	<b>R2: Mixed Residential</b>
	<b>Principal Permitted Use</b>
	Mixed Residential Principal Permitted Use (See Section <a href="#">313-163.1.9</a> for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations  Guest House
Civic Use Types	Essential Services  Community Assembly  Public Recreation and Open Space  Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations  Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations  Minor Generation and Distribution Facilities
Commercial Use Types	<del>Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations</del>  Neighborhood Commercial  Private Institution  Private Recreation

<a href="#">313-6.3</a>	<b>R2: Mixed Residential</b>
Commercial Timber Use Type	Timber Production
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	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 R2 zone.

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

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

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

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<a href="#">313-6.4</a>	<b>RA: Rural Residential Agriculture</b>
	<b>Principal Permitted Use</b>
	Rural Residential Agriculture Principal Permitted

<a href="#">313-6.4</a>	<b>RA: Rural Residential Agriculture</b>
	Use (See Section <a href="#">313-163.1.9</a> for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Solid Waste Disposal; subject to the Solid Waste Disposal Regulations Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Neighborhood Commercial <del>Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations</del> Private Recreation
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Agricultural Use Types	Stables and Kennels Intensive Agriculture

<a href="#">313-6.4</a>	<b>RA: Rural Residential Agriculture</b>
Commercial Timber Use Type	Timber Production
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RA zone.

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

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

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

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### 313-44

#### ~~44.1 BED AND BREAKFAST ESTABLISHMENTS~~

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

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

~~44.1.3 Occupancy Standards.~~ A maximum of four (4) guest bedrooms or eight (8) guests at one time shall be provided by a Bed and Breakfast Establishment. The owner/operator shall reside on the premises. The



calculation of total permitted guest rooms shall include any rooms used for rooming or boarding. The guest rooms shall not include kitchen facilities. (Former Section CZ#A314-4(C))

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

~~44.1.5 **Signs.** One sign is permitted advertising the Bed and Breakfast establishment. Notwithstanding any other provision of this Code, such sign shall not exceed four square feet (4sf) in the aggregate, shall be non-moving, and shall have, if any, only illumination which is indirect and non-flashing and shielded to prevent illumination off-site. (Former Section CZ#A314-4(E))~~

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

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313-50.1.4 **Exclusions.** The following activities shall not in any case qualify as a “home occupation:” (Former Section CZ#A314-17(D)(13))

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

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

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

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

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

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

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

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

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

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~~313-55.4.10.6 **Cannabis Bed and Breakfast Use.** Cannabis bed and breakfasts may be permitted in conjunction with a cannabis cultivation permit on RA zoned properties in conformance with the public accommodation performance standards with a coastal development permit and a use permit when~~

meeting all the requirements specified in Section 313-44.1 applicable to bed and breakfast establishments. **Cannabis Farm Stays.** Cannabis farm stays may be permitted in conjunction with a cannabis cultivation permit on properties in conformance with the public accommodation performance standards in Section 313-61.05 of the Zoning Ordinance (“Short-term Rentals”).

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

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

### **313-138 Definitions (C).**

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

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### **313-141 DEFINITIONS (F).**

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

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### **313-143 Definitions (H)**

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

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### **313-154 DEFINITIONS (S).**

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

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

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

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**163.1.3 Commercial Use Types.** Automotive Sales, Service and Repair

Bed and Breakfast Establishment

Coastal-Dependent Commercial Recreation

Commercial Recreation

Heavy Commercial

Neighborhood Commercial

Office and Professional Service

Private Institution

Private Recreation

Recreational Vehicle Park

Retail Sales

Retail Service

Transient Habitation

Visitor Serving Facilities

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

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

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

~~172.2.2 This use type does not include “hotels and motels” which are included in the Transient Habitation Use Type; nor does this use type include rooming and boarding houses which are included under the Group Residential Use Type. (Former Section CZ#A313-7(K))~~

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**172.18 VISITOR SERVING FACILITIES**

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

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#### **177.10 MULTI FAMILY RESIDENTIAL**

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

#### **177.14 SINGLE FAMILY RESIDENTIAL**

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