

ATTACHMENT 2

**UNCODIFIED INTERIM URGENCY ORDINANCE ESTABLISHING A
TEMPORARY MORATORIUM ON THE POSSIBLE
ACKNOWLEDGEMENT OF SHORT TERM RENTALS IN THE
UNINCORPORATED AREA OF THE COUNTY OUTSIDE OF THE
AREAS MAPPED WITH A
V – VACATION HOME RENTAL COMBINING ZONE**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings; meeting on _____, 2023

ORDINANCE NO. _____

AN UNCODIFIED INTERIM URGENCY ORDINANCE OF THE COUNTY OF HUMBOLDT ESTABLISHING A TEMPORARY MORATORIUM ON THE POSSIBLE FUTURE ACKNOWLEDGEMENT OF SHORT-TERM RENTALS IN THE UNINCORPORATED AREA OF THE COUNTY OUTSIDE OF THE AREAS WITH A V – VACATION HOME RENTAL COMBINING ZONE, WHICH SHALL TAKE IMMEDIATE EFFECT.

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

SECTION 1. Findings and Declarations.

- A. For the purpose of this ordinance, Short-term Rentals in the Coastal Zone are defined as all Residential Building Types listed in Section 313-137 of Chapter 3 of Division 1 of Humboldt County Code Title III, or portions thereof, that are rented to guests for thirty (30) consecutive days or less.
- B. For the purpose of this ordinance, Short-term Rentals in the Inland Areas are defined as all Dwellings and Dwelling Units described in Section 314-139 of Chapter 4 of Division 1 of Humboldt County Code Title III, or portions thereof, that are rented to guests for thirty (30) consecutive days or less.
- C. Short-term Rentals convert existing housing stock to commercial uses, which increases the demand for construction of new housing beyond what is needed to meet our projected regional housing needs.
- D. Information on file with the Planning and Building Department demonstrates a large number of Short-term Rentals are advertised for use on the VRBO and Airbnb websites which are operating in violation of Humboldt County Code.
- E. The Planning and Building Department has received information that buyers are speculating on homes in Humboldt County in anticipation of adoption of a new ordinance that may limit or prohibit Short-term Rentals.
- F. Speculating on homes for use as Short-term Rentals reduces the affordability and availability of housing stock to the residents of Humboldt County.
- G. It is in the public interest to inform people that after the fact permitting of Short-term Rentals established during the moratorium will not be allowed.

- H. A temporary prohibition of new Short-term Rentals while an ordinance regulating Short-term Rentals in the unincorporated areas of the County is being drafted is needed to maximize the availability and affordability of the existing housing stock to Humboldt County residents and to protect biological resources, water quality and prime farmland.
- I. There is a current and immediate threat to the public health, safety, and welfare created by the unauthorized use of homes as Short-term Rentals in the unincorporated areas of Humboldt County. The approval of any entitlements related to Short-term Rentals other than in a V – Vacation Home Rental Combining Zone while a regulatory ordinance is being developed would further exacerbate that threat.

SECTION 2. Declaration of Urgency.

- A. Based on the findings set forth above, the Board finds and declares that there is a current and immediate threat to the public health, safety and welfare due to the large number of Short-term Rentals operating in violation of Humboldt County Code and the competing housing needs of Humboldt County residents.
- B. Based on the findings above, the Board of Supervisors determines that this interim urgency ordinance is urgently needed for the immediate preservation of the public health, safety, and welfare pursuant to the Government Code sections 25123(d), and 65858, and is necessary to prevent further erosion of the affordability and availability of housing stock to Humboldt County residents while comprehensive modifications to the existing Short-term Rental allowances in the Humboldt County Code are developed and considered for adoption which balance the interests of businesses, residents and the public in protecting the housing stock, biological resources and agricultural lands in the unincorporated areas of Humboldt County.

SECTION 3. Moratorium.

In order to protect the public health, safety and welfare and pursuant to the provisions of Government Code sections 25123(d) and 65858, during the term of this ordinance, including any extensions hereto, a moratorium is hereby placed on the establishment of, acceptance of any application for, or issuance of any registration, permit or entitlement, or approval of any type, that authorizes the establishment, operation, maintenance, development or construction of any Short-term Rental in the unincorporated area of the County outside of the areas mapped with a V – Vacation Home Rental Combining Zone.

SECTION 4. Effective Date.

Pursuant to Government Code section 25123, subdivision (d), this urgency ordinance shall become effective immediately upon adoption.

SECTION 5. Enforceability.

Violations of this ordinance shall constitute a public nuisance and may be enforced and abated through any available remedy provided by the Humboldt County Code or other law.

SECTION 6. Expiration.

This moratorium shall be of no further force or effect upon the expiration of forty-five (45) days from the date of adoption, unless extended in accordance with Government Code Section 65858.

SECTION 7. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or circumstance is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining portions or other applications of the ordinance, and the provisions of this ordinance are declared to be severable.

PASSED, APPROVED, AND ADOPTED _____ day of _____, 2023.

AYES: Supervisors—
NOES: Supervisors—
ABSENT: Supervisors—

Steve Madrone, Chair
Humboldt County Board of Supervisors

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

By _____
Deputy