RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT

Resolution Number 25-067

Record Number PLN-2023-18353

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS TO RECOMMEND THAT THE BOARD OF SUPERVISIORS ADOPT THE INLAND AND COASTAL EMPLOYEE HOUSING ORDINANCES.

WHEREAS, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, Humboldt County initiated the zoning ordinance changes herein to implement its General Plan Housing Element, which through H-IM47 directs the County to amend the Zoning Regulations such that they are consistent with California Health and Safety Code Sections 17021.5 and 17021.6, which require local agencies to principally permit employee housing at certain scales as residential or agricultural uses; and

WHEREAS, on Thursday September 18, 2025, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing on the proposed zoning amendments regarding employee housing in accordance with Section 65854 of California Government Code; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the Employee Housing Ordinance on October 16, 2025 to receive a report and any supplements to the report on the draft amendment, as well as evidence and testimony.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission makes all the following findings:

REQUIRED FINDINGS OF APPROVAL

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

1. **FINDING:** The proposed project is exempt from environmental review.

   EVIDENCE: a) The ordinance is exempt from environmental review under §15061(b)(3), activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. The proposed amendment only implements existing State Law

amendment would not significantly change that. The change would be an increased permissible housing density within agricultural zones, but such housing would be accessory to agricultural uses.

CONSISTENCY WITH THE COASTAL ACT.

4. **FINDING:** The proposed Employee Housing Ordinance will not adversely affect Coastal Access, Recreation, Marine, or Land Resources, cause new development that may affect scenic resources, public works facilities, safety, and priority of coastal dependent developments or interfere with or allow industrial development. Further, these amendments conform to Chapter 3 of the Coastal Act, and the proposed Zoning Regulations will be carried out in accordance with the Coastal Act.

EVIDENCE: a) The proposed Employee Housing Ordinance will not result in any development that is not already mandated by California Health and Safety Code. Additionally, the proposed amendment is still subject to the Coastal Act for permitting purposes.

CONSISTENCY WITH STATE PLANNING LAW.

5. **FINDING:** Humboldt County Code Section 312-50.3.4 requires that any proposed amendment must not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development, in determining compliance with housing element law, unless specific findings are made. The proposed amendment does not limit the number of housing units which may be constructed on an annual basis.

EVIDENCE: a) The amendment does not reduce residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law. The amendment will not reduce the potential residential density of parcels within Humboldt County.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law, and

2. Adopt the Planning Commission recommended amendments to the Inland and Coastal Zoning Ordinance (Sections 314-47.3, 313-47.3, 313-7, 314-5, 314-7, 314-136, and 314-147) as shown in Attachment 2 of this staff report.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on October 16, 2025.

The motion was made by COMMISSIONER LORNA MCFARLANE and seconded by COMMISSIONER SARAH WEST and the following vote:

AYES: Commissioners: Lorna McFarlane, Sarah West, Iver Skavdal, Peggy O'Neill, Jerome Qiriazi

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Noah Levy, Thomas Mulder

DECISION: Motion carried 5/0

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

John H. Ford, Director
Planning and Building Department

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of _____

ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 4 OF HUMBOLDT COUNTY CODE SECTIONS 314-47.3, 314-5, 314-7, 314-170, 314-177, 314-136, AND 314-147

ORDINANCE NO. _____

NOW, THEREFORE, The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. PURPOSE OF ZONING REGULATION AMENDMENTS.

Title III, Division 1, Chapter 4 of the Planning Regulations: adding Section 314-47.3 – Employee Housing, to implement Employee Housing regulations in a manner consistent with the current State requirements as established within California Health and Safety Code Sections 17008, 17021, 17021.5, 17021.6, and 17021.8. Additional changes are made to amend the Regulations for Zoning Districts in Sections 314-5 and 314-7, the Glossary of Use Types in Sections 314-170 and 314-177, and the Definitions in Sections 314-136 and 314-147 in order to maintain consistency both externally with California Health and Safety Code and internally with the proposed Employee Housing Regulations. The intent is to increase the supply of housing affordable to seasonal and permanent residents.

SECTION 2. Employee Housing

Section 314-47.3, regarding Employee Housing in Title III, Division 1, Chapter 4 of the Humboldt County Code, is hereby adopted as follows (modifications deleting text are shown in strike out and additions as underlined text):

314-47.3 Employee Housing

47.3.1 **Purpose**. This Employee Housing Ordinance is intended to regulate the establishment of employee housing as governed by the Employee Housing Act, California Health and Safety Code Section 17000 et seq, and to provide procedures and objective standards to facilitate permitting such employee housing appropriately. In the event that any provision in this chapter conflicts with State law, State law shall supersede in that specific conflict.

47.3.2 **Applicability**. These sections apply when dwelling units are or are proposed to be used as employee housing on behalf of an employer, in the manner described by the Employee Housing Act, California Health and Safety Code Section 17000 et seq.

47.3.6.2.1 The accommodations serve five or more agricultural employees of any agricultural employer(s) for either of the following:

47.3.6.2.1.1 Temporary or seasonal residency; or

47.3.6.2.1.2 Permanent residency in either of the following cases:

47.3.6.2.1.2.1 If the housing accommodation is a mobile home, manufactured home, travel trailer, or recreational vehicle; or

47.3.6.2.1.2.2 If the housing accommodation is subject to State Housing Law, is more than 30 years old, and at least 51% of the structures or, if not separated into units, of the accommodation are occupied by agricultural employees;

47.3.6.2.2 The accommodations are not a single-family dwelling, multifamily dwelling, hotel, motel, or inn. However, if any of the following factors exist, the accommodations may be those unit types:

47.3.6.2.2.1 The housing is offered and rented to non-agricultural employees on different terms from the terms it is offered and rented to agricultural employees;

47.3.6.2.2.2 Negotiation of the terms of occupancy of the housing is not conducted separately between each occupant and either the owner of the housing or a manager of the property employed by that owner;

47.3.6.2.2.3 Any of the occupants are employed by any party with an interest in the housing, such as the owner or property manager;

47.3.6.2.2.4 Any of the occupants have rent deducted from their wages;

47.3.6.2.2.5 The owner or property manager of the housing is an agricultural employer, or an agent of an agricultural employer for the housing;

47.3.6.2.2.6 The occupants are required to live in the housing as a condition of employment or of securing employment;

47.3.6.2.2.7 The occupants were referred to live in the housing by their employer, their employer's agent, or an agricultural employer; or

47.3.6.2.2.8 The accommodation was at any time before January 1, 1984, compliant with the definition of employee housing described by

47.3.10 Employee housing meeting the definitions in Section 47.3.6 is subject to permitting by the California Department of Housing and Community Development.

47.3.11 Employee housing meeting the definitions in Section 47.3.6 shall be interpreted to be included within the definition of "labor camp" as used within this Division.

Agricultural Employee Housing Rehabilitation

47.3.12 Pursuant to Section 17021(b) of California Health and Safety Code, if directly associated with agricultural employee housing, the following processing requirements apply to building permits and grading permits for the rehabilitation of real property improvements and to Department of Health and Human Services permits for the operation, construction, and repair of water systems or waste disposal systems:

47.3.12.1 Complete applications shall be approved or denied by the appropriate department within 60 calendar days of submittal and payment, in addition to applicable Permit Streamlining Act requirements.

47.3.12.1.1 Denials on procedural grounds may only occur within 30 calendar days. Such procedural denials require itemization of the procedural defects.

47.3.12.1.2 Denials may occur on substantive grounds at any time within the 60 day timeframe. Such substantive denials require itemization of all the substantive defects.

47.3.12.2 If the timeframe from Section 47.3.12.1 is not met, the California Department of Housing and Community Development (HCD) may review and approve the application, at the County's expense.

47.3.12.2.1 Such HCD approval shall be given the same value as local approval.

47.3.12.2.2 The County may later identify defects in the project that would have resulted in denial of the proposal. The County may communicate those defects to the applicant and the applicant shall correct them.

47.3.12.2.3 The County remains responsible for issuing a certificate of completion if applicable and sufficiently resolved.

47.3.13 The processing requirements of Section 47.3.12 do not inherently create an exemption from the California Environmental Quality Act.

Zoning Clearance Certificates for Eligible Agricultural Employee Housing Developments

47.3.14.2.2 Within a Very High Fire Hazard Severity Zone, as identified by the State Fire Marshal pursuant to Section 51178 of the California Government Code, or within a High or Very High Fire Hazard Severity Zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the California Public Resources Code;

47.3.14.2.3 A hazardous waste site, listed pursuant to Section 65962.5 of the California Government Code or designated by the Department of Toxic Substances Control pursuant to Section 78760 et seq. of California Health and Safety Code. The Department of Toxic Substances Control may, in writing, clear such designations for residential or residential mixed uses;

47.3.14.2.4 Within a delineated earthquake fault zone, as determined and mapped by the State Geologist, unless the development complies with local and State seismic protection building code standards;

47.3.14.2.5 Within a flood plain, as mapped by the Federal Emergency Management Agency (FEMA), unless the development has been issued a flood plain development permit pursuant to: Part 59 and Part 60 of Subchapter B of I of Title 44 of the Code of Federal Regulations;

47.3.14.2.6 Within a floodway, as mapped by the Federal Emergency Management Agency (FEMA);

47.3.14.2.7 Lands under a conservation easement, exclusive of lands identified by Williamson Act contracts;

47.3.14.2.8 Lands identified for conservation based on any of the following:

47.3.14.2.8.1 Adopted natural community conservation plan, pursuant to the Natural Community Conservation Planning Act;

47.3.14.2.8.2 A habitat conservation plan, pursuant to the Federal Endangered Species Act of 1973; or

47.3.14.2.8.3 Another adopted natural resource plan;

47.3.14.2.9 Lands with groundwater levels within five feet of the soil surface if the development would be served by an onsite wastewater treatment system (OWTS) that would serve more than six single-family housing units;

47.3.14.3 The development meets the following development standards:

47.3.14.3.6 The development features an energy source capable of consistently providing at least 20 kilowatt-hours (kWh) per day to each household (Section 17021.8(e)(1)(A) of Health and Safety Code); and

47.3.14.3.7 The development provides indoor living spaces of at least 500 square feet per household, with 250 square feet of additional living space per additional occupant (Section 17021.8(e)(4) of Health and Safety Code).

All these development standards shall be met prior to occupancy of the employee housing development or building permit 'final' issuance.

47.3.15 The County shall provide written notice to the applicant within 30 days of submission if the proposed agricultural employee housing development does not meet the requirements listed in Section 47.3.14. Such written documentation shall identify which requirement or requirements are not met and shall provide an explanation of the reasons the development does not meet those requirements.

47.3.15.1 If the notice is not provided within 30 days, the requirements of subsection 47.3.14.2 shall be deemed to be met. An agricultural housing development is still required to meet the conditions of 47.3.14.1 to remain eligible for a Zoning Clearance Certificate.

47.3.16 The County shall grant a Zoning Clearance Certificate for an eligible agricultural employee housing development, in accordance with this Section, unless the County can make a written finding, based upon substantial evidence, of any of the following:

47.3.16.1 The proposed development does not comply with the development standards, requirements, and conditions set forth in Section 47.3.14;

47.3.16.2 The proposed development is likely to have a specific, adverse impact, as defined in paragraph (2) of subdivision (h) of Section 17021.8 of the California Health and Safety Code, upon public health or safety, and for which the County determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income households or rendering the development financially infeasible; or

47.3.16.3 The proposed agricultural employee housing development would be contrary to State or Federal law.

47.3.17 Approval of a Zoning Clearance Certificate for an eligible agricultural employee housing development shall include recording an affordability covenant to the subject property, restricting the rent of the agricultural housing to levels affordable to lower-income households for at least 55 years.

SECTION 3. Principal Zones

Section 314-5.2 through 314-7.2, regarding Principal Zones in Title III, Division 1, Chapter 4 of the Humboldt County Code, is hereby amended as follows (modifications deleting text are shown in strike out and additions as underlined text; unmodified passages are omitted):

Principal Zones

5.2 FP: FLOOD PLAIN ZONE

The Flood Plain or FP Zone is intended to be applied to areas which have been inundated by flood waters in the past and which may reasonably be expected to be inundated by flood waters in the future. The Flood Plain Zone is intended to limit the use of areas subject to such inundation and flooding to protect lives and property from loss, destruction and damage due to flood waters and to the transportation by water of wreckage and debris. The following regulations shall apply in all Flood Plain or FP Zones.

314-5.2	FP: FLOOD PLAIN
Principal Permitted Uses	
General agriculture, nurseries and greenhouses, ~~and~~ animal sales and feed yards, and large-scale or small-scale employee housing, except as provided in the following subsection, Uses Permitted With a Use Permit.	
Temporary recreational vehicle parks.	
Roadside stands.	
Recreational uses, including public stables, docks, boat houses, golf courses, and shooting ranges.	
Uses Permitted With a Use Permit	
Residential uses including farm dwellings.	
Commercial and industrial uses which, in the opinion of the Planning Commission, are compatible with contiguous zones.	
Recreational uses requiring enclosed buildings.	
Special occupancy parks.	

314-7.1	AE: AGRICULTURE EXCLUSIVE
Accessory dwelling unit. On lots forty (40) acres or larger in size, two (2) single detached dwellings are permitted within the same contiguous two (2) acre building envelope containing the primary residence.	
Manufactured homes.	
Uses Permitted With a Use Permit	
Hog farms, turkey farms, frog farms and fur farms.	
Aquaculture.	
Animal feed yards and sales yards.	
Agricultural and timber products processing plants.	
Agriculture-related recreation, resource-related recreation.	
Agriculture-related visitor-serving: cheese factories and sales rooms, wineries and wine tasting and sales rooms, produce sales, etc., which do not change the character of the principal use.	
Public recreation and public access facilities.	
Rental and sales of irrigation equipment and storage incidental thereto.	
Animal hospitals.	
Stables and kennels.	
Farm employee housing, labor camps and labor supply camps (Table 4-G in the General Plan), (if unable to be principally permitted as small-scale or large-scale employee housing or with a Zoning Clearance Certificate as Eligible Agricultural Employee Housing Development).	
Fish and wildlife habitat management, watershed management, wetland restoration.	
Utilities and energy facilities: the erection, construction, alteration, or maintenance of gas, electric, water facilities, and wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities.	
Metallic mining, surface mining.	

314-7.1	AE: AGRICULTURE EXCLUSIVE
	amount of the financial contribution, shall be established by ordinance.
Conversion of Prime Agricultural Land	Development on agriculture exclusive or AE Zone land shall be designed to the maximum extent feasible to minimize the placement of buildings, impermeable surfaces or nonagricultural uses on land as defined in Government Code Section 51201(c)(1) through (c)(5) as prime agricultural lands. Except for the construction of the primary single-family residence or a second residence within the same contiguous two (2) acre building envelope containing the existing primary residence, prime agricultural land shall not be converted without provisions for mitigation offsets, as specified in the "no net loss" agricultural lands policy above.
Minimum Lot Area	Sixty (60) acres. Exceptions to the minimum parcel size for the purpose of historic preservation may be approved, where the following findings are made: A. The site or structure qualifies and is included on a local, State or Federal historic registry; and B. The viability of continued agricultural operations is not inhibited; and C. No additional density beyond what would be permitted as part of the existing agricultural operations is created.
Minimum Lot Width	One hundred (100) feet.
Maximum Lot Depth	(None specified.)
Minimum Yard Setbacks*	
Front	Thirty (30) feet;
Rear	Twenty (20) feet;

314-7.2	AG: AGRICULTURE GENERAL
Animal feed lots and sales yards.	
Agricultural and timber products processing plants.	
Rental and sales of irrigation equipment and storage incidental thereto.	
Animal hospitals and kennels.	
Golf courses.	
Private institutions and cemeteries.	
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the AG Zone.	
Other Regulations	
Minimum Lot Area	Two and one-half (2 ½) acres.
Minimum Lot Width	Sixty (60) feet.
Maximum Lot Depth	(None specified.)
Minimum Yard Setbacks*	
Front	Twenty (20) feet;
Rear	Twenty (20) feet;
Side	Six (6) feet.
Farm Outbuildings	Farm outbuildings shall not be less than twenty (20) feet from any dwelling on the premises.
Maximum Ground Coverage	Thirty-five percent (35%).
Maximum Building Height	Thirty-five (35) feet.

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

SECTION 5. Definitions

Section 314-136 through 314-147, regarding Definitions in Title III, Division 1, Chapter 4 of the Humboldt County Code, is hereby amended as follows (modifications deleting text are shown in strike out and additions as underlined text; unmodified passages are omitted):

Definitions

314-136 Definitions (A)

Agriculture, General: Farming, dairying, pasturage, timber production, tree farming, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, but not including stock yards, slaughter houses, hog farms, fur farms, turkey farms, frog farms, fertilizer works or plants for the reduction of animal matter. General Agriculture also includes large-scale employee housing, as defined in Section 314-47.3.8.

314-147 Definitions (L)

Labor Camp, Including Agricultural or Farm Labor Camp: Any living quarters, dwelling, boarding house, rooming house, tent, bunk house, manufactured home or other housing accommodation maintained in connection with any work or place where work is being performed, and the premises upon which they are situated, or the areas set aside and provided for camping of five (5) or more employees by a labor contractor. Labor camps shall also mean a labor supply camp, which is any place, area or piece of land where a person engages in the business of providing sleeping places or camping grounds for five (5) or more employees or prospective employees. Labor camp shall also mean employee housing, as defined in Section 314-47.3.6.

SECTION 6. This ordinance shall take effect and be in force thirty (30) days from the date of its adoption.

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

AYES: Supervisors: --

NOES: Supervisors: --

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of _____

ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 3 OF HUMBOLDT COUNTY CODE SECTIONS 313-47.3, 313-7, 313-170, AND 313-177

ORDINANCE NO. _____

NOW, THEREFORE, The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. PURPOSE OF ZONING REGULATION AMENDMENTS.

Title III, Division 1, Chapter 3 of the Planning Regulations: adding Section 313-47.3 – Employee Housing, to implement Employee Housing regulations in a manner consistent with the current State requirements as established within California Health and Safety Code Sections 17008, 17021, 17021.5, 17021.6, and 17021.8. Additional changes are made to amend the Regulations for Zoning Districts in Sections 313-7, and the Glossary of Use Types in Sections 313-170 and 313-177 in order to maintain consistency both externally with California Health and Safety Code and internally with the proposed Employee Housing Regulations. The intent is to increase the supply of housing affordable to seasonal and permanent residents.

SECTION 2. Employee Housing

Section 313-47.3, regarding Employee Housing in Title III, Division 1, Chapter 3 of the Humboldt County Code, is hereby adopted as follows (modifications deleting text are shown in strike out and additions as underlined text):

313-47.3 Employee Housing

47.3.1 **Purpose.** This Employee Housing Ordinance is intended to regulate the establishment of employee housing as governed by the Employee Housing Act, California Health and Safety Code Section 17000 et seq, and to provide procedures and objective standards to facilitate permitting such employee housing appropriately. In the event that any provision in this chapter conflicts with State law, State law shall supersede in that specific conflict.

47.3.2 **Applicability.** These sections apply when dwelling units are or are proposed to be used as employee housing on behalf of an employer, in the manner described by the Employee Housing Act, California Health and Safety Code Section 17000 et seq.

Employee Housing Definitions

47.3.3 "**Agricultural employee**" shall have the same meaning as defined in Section 1140.4(b) of the California Labor Code.

47.3.4 "**Agricultural employee housing**" shall mean employee housing for agricultural employees.

47.3.5 "**Agricultural employer**" shall have the same meaning as defined in Section 1140.4(c) of the California Labor Code.

47.3.6 "**Employee housing**" means any portion of any housing accommodation, or property upon which a housing accommodation is located, comprised of either of the following sets of features:

47.3.6.1 **Linked Employee Housing.** All of the following factors:

47.3.6.1.1 The accommodations consist of any of the following, inclusive of those maintained in one or more buildings or on one or more sites, the premises upon which they are situated, and the area set aside and provided for parking of mobile homes or camping:

47.3.6.1.1.1 Living quarters;

47.3.6.1.1.2 Dwelling;

47.3.6.1.1.3 Boardinghouse;

47.3.6.1.1.4 Tent;

47.3.6.1.1.5 Bunkhouse;

47.3.6.1.1.6 Mobile home, travel trailer, or recreational vehicle;

47.3.6.1.1.7 Manufactured home; or

47.3.6.1.1.8 Other housing accommodations;

47.3.6.1.2 The accommodations serve five or more employees; and

47.3.6.1.3 The accommodations are maintained in connection with any work or any place where work is being performed;

OR

47.3.6.2 **Unlinked Agricultural Employee Housing.** All of the following factors:

47.3.6.2.1 The accommodations serve five or more agricultural employees of any agricultural employer(s) for either of the following:

47.3.6.2.1.1 Temporary or seasonal residency; or

47.3.6.2.1.2 Permanent residency in either of the following cases:

47.3.6.2.1.2.1 If the housing accommodation is a mobile home, manufactured home, travel trailer, or recreational vehicle; or

47.3.6.2.1.2.2 If the housing accommodation is subject to State Housing Law, is more than 30 years old, and at least 51% of the structures or, if not separated into units, of the accommodation are occupied by agricultural employees;

47.3.6.2.2 The accommodations are not a single-family dwelling, multifamily dwelling, hotel, motel, or inn. However, if any of the following factors exist, the accommodations may be those unit types:

47.3.6.2.2.1 The housing is offered and rented to non-agricultural employees on different terms from the terms it is offered and rented to agricultural employees;

47.3.6.2.2.2 Negotiation of the terms of occupancy of the housing is not conducted separately between each occupant and either the owner of the housing or a manager of the property employed by that owner;

47.3.6.2.2.3 Any of the occupants are employed by any party with an interest in the housing, such as the owner or property manager;

47.3.6.2.2.4 Any of the occupants have rent deducted from their wages;

47.3.6.2.2.5 The owner or property manager of the housing is an agricultural employer, or an agent of an agricultural employer for the housing;

47.3.6.2.2.6 The occupants are required to live in the housing as a condition of employment or of securing employment;

47.3.6.2.2.7 The occupants were referred to live in the housing by their employer, their employer's agent, or an agricultural employer; or

47.3.6.2.2.8 The accommodation was at any time before January 1, 1984, compliant with the definition of employee housing described by Section 47.3.6.1, or Section 17008(a) of the California Health and Safety Code;

47.3.6.2.3 If the accommodations are permanent single-family employee housing, as defined by Section 17010(d) of the California Health and Safety Code (which includes single-family detached dwellings, mobile homes, and manufactured homes), a hotel, a motel, or an inn, then the

accommodation must be, or have been, maintained as employee housing, consistent with the description of employee housing from Section 47.3.6.1;

47.3.6.2.4 The accommodations or the property are not provided by an agricultural employer; and

47.3.6.2.5 The accommodations are not maintained in connection with any work or workplace.

47.3.7 "**Small-scale employee housing**" means employee housing which provides accommodations for five or six employees. This excludes any boarding house, hotel, dormitory, or other similar term that may imply such housing is a business run for profit or differs in any other way from a single-family dwelling. Small-scale employee housing is a Single Family Residential use and shall be permitted in all zones under the same terms that a single family residence would be permitted within the same zone, with no additional fees.

47.3.8 "**Large-scale employee housing**" means employee housing which provides accommodations in the form of no more than 36 beds in a group quarters or no more than 12 units or spaces each designed for use by a single family or household. Employee housing approved as Eligible Agricultural Employee Housing shall also be treated as large-scale employee housing for all purposes except this density limitation and the permitting requirements specific to eligible agricultural housing developments. Large-scale employee housing is a General Agricultural use and shall be permitted in all zones under the same terms that an alternative agricultural use would be permitted with in the same zone, with no additional fees.

47.3.8.1 Large-scale employee housing shall not be construed to exclude small-scale employee housing.

47.3.9 For the purposes of Use Type and zoning compatibility, Employee Housing Developments are not considered Accessory Dwelling Units.

47.3.10 Employee housing meeting the definitions in Section 47.3.6 is subject to permitting by the California Department of Housing and Community Development.

47.3.11 Employee housing meeting the definitions in Section 47.3.6 shall be interpreted to be included within the definition of "labor camp" as used within this Division.

Agricultural Employee Housing Rehabilitation

47.3.12 Pursuant to Section 17021(b) of California Health and Safety Code, if directly associated with agricultural employee housing, the following processing requirements apply to building permits and grading permits for the rehabilitation of real property improvements and to Department of Health and Human Services permits for the operation, construction, and repair of water systems or waste disposal systems:

47.3.12.1 Complete applications shall be approved or denied by the appropriate department within 60 calendar days of submittal and payment, in addition to applicable Permit Streamlining Act requirements.

47.3.12.1.1 Denials on procedural grounds may only occur within 30 calendar days. Such procedural denials require itemization of the procedural defects.

47.3.12.1.2 Denials may occur on substantive grounds at any time within the 60 day timeframe. Such substantive denials require itemization of all the substantive defects.

47.3.12.2 If the timeframe from Section 47.3.12.1 is not met, the California Department of Housing and Community Development (HCD) may review and approve the application, at the County's expense.

47.3.12.2.1 Such HCD approval shall be given the same value as local approval.

47.3.12.2.2 The County may later identify defects in the project that would have resulted in denial of the proposal. The County may communicate those defects to the applicant and the applicant shall correct them.

47.3.12.2.3 The County remains responsible for issuing a certificate of completion if applicable and sufficiently resolved.

47.3.13 The processing requirements of Section 47.3.12 do not inherently create an exemption from the California Environmental Quality Act.

SECTION 3. Principal Zones

Section 313-7.1 through 313-7.3, regarding Principal Zones in Title III, Division 1, Chapter 3 of the Humboldt County Code, is hereby amended as follows (modifications deleting text are shown in strike out and additions as underlined text; unmodified passages are omitted):

Principal Zones

313-7.1	**AE: Agriculture Exclusive**
	Principal Permitted Use
	Agriculture Exclusive Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	**Conditionally Permitted Use**
Residential Use Types	Guest House
	Farm Employee Housing
	Labor Camp (if unable to be principally permitted as small-scale or large-scale employee housing)
	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 other than an Accessory Dwelling Unit)
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*	Aquaculture, allowed within non-prime agricultural lands only
	Cottage Industry; subject to the Cottage Industry Regulations

313-7.1	**AE: Agriculture Exclusive**
Agricultural Use Types	Hog Farming
	Feed Lots/Slaughter House
	Kennels
	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 Regulations
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.

*See, Industrial Performance Standards, Section 313-103.1.

**See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section 313-165.

...

313-7.2	**TC: Commercial Timber**
	Principal Permitted Use
	Commercial Timber Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	**Conditionally Permitted Use**

313-7.2	**TC: Commercial Timber**
Residential Use Types	A Use Permit is required for a second single-family residence other than an Accessory Dwelling Unit.
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.
Use Type	**Compatible Uses Permitted With a Special Permit**
Residential Use Types	Labor Camp (if unable to be principally permitted as small-scale or large-scale employee housing)

313-7.2	TC: Commercial Timber
Commercial Timber Use Type	Timber Related Recreation
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration

*See, Industrial Performance Standards, Section 313-103.1.

**See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section 313-165.

...

313-7.3	TPZ: Timberland Production Zone
	Principal Permitted Use Timber Production Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	**Conditionally Permitted Use**
Residential Use Types	A Use Permit is required for a second single-family residence other than an Accessory Dwelling Unit.
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

313-7.3	**TPZ: Timberland Production Zone**
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 the TPZ Zone.
Use Type	**Compatible Uses Permitted With a Special Permit**
Residential Use Types	Labor Camp (if unable to be principally permitted as small-scale or large-scale employee housing)
Commercial Timber Use Type	Timber Related Recreation
Natural Resource Use Types	Fish and Wildlife Management
	Watershed Management
	Wetland Restoration

*See, Industrial Performance Standards, Section 313-103.1.

**See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section 313-165.

SECTION 4. Glossary of Use Types

Section 313-170.3 through 313-177.13, regarding Glossary of Use Types in Title III, Division 1, Chapter 3 of the Humboldt County Code, is hereby amended as follows (modifications deleting text are shown in strike out and additions as underlined text; unmodified passages are omitted):

Glossary of Use Types

313-170 Agricultural Use Types

170.3 GENERAL AGRICULTURE

The General Agriculture Use Type includes cultivation of food and fiber such as field and tree crops, dairying, pasturage, tree farming, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, but not including feed lots, stock yards, slaughter houses, hog farms, fur farms, turkey farms, frog farms, fertilizer works or plants for the reduction of animal matter. General Agriculture also includes large-scale employee housing, as defined in Section 314-47.3.8.

313-177 Residential Use Types

177.8 LABOR CAMP

The Labor Camp Use Type refers to the occupancy of five or more farm or timber production employees and their families of any living quarters in association with the performance of agricultural or timber production labor. Labor camps shall be located on the premises where the work is performed and shall have a maximum continuous permitted duration of one year (1 yr) from the effective date of the required Use Permit. Labor camp shall also mean employee housing, as defined in Section 47.3.6, which lacks the requirement to be located on the same premises where work is performed and, if permitted as small-scale or large-scale employee housing, may not require the one year permitted duration limit.

...

177.13 SINGLE-FAMILY RESIDENTIAL

The Single-Family Residential Use Type includes the residential occupancy of a single detached main building by one (1) 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. Single-Family Residential also includes small-scale employee housing, as defined in Section 314-47.3.7, which is not compatible with the vacation home or short-term rental classification.

SECTION 5. This ordinance shall take effect and be in force thirty (30) days from the date of its adoption.

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

AYES: Supervisors: --

NOES: Supervisors: --

ABSENT: Supervisors: --

_____

Michelle Bushnell, Chair
Board of Supervisors of the County of Humboldt,
State of California

(SEAL)
ATTEST:

Tracy Damico, Clerk of the Board of Supervisors
of the County of Humboldt, State of California

By: _____
Kaleigh Maffei, Deputy Clerk