

ATTACHMENT 2

Ordinance No. ____ Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Benbow Area.

Exhibit A: Map

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT,
STATE OF CALIFORNIA**
Certified copy of portion of proceedings, Meeting on November___ , 2023

ORDINANCE NO. _____

AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE BENBOW AREA
[PLN-2021-17209 (Rock and Sky LLC)]

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

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the Benbow area from Residential Single Family (R-1), Residential Multi-Family (R-3) and Residential Suburban (RS) to Agriculture General with a Qualified Combining Designation (AG-Q). The area described is also shown on the Humboldt County zoning maps for the Benbow area and on the map attached as Exhibit A.

SECTION 2. ZONE QUALIFICATION. The special restrictions and regulations set forth in Section 4 and Section 5 herein are hereby made applicable to the property reclassified from R-1, R-3, and RS to AG-Q (described in Exhibit A), in accordance with Humboldt County Code Section 314-32, which authorizes restriction of the AG Zone regulations by application of the “Q” Qualified Combining Zone.

SECTION 3. PURPOSE OF QUALIFICATION. The properties in question are located in a highly scenic portion of rural Humboldt County with views from the Highway 101 of trees, forested hills, and open spaces. The purpose of the special restrictions and regulations imposed herein are to protect the scenic character of the surrounding area from incompatible development that disrupts the forested and open space views or is incompatible with the character of surrounding development.

SECTION 4. USE RESTRICTIONS. Uses otherwise permitted in the Agriculture General (AG) zone shall be further limited as follows:

- (1) All commercial cannabis activities shall be conditionally permitted.

SECTION 5. SPECIAL RESTRICTIONS. No land use, grading or building permit for development shall be issued unless the development is consistent with the following restrictions and requirements:

- (1) New development shall be designed to be subordinate to the existing topography and vegetation. Existing topography and vegetation shall be retained to the maximum extent feasible.

- (2) Exterior lighting shall be shielded and directed downward. Lighting shall not spill off-premises.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of November ____, 2023 on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the Board of Supervisors of
the County of Humboldt, State of California

(SEAL)

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

Deputy

Exhibit A: Map

