



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
LONG RANGE PLANNING

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Hearing Date: March 17, 2022

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Safe Parking - Safe Shelter Pilot Program and Shelter Crisis Ordinance: PLN-2021-17324**

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AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
March 17, 2022	Safe Parking - Safe Shelter Pilot Program and Shelter Crisis Ordinance	Mary Milner, Michael Richardson

Project Description: This item comprises two actions. First, it adds allowance for a Safe Parking – Safe Shelter Pilot Program to the Zoning Regulations (Section 61.05 of Chapters 3 and 4 of Division 1 of Title III of the Humboldt County Code) that will expire in 18 months. The Pilot would provide safe, temporary shelter sites that accommodate vehicles, tents, or other approved structures for people who are experiencing homelessness while they seek permanent housing. Approved Safe Parking – Safe Shelter sites would operate as emergency shelters allowed by right in the same zone districts as emergency shelters. Any government agency, religious institution, non-profit charitable organization, or private non-profit organization may operate a Safe Parking – Safe Shelter site. The type and number of vehicles, the participants' length of stay, hours of site operation, and level of services provided are all described in the required management plans. Other parts of the proposed ordinance for both Inland and Coastal areas would set definitions, site standards, and provisions for site management.

The second component of this item reaffirms and continues by Resolution the County's 2018 Shelter Crisis Declaration, and takes it a step further by adding a Shelter Crisis Ordinance to the Zoning Ordinance to comply with new legislation (AB 2553). It will ensure minimal public health and safety for occupants of emergency shelter, and facilitate development of emergency shelter sites (Section 47.1 of Chapter 4 of Division 1 of Title III of the Humboldt County Code).

Project Location: The proposed ordinances would apply throughout the unincorporated areas of Humboldt County.

Present Plan Designations and Zoning: Various.

Environmental Review: Adoption of the Safe Parking - Safe Shelter Pilot Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) under (1) Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines because the proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt from CEQA; (2) CEQA guidelines Sections 15301 and 15304(e), as the proposed actions are categorically exempt as additions to existing facilities, and as minor temporary use of land having no permanent effect on the environment, and no exceptions to the exemptions as set forth in CEQA Guidelines Section 15300.2 would apply; and (3) CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the proposed actions will have the potential for causing a significant effect on the environment. In the Coastal Zone, the Safe Parking - Safe Shelter Pilot Program is exempt from the requirements of CEQA pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251 (0 and 15265 of the CEQA Guidelines, which states that CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program.

Adoption of the Shelter Crisis Ordinance is not subject to the California Environmental Quality Act ("CEQA") because it is exempt under Guideline Section 15378, as an administrative governmental activity that will not result in direct or indirect change in the environment, and therefore does not constitute a "project" as defined; and under Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines, as the proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt.

State Appeal Status: The Safe Parking - Safe Shelter Pilot and Shelter Crisis Ordinances for the coastal unincorporated areas of Humboldt County must be approved by the California Coastal Commission prior to taking effect.

Safe Parking - Safe Shelter Pilot Program and Shelter Crisis Ordinance

Recommended Commission Action

1. Open the public hearing.
2. Request that staff present the staff report.
3. Receive public testimony.
4. Deliberate on the draft ordinances, public input, and alternatives presented.
5. Close the public hearing and adopt the Resolution of Approval (Attachment 1) to:
 - 1) make all the required findings including the finding the proposed ordinances are exempt from CEQA, 2) recommend that the Humboldt County Board of Supervisors (a) adopt the Safe Parking – Safe Shelter Pilot Ordinances in Attachments 2 and 3 for the Inland and Coastal Areas, (b) reaffirm and continue by Resolution the Declaration of a Shelter Crisis in Humboldt County, and (c) adopt the Shelter Crisis Ordinance in Attachment 4 for the unincorporated County pursuant to Government Code Section 8698.4.

Executive Summary

Safe Parking - Safe Shelter Pilot Program

This project proposes adding a pilot Safe Parking – Safe Shelter Program to the Zoning Regulations (Section 61.05 of Chapters 3 and 4 of Division 1 of Title III of the Humboldt County Code) that will run for 18 months on public or private land. It would provide up to ten (10) safe, temporary shelter sites that accommodate vehicles, tents, cabins, or other approved structures for people who are experiencing homelessness while they seek permanent housing. The proposed ordinance includes site criteria and operating standards that would allow government entities, non-profits, religious entities, businesses, or community organizations to start and operate safe parking sites. Specific sites are not identified in this ordinance; rather, the goal is to establish regulations that would apply countywide.

The Program aims to provide unsheltered individuals and families a safe place to park or sleep, and access services. Providers may choose to allow tents or small individual shelters (“huts” or “sleeping cabins”) in combination with vehicle dwelling, or as a separate shelter type. The difference between the Safe Parking and Safe Shelter sites is the type of shelter allowed (vehicle vs. tent or cabin), and certain operating standards that flow from that difference. The Safe Shelter sites are intended to accommodate people without vehicles who would otherwise sleep outdoors.

The Safe Parking option allows a place to sleep at no charge for occupants of up to 20 operating vehicles, vans, or RVs at a site. The Safe Shelter option would permit sites that accommodate up to 20 tents, huts, or cabins that meet CBC Emergency Housing standards. The Arcata House Partnership’s tent shelter, which operated for 4 months in 2020, is one example of what is envisioned by the Safe Shelter provisions. In that program, only tents were used, not cabins or hard-sided shelters. The Provider determines which type and number of vehicles or shelters will be allowed depending on site characteristics, location, resources, and level of services.

Under the proposed ordinance, Safe Parking - Safe Shelter sites would be allowed as principally permitted uses in all the following Inland zoning districts where emergency shelters are allowed:

- ML – Limited Industrial,
- C-1 – Neighborhood Commercial,
- C-2 – Community Commercial,
- C-3 – Industrial Commercial,
- MU-1 – Mixed Use (Urban)

- MU-2 – Mixed Use (Rural), and
- R-3 – Residential Multiple Family zones,

The ordinance places a limit on the number of Safe Parking and Safe Shelter sites at ten (10) sites. The use may also be allowed on the site of an existing church regardless of the zoning district because that is arguably a constitutionally protected right for churches. An alternative for consideration affirms this allowance by stating it in the ordinance itself.

In the coastal zone, these uses would be allowed as principally permitted uses in the CN – Neighborhood Commercial, CG – Commercial General and ML – Light Industrial Zones and on the site of an existing church regardless of the zoning district.

The proposed ordinance allows any government agency, religious entity, or non-profit organization to operate a Safe Parking - Safe Shelter site. At a minimum, the operator must provide toilet and hand-washing facilities, access to showers, trash collection, and on-site security for participants. The Department aims to incentivize low-cost facilities by providing pre-approved templates for site plans and management plans, and service providers are strongly encouraged to follow a management plan template developed in coordination with the Department of Health and Human Services.

Because the unhoused population is spread throughout the county where services and resources are harder to assemble, two less expensive models are proposed (the Minimal Requirements Model and the Village Model) that rely on private or combination funding and less regulation. A third model (Low Barrier Model) allows for more service-intensive programs with higher levels of case management and staffing. All three models are encouraged to allow pets, partners and possessions, but only the Low Barrier Model requires these provisions. Draft Model Management Plans and standards for tents, cabins and non-vehicle shelters are proposed for each type. The plans include a written agreement with participants. Copies of all the Model Plans and supporting documents are included as Attachment 5 to this staff report.

The Department has done considerable outreach to service providers to identify the necessary components of the management plans. The approach with these management plans is to identify best practices and ask the providers to commit to using them. However, it is important to note that state law (Government Code Section 65583(a)(4)(A)) limits the considerations for local control of emergency shelters, so with few exceptions (i.e. lighting, on-site management, security, length of stay, minimum separation of sites) the management plan items are voluntarily set by the provider.

While the Safe Parking - Safe Shelter Pilot Program has a sunset date of 18 months after approval, it could be renewed or expanded by the Board after its 18-month period depending on its success. An alternative recommended by providers would make the program renewable after 18 months, with periodic oversight and reports from a Board-appointed committee.

Implementation and streamlining the ministerial approval and review process for the Safe Parking – Safe Shelter Pilot Program will be facilitated by staff training, inspection procedures, availability of public information accessible in the form of Frequently Asked Questions and web materials, and a code compliance process. Details of implementation are provided in the Staff Analysis, Attachment 1.

Shelter Crisis Ordinance

Under the Shelter Crisis Declaration declared pursuant to Government Code Section 8698, an emergency shelter located on a county-owned or county-leased site is entitled to certain benefits: they are exempt from CEQA, there are liability waivers that apply, they have reduced building code requirements, and others. Given these benefits, the Shelter Crisis Ordinance is being proposed concurrently with the Safe Parking - Safe Shelter Pilot Program.

Upcoming Related Ordinances

A number of related ordinances and amendments that implement the 2019 Housing Element are in the development phase: the Emergency Shelter Amendment, the Low Barrier Navigation Center, Day Shelter, and Supportive Housing ordinances, and the amendments adjusting the length of stay at RV and Special Occupancy Parks. These additions or amendments to the zoning code will bring the Humboldt County Code current with state housing law in accordance with Housing Element Implementation Measures, provide definitions or updates, or remove conflicts.

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT

Resolution Number 22-___

Making Findings Pursuant to CEQA, and recommending addition of a Safe Parking/Safe Shelter Pilot Program and a Shelter Crisis Ordinance to the Zoning Ordinance

WHEREAS, the 2019 Point in Time Count (PIT) identified 1470 unsheltered persons in the County, about one third of whom were located in unincorporated areas. The same PIT estimated that 454 of the total persons counted slept in vehicles, RVs or vans, and 147 in tents or makeshift shelters; and

WHEREAS, a 2019 Grand Jury found that a need exists for both permanent affordable housing and short-term sheltering needs like safe parking, and recommended implementing supervised safe parking programs; and

WHEREAS, there continues to be a homelessness crisis in the County and an urgent need for housing types that meet the immediate as well as long-term needs of people experiencing homelessness; and

WHEREAS, even with the Legislature's recognition of this crisis and the accelerated funding available to address homelessness, the construction of traditional shelters, transitional housing, and supportive housing is not adequate to keep up with the immediate needs of the homeless population; and

WHEREAS, shelters, transitional housing and supportive housing do not address the challenge for people living in their vehicles, therefore strategies for vehicle living are also critical to providing safe, temporary spaces; and

WHEREAS, the County adopted its Housing Element Update in 2019, including Implementation Measure H-IM56, providing in part that the County will fund and implement a safe parking pilot program, and adopt an enabling ordinance or resolution for the pilot program; and

WHEREAS, the proposed Pilot Program, with a duration of 18 months, would provide places to sleep at no charge for up to 20 operating vehicles, vans, or RVs at a Safe Parking site, or up to 20 tents, huts, or cabins that meet CBC Emergency Housing standards at a Safe Shelter site, in order to address the immediate health and safety needs of homeless individuals and families who are not able to access traditional shelters; and

WHEREAS, the proposed Safe Parking/Safe Shelter sites would be classified as emergency shelters under Government Code Section 65583(a)(4), and would be principally permitted in designated zones; and

WHEREAS, the proposed Pilot Program provides development standards, Model Management Plans, and best practices guidance for safe parking and safe shelter sites; and

WHEREAS, the Humboldt County Board of Supervisors declared a Shelter Crisis on February 27, 2018 through its Resolution 18-15, which remains in effect until terminated by the Board; and

WHEREAS, the California Legislature passed AB 2553 in 2020 requiring, among other things, that jurisdictions that adopt ordinances under the Shelter Crisis Act meet the minimum standards provided in the 2019 California Residential Code Appendix X, and the 2019 California Building Code Appendix O. AB 2553 also revises the definition of a "homeless shelter" to include safe parking on a lot owned or leased by a city or county specifically identified for use by homeless and unstably housed individuals; and

WHEREAS, the Shelter Crisis Ordinance proposed here allows use of the 2018 Shelter Crisis Declaration by complying with provisions of AB 2553, and would allow relaxed building codes and other benefits to apply to homeless facilities, including safe parking, on county-owned or -leased sites; and

WHEREAS, the Planning Division prepared the draft ordinances and associated materials with input and collaboration from other agencies, homeless shelters, and homeless service providers; and

WHEREAS, the Inland Safe Parking/Safe Shelter Pilot Program is exempt from the requirements of the California Environmental Quality Act (CEQA) on the following separate and independent bases: (1) the proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt from CEQA pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines; (2) the proposed actions are categorically exempt pursuant to CEQA guidelines Sections 15301 as additions to existing facilities, and 15304(e) as minor temporary use of land having no permanent effect on the environment, and no exceptions to the exemptions as set forth in CEQA Guidelines Section 15300.2 would apply; and (3) CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the proposed actions will have the potential for causing a significant effect on the environment, and are not subject to CEQA review; and

WHEREAS, the Coastal Safe Parking/Safe Shelter Pilot Program is exempt from the requirements of CEQA pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251 (0 and 15265 of the CEQA Guidelines. CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program. The certification of a Local Coastal Program Amendment by the California Coastal Commission is exempt from the requirement for preparation of EIRs, Negative Declarations, and Initial Studies because their process for environmental review has been certified by the Secretary of Resources as being the functional equivalent of the process required by CEQA; and

WHEREAS, the Shelter Crisis Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15378, as it is an administrative governmental activity that will not result in direct or indirect change in the environment, and therefore does not constitute a "project" as defined; and under Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines, as the proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt; and

WHEREAS, the Planning Division prepared and made available to the public the draft Safe Parking/Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance for the Inland and Coastal areas of Humboldt County, through its website at <https://humboldt.gov/3200/SAFE-PARKING-SAFE-SHELTER-PILOT-PROGRAM>, and by text notifications and emails; and

WHEREAS, on January 19, 2022, 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 Safe Parking/Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the proposed Safe Parking/Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance on February 3, 2022 to receive a report and any supplements to the report on the draft Ordinances, as well as evidence and testimony; and

WHEREAS, the Planning Commission reviewed and considered said report and the Required Findings of Approval, incorporated herein, which contains evidence, findings, and conclusions in support of the required Findings for Approval of the proposed Safe Parking/Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance, as well as any supplements thereto, together with any other written evidence and testimony presented to the Planning Commission.

NOW, THEREFORE, the Humboldt County Planning Commission resolves, determines, and orders that the following findings are hereby made regarding the Safe Parking – Safe Shelter Pilot Program Ordinance:

1. The proposed Safe Parking/Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance are in the public interest; and
2. The proposed Safe Parking/Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance are consistent with the General Plan and the proposed Safe Parking/Safe Shelter Pilot Ordinance is consistent with the Coastal Act; and
3. The proposed ordinance and amendments to the zoning code do 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; and

4. The Planning Commission makes all the required findings described in Exhibit A of this Resolution, Required Findings of Approval, which is incorporated fully herein, based on the evidence provided.

NOW, THEREFORE, the Humboldt County Planning Commission resolves, determines, and orders that the following findings are hereby made regarding the Shelter Crisis Ordinance:

5. A significant number of persons within the County of Humboldt remain without the ability to obtain shelter and that the situation continues to threaten the health and safety of those persons; and
6. That strict compliance with otherwise applicable state or local statutes, regulations, and ordinances would prevent, hinder, or delay the County's mitigation of the effects of the shelter crisis.

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.
2. Adopt the necessary findings 1 through 6 prepared by Planning Division staff.
3. Adopt the Safe Parking/Safe Shelter Pilot Program Ordinance amending the Inland Zoning Regulations (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) as shown in Attachment 2 of the staff report.
4. Adopt and transmit to the Coastal Commission for certification the Safe Parking/Safe Shelter Pilot Program Ordinance amending the Coastal Zoning Regulations (Section 313 of Title III, Division 1, Chapter 3 of Humboldt County Code) as shown in Attachment 3 of the staff report.
5. Reaffirm the Shelter Crisis Declaration put in place on February 27, 2018 through the Board of Supervisors Resolution 18-15, by confirming Findings 1 and 2 in the previous section; and reaffirm that the shelter crisis shall continue until terminated by the Board.
6. Adopt the Shelter Crisis Ordinance, amending the Inland Zoning Regulations (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) as shown in Attachment 3 of the staff report.
7. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Adopted after review and consideration of all the evidence on _____, 2022.

The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION: Motion carries/fails

I, John 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

Exhibit A – Required Findings of Approval

A. Required Findings for Amendments to the Zoning Regulations, State Planning and Zoning Law (Government Code Section 65000 et seq.), and Section 312-50 of the Humboldt County Code (HCC) state the following findings must be made to approve changes in the Zoning Maps and Regulations:

- (1) The proposed amendment is in the public interest;
- (2) The proposed amendment is consistent with the General Plan;
- (3) The amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act
- (4) The proposed amendment does 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.

B. California Environmental Quality Act (CEQA)

- (5) The Safe Parking/Safe Shelter Pilot Program and the Shelter Crisis Ordinance are in accordance with, or are exempt from the requirements of the California Environmental Quality Act (CEQA).

Evidence Supporting the Required Findings

A. Findings for Amendments to the Zoning Regulations:

The following tables identify evidence that supports finding that the proposed zoning ordinance is in the public interest, is consistent with the General Plan, and does not reduce the residential density to below the requirements set by the Department of Housing and Community Development.

Findings for the Safe Parking/Safe Shelter Pilot Program

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p>1. Public Interest §312-50 of Humboldt County Code</p>	<p>The proposed Safe Parking/Safe Shelter Pilot Program is in the public interest.</p>
<p>Evidence Supporting Finding 1. State housing law tasks the County with designating adequate sites suitable, feasible, and available for the development of housing for all income levels. Under the Housing Accountability Act, the County is obligated to actively facilitate housing development, including emergency shelters. Because of the time and expense associated with developing traditional shelters, safe parking is a proven short-term measure that could mitigate the health, safety, and environmental concerns related to homelessness. According to the 2019 Grand Jury, safe parking programs would address an immediate need for the hundreds of people living in their vehicles in Humboldt County. The proposed ordinance advances these goals, and is therefore in the public interest.</p>	

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p>2. General Plan Consistency §312-50 of Humboldt County Code</p>	<p>The proposed Safe Parking/Safe Shelter Pilot Program is consistent with the General Plan. Applicable policies and measures of the 2019 Housing Element, Chapter 8 of the General Plan include:</p> <p>H-P38 Allow for safe parking as emergency shelter to provide capacity for those experiencing homelessness;</p> <p>H-IM56 Implement a safe parking pilot program;</p> <p>H-IM55 Support emergency shelters by coordinating site funding, services and operation, and through outreach to non-profits, religious organizations, and multijurisdictional partnerships.</p>
<p>Evidence Supporting Finding 2. The Safe Parking/Safe Shelter Pilot Program is one piece of the overall strategy of the Housing Element to provide sufficient sties to accommodate residents of all income levels. The Pilot Program, which would last 18 months, would provide places to sleep at no charge for up to 20 operating vehicles, vans, or RVs per Safe Parking site, or up to 20 tents, huts, or cabins that meet CBC Emergency Housing standards at a Safe Shelter site, in order to address the immediate health and safety needs of homeless individuals and families who are not able to access traditional shelters. The ordinance provides development standards, Model Management Plans, and best practice guidance for safe parking and safe shelter sites. Therefore it is consistent with the General Plan.</p>	
Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p>3. Consistency with the Coastal Act §312-50 of Humboldt County Code</p>	<p>That the proposed Pilot Program is consistent with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Chapter 3 of the Coastal Act sets forth policies regarding the following issues:</p> <p>a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)</p> <p>b) Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aquacultural uses, and priority of development purposes)</p> <p>c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)</p> <p>d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)</p> <p>e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)</p> <p>f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants).</p>

Evidence Supporting Finding 3.

a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)

The proposed ordinance is necessary to prevent or mitigate an emergency. Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast. The new ordinance will involve minor temporary use of land having no permanent effect on the environment. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal access facilities.

b) Recreation (including protection of water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, and priority of development purposes)

Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast. The new ordinance will involve minor temporary use of land having no permanent effect on the environment, and compared to the unauthorized, unregulated use of coastal lands for emergency shelter occurring presently, the proposed regulated emergency shelter use is expected to reduce impacts to coastal recreation facilities.

c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)

Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast that impacts marine resources. Persons camping illegally have sometimes left their shelter sites with discarded material and human waste. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal marine resources.

d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)

Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast that impacts land resources. Persons camping illegally sometimes leave their shelter sites with discarded material and human waste that reduces the value of sensitive habitats, agricultural lands, timberlands, and archaeological resources that occur in the area. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal land resources.

e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)

Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast that impacts scenic resources. Persons camping illegally sometimes leave their shelter sites with discarded material and human waste that reduces their scenic value. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal scenic resources.

f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants).

The Pilot Program allows vacant land or parking areas to be used as temporary shelter sites. They are not expected to displace or otherwise affect industrial uses on the coast.

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p>4. Consistency with Housing Element Densities §312-50 of Humboldt County Code</p>	<p>That the proposed Pilot Program will 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 (the midpoint of the density range specified in the plan designation)</p>
<p>Evidence Supporting Finding 4. The Pilot Program allows vacant land or parking areas to be used as temporary shelter sites. Parcels potentially affected include multifamily sites and sites with existing churches, which could be included in the residential land inventory. Safe parking and safe shelter sites are expected to increase rather than decrease density for those parcels. The Pilot would not reduce the residential density for any parcel below that used by the Department of Housing and Community Development in determining compliance with the housing element.</p>	

Findings for the Shelter Crisis Ordinance

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p>1. Public Interest §312-50 of Humboldt County Code</p>	<p>The proposed Shelter Crisis Ordinance is in the public interest.</p>
<p>Evidence Supporting Finding 1. It is recognized that finding locations for short-term shelter alternatives such as sanctioned camps or safe parking programs is problematic. Among the barriers to development are environmental review, building codes, and liability. The County’s use of its Shelter Declaration would reduce or remove these barriers and facilitate shelter development, including safe parking and safe shelter sites. Pursuant to amendments to the Shelter Crisis Act in 2020 (AB 2553), in order for the County to provide county-owned or county-leased sites to facilitate shelter development, it must adopt a Shelter Crisis Ordinance to ensure compliance with minimal building standards. The ordinance would facilitate development of short-term shelter alternatives for those experiencing homelessness, and therefore the ordinance is in the public interest.</p>	
Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p>2. General Plan Consistency §312-50 of Humboldt County Code</p>	<p>The proposed Shelter Crisis Ordinance is consistent with the General Plan. Applicable policies and measures of the 2019 Housing Element, Chapter 8 of the General Plan include:</p> <p>H-G6 Provide sufficient capacity to meet emergency shelter needs;</p> <p>H-IM21 Support the use of surplus County-owned property, for development or financing of housing for low income, very low income, extremely low income, and special need populations;</p> <p>H-IM55 Support and encourage development of Emergency Shelters through coordination of funding, services, and operation.</p>

Evidence Supporting Finding 2. A goal of the housing element is to address the housing and access needs of vulnerable populations and provide sufficient opportunities and capacity to meet local needs, including the need for emergency shelters. The Shelter Crisis ordinance advances this goal by enabling the County to develop shelters on county-owned or county-leased property through its Shelter Crisis Declaration.	
Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
3. Consistency with Housing Element Densities §312-50 of Humboldt County Code	The Shelter Crisis Ordinance will 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 (the midpoint of the density range specified in the plan designation).
Evidence Supporting Finding 3. The proposed ordinance sets minimum building standards and reporting requirements for emergency shelters developed under the Shelter Crisis Declaration, and has no specific effect on residential density. Therefore, it would not reduce the residential density for any parcel below that used by the Department of Housing and Community Development in determining compliance.	

B(5). Environmental Review.

The Safe Parking/Safe Shelter Pilot Program is exempt from the requirements of the California Environmental Quality Act (CEQA) on the following separate and independent bases:

(a) Illegal camps and gathering sites of individuals experiencing homelessness, without access to sanitary facilities and without shelter from weather pose a health and safety threat to the individuals as well as a threat to the environment from improper waste disposal. The proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt from CEQA pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines;

(b) The proposed actions are categorically exempt pursuant to CEQA guidelines Sections 15301 as additions to existing facilities, and 15304(e) as minor temporary use of land having no permanent effect on the environment, and no exceptions to the exemptions as set forth in CEQA Guidelines Section 15300.2 would apply; and

(c) CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the proposed actions will have the potential for causing a significant effect on the environment, and are not subject to CEQA review.

(d) The Shelter Crisis Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15378, as it is an administrative governmental activity that will not result in direct or indirect change in the environment, and therefore does not constitute a "project" as defined; and under Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines, as the proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt.

ATTACHMENT 1

Staff Analysis

Current Conditions and the Role of the Safe Parking - Safe Shelter Pilot

An analysis of current housing conditions in Humboldt County points to a continued housing crisis, with affordable housing practically unavailable. Indications from homeless service providers suggest that homelessness has increased since the last Point in Time Count (PIT) in 2019. At that time, the PIT identified 1402 unsheltered persons in the County, about one third of whom were located in unincorporated areas. The same PIT estimated that 454 of the total persons counted slept in vehicles, RVs or vans, and 147 in tents or makeshift shelters.

As of 2020 there were 6 shelter facilities in the County with 239 shelter beds, according to Department of Health and Human Services (DHHS) data. Only one of those facilities is located in unincorporated Humboldt County, with a capacity of 20 beds. As the 2019 PIT showed, the needs of unhoused people are not limited to urban areas but are dispersed throughout the mostly rural county. Likewise, the PIT observed that people residing in vehicles, vans or RVs were dispersed throughout the County. These facts illustrate that even though the Legislature recognizes the crisis and has accelerated funding available to address homelessness, the construction of traditional shelters, transitional housing, and supportive housing is inadequate to keep up with the immediate needs of those experiencing homelessness. In addition, those traditional shelter types do not address the challenge for people living in their vehicles. It is noted that safe parking and safe shelter programs make enforcing COVID protocols easier due to better separation of participants.

A Humboldt County Grand Jury found in 2019 that a need exists for both permanent affordable housing and short-term sheltering needs, and recommended implementing supervised safe parking programs as safe, temporary spaces for vehicle dwellers. The Pilot Program proposed here is intended to supplement and not replace traditional shelter programs by providing alternative housing types to meet the immediate needs of people experiencing homelessness.

Barriers to Development and Recommended Solutions

Currently, emergency shelters are principally permitted in five zones. Despite availability of sites, no additional facilities have been built. Barriers to emergency shelter development include environmental constraints and zoning on designated county-owned lands, barriers for potential service providers around grant application, staff and monitoring costs, and complex and onerous regulations associated with grant funds. Planning and Building staff noted in the 2019 Housing Element Update that the main obstacle to siting small shelters in a dispersed fashion around the County is that it is often prohibitively expensive, especially for insurance, on-site staffing, and security.

The Pilot Program proposed here attempts to reduce barriers by:

- (1) adopting a Shelter Crisis Ordinance to access the shelter declaration provisions that reduce the cost of new emergency shelter development;
- (2) defining a "Low Barrier Model" option for providers who wish to operate service-intensive sites without the cost or time to build traditional shelters;
- (3) defining a "Village Model" that is inexpensive, flexible, portable to rural areas, and tailored to available local resources. These features could let many more organizations participate. The Village Model is designed for small programs, for example 15 or fewer vehicles or shelters. This model has 24/7 operations and uses a staff person from the client population to eliminate the need for some on-site staffing, and may be funded and serviced through a local church or non-profit;
- (3) defining a "Minimal Requirements Model" that is inexpensive, flexible, portable to rural areas, and tailored to available local resources. This model operates overnight only,

with minimal services and is best suited to vehicles. Cost is kept low by reduced staff requirements;

- (4) incorporating best practices into the ordinance in order to guide and assist providers; and
- (5) developing Model Management Plans for all three types, Minimal Requirements, Village, and Low Barrier projects, based on input from local service providers, as well as a sample Plot Plan and non-vehicle shelter standards.

Chronology

The Board of Supervisors declared a Shelter Crisis on February 27, 2018 through Resolution 18-15.

- On August 31, 2019 the County adopted its Housing Element Update, including Implementation Measure H-IM56, directing Planning and Building to implement a safe parking pilot program through an enabling ordinance or resolution.
- The 2019 Point in Time Count counted 1402 homeless individuals, and estimated that 454 more were living in vans, cars, or RVs. About one third of individuals counted in the PIT were located in unincorporated Humboldt County.
- A 2019 Grand Jury Report, *Like Home? No Place* found that safe parking and tent areas can act as short-term staging areas to mitigate health and safety threats to homeless individuals while preventing sanitation and environmental problems associated with concentrations of unhoused people.
- On September 25, 2020 the California Legislature passed AB 2553, expanding the scope of the Shelter Crisis Act, and requiring a jurisdiction that adopts an ordinance under the Shelter Crisis Act to ensure compliance with minimal building standards in California Residential Code Appendix X, and California Building Code Appendix O, among other requirements.

Funding

A survey of potential funding sources suggests that the State of California offers possibilities for funding through the Continuum of Care. Some of these funds have been used for Safe Parking in other jurisdictions. Federal funds from the Department of Housing and Urban Development are not available for safe parking at this time. The table below lists current and past funding opportunities. California Local Early Action Planning (LEAP) funds are available for planning activities.

Table 1. Possible Funding For Safe Parking - Safe Shelter Pilot Program

	Type	Source of Funds	Limitations
Current and Past Funding	FED/CA	Emergency Solutions Grants – Coronavirus (ESG-CV)	Emergency shelter operations, outreach and services. Expires July 30, 2022
	CA	HEAP - Homeless Emergency Aid Program	Expired June 2021; require shelters crisis declaration, immediate emergency homeless assistance, included shelters, toilets and showers
	CA	HHAP - Homeless Housing, Assistance and Prevention	Requires data and vacancy rate monitoring. Path to permanent housing required.
	CA	PHLA – Permanent Local Housing Allocation	Competitive and non-competitive portions, must connect to permanent housing
	CA	LEAP - Local Early Action Planning	Non-competitive grants for planning and housing element compliance
Future Funding	Private	Religious institutions	Limits set by donor; often land b/c of legal protections for religious institutions
	Private	Local or private funds	Limits set by funder

	Type	Source of Funds	Limitations
	FED/CA	ESG-CV (Emergency Solutions Grants – Coronavirus)	May fund outreach workers and portable toilets; ends 7/30/2022
	CA	HHAP-3 and 4 - Homeless Emergency Aid Program	Notice of Funding coming soon; some restrictions on facilities and other regulations similar to previous
	CA	PLHA - Permanent Local Housing Allocation	Competitive and non-competitive parts

Funding from the State of California is subject to various regulations including Housing First principles, meaning persons are moved to permanent housing as quickly as possible, with adherence to evidence-based practices like making services voluntary; harm reduction philosophy; no withholding of services for sobriety, substance addiction, or lack of money; and low barrier strategies like accommodating pets, partners, and possessions. Logically, if no permanent housing is available, those same evidence-based practices should apply to temporary emergency shelters like Safe Parking and Safe Shelter programs proposed here.

Estimated Program Cost

Research based on existing and past safe parking programs in other jurisdictions shows that costs range from \$22,000 to \$860,000 per year, depending on program type. In general, expenses are proportional to the number of participants and services provided, with low barrier programs being most costly. The biggest expenses in all programs tend to be staff and case management, security, and insurance. Government funds generally come with heavy regulation, especially for staff, monitoring and reporting, which add complexity and cost. Smaller programs that can leverage local funding and services are less expensive and may be better suited for remote areas of the county.

Sites that provide an overnight safe parking or shelter space and minimal services have relatively lower cost and correlate with the proposed Minimal Requirements Model in the Pilot. The average operating costs are between \$22,000 and \$286,000 per year. An intermediate program correlates to the Village Model Plan; it provides minimal case management and services, leverages private and religious funding, and depends on volunteers and participants to keep costs low. The programs examined that resemble the Village Model operate for \$45,000 to \$74,000 per year. Opportunity Village in Eugene is a well-known example; it started as a pilot in 2013 and has operated continuously since then. Sites with higher levels of services, case management, and more intensive onsite staff, which correlate with the Low Barrier Model in this Pilot, require from \$159,000 to \$850,000 per year in operating funds. Budget comparisons are shown below, with more complete details included in Exhibit A, Table 1.

Table 2. Program Cost Examples

LOCATION	Program name	Program type	Annual budget	Budget year	Still going?	Spaces	Sites
Ventura CA	Safe Sleep	Minimal requirements	\$22,000	2017	Yes as of 2018	15	2 church lots
Eugene OR	Opportunity Village	Village Model	\$45,000	2020	Yes	35	city site
San Diego CA	Dreams for Change	Minimal requirements	\$286,000	2019	Yes	78	2 church sites
Monterey	One Starfish	Minimal requirements	\$100,000	2016	Yes	27	4 church lots, one city
Longmont CO	HOPE	Low barrier	\$100,000	2020	Yes	8	not disclosed

LOCATION	Program name	Program type	Annual budget	Budget year	Still going?	Spaces	Sites
Long Beach	Safe Parking 2020	Low barrier	\$100,000	2021 proposal	Yes	13	1 church lot
Los Angeles	LAHSA	Low barrier	\$205,000	2021	Yes	25	1 church lot, moved to 1 city lot
Seattle	Road to Housing	Low barrier	\$250,000	2019	Yes	25	3 church lots, one city
Santa Barbara	New Beginnings	Low barrier	\$270,000	2017	Yes	129	23 (5-15 spaces per)
LOCAL PROGRAMS	Program name	Program type	Annual budget	Budget year	Still going?	Spaces	Sites
Eureka	AHHA Sanctuary Vill. 2016	Village Model	\$74,000	2016 proposal	No, Proposal	30	Eureka city site
Arcata	AHP Covid tent camp	Low Barrier Model	\$286,000*	2020	No, 4 months only	34	2 sites, reduced to 1

*Four month COVID shelter

The following links provide more information about five of the programs in the table above. The Santa Rosa Safe Parking Pilot does not appear in the table.

[Santa Rosa, Safe Parking Pilot](#)

[Santa Barbara, New Beginnings](#)

[San Diego, Dreams for Change](#)

[Long Beach, Safe Parking 2020](#)

[Seattle, Road to Housing Program](#)

[Eugene OR, Opportunity Village](#)

Supporting the Local Network of Non-Profits, Agencies, and Churches

As part of an active effort to secure locations for sheltering options, including safe parking, DHHS published a Request for Information (RFI) on July 8, 2021 inviting homeless services and shelter providers to submit Letters of Interest. The purpose of the RFI was to understand the type of low-barrier shelter services that potential providers would be able to provide. Four organizations replied, three of whom are local to Humboldt County. Humboldt County has a network of non-profits and religious institutions already engaged with those experiencing homelessness. Staff's coordination with agencies, local service providers and advocates suggests that funding and expertise are available. The County can facilitate in several ways to remove barriers to development by improving land access and by adopting the shelter-friendly ordinances proposed here. Positive steps that can be taken now are: (1) adopt the Pilot ordinance; (2) donate and/or lease land for safe parking and safe shelter programs under the Shelter Crisis Ordinance; and (3) collaborate with providers and acquire funding where possible.

Implementation

Streamlining the ministerial approval and review process for the Safe Parking – Safe Shelter Pilot Program will be facilitated by staff training, inspection procedures, availability of public information accessible in the form of Frequently Asked Questions and web materials, and a code compliance process. Long Range Planning will develop application forms and instructions for counter staff. Initial and annual inspections will be routed by referral to the Building Department. Frequently Asked Questions for providers and interested members of the public will be available as handouts and on the County website. Staff will ask the Board of Supervisors to allocate funds sufficient to fund a part time or full-time staff position to cover inspection and code compliance issues associated with the Pilot Program. A report summarizing the Pilot Site's operation, and its capacity and persons served, will be compiled annually in consultation with the Housing Trust Fund and Homelessness Solutions Committee. The report will be presented to the Board of Supervisors annually as part of the Housing Element Annual Report.

Best Practices

Although safe parking programs are short-term solutions for participants, the need for emergency shelter remains. Successful safe parking programs that have endured for years or decades tend to follow some common best practices. These practices have evolved over time as incidence of homelessness has intensified. Problems associated with early sanctioned camps and safe parking programs included the perception of increased crime and theft (often rebutted by evidence from local police), complaints from nearby businesses, and insufficient services. To achieve longevity, programs must be well managed, with plans to cover ongoing expenses like sanitation, garbage collection, and security. Staff took an in-depth look at the common characteristics of seven long-running programs, and surveyed best practices for the longest-running program, New Beginnings in Santa Barbara. In addition, staff looked at lessons learned from a locally executed tent camp. The results are attached to this staff report as Exhibit A, Tables 2 and 3. The main findings and best practices are summarized below.

Program Characteristics

All programs examined have a lead agency or organization that recruits partners, coordinates services and distributes information to partners, the public, and potential participants. Successful programs advise that a non-profit or agency with expertise in serving homeless people is best situated to execute on-the-ground operations. Planning and zoning agencies contribute to success by adopting an ordinance that at least suspends police enforcement against participants, and at best creates a set of rules, guidelines and information to facilitate continued and future safe parking programs.

Some programs found it easier to get funding by targeting subpopulations of participants (using non-discriminatory criteria like families, youth, veterans, domestic violence victims). Program costs varied widely with the level of services provided. Leveraging local resources is a common theme; for example, one long-running program in Oregon uses neighborhood groups and non-profits to find and evaluate safe parking sites. Hosts tailor their program parameters (type of vehicle, population, number of spaces, levels of service) according to site and neighborhood conditions, and make site rules accordingly. The programs examined used funding from various sources. Agencies and non-profits who act as coordinators or providers usually secure and monitor grants for the services they provide. Local agencies often administer and distribute funds. State and Federal funds tend to dictate program parameters.

Best Practices Summary

The New Beginnings safe parking program has been operating for 18 years in Santa Barbara, and has assembled a manual for prospective safe parking providers. Locally, Arcata House Partnership presented information about their 2020 safe tent site in Arcata, in the form of lessons learned. Best practices from these two sources are summarized below.

General Program Advice

Most pilots started with 5-15 spaces, and scaled up when success was achieved. Advice includes:

- Depend on existing staff skilled at serving the homeless population;
- Have weekly community/partner meetings;
- Charging participants a small fee failed miserably;
- Establish exit protocols for participants;
- Use participants as champions;
- Use multiple funding sources for different project components;
- Make staff available for stakeholder presentations;
- Involve police early; designate a liaison to interact with and educate police.

Sites and Vehicles

- Start small and expand; stick to using 10-20% of available spaces;
- Require that vehicles are licensed, registered, insured, and able to drive away from the site under the vehicle's own power;
- Keep a wait list; provide a letter to applicants verifying they are on a wait list (may avoid tickets);
- Have a grievance policy & procedure;
- Paid, trained staff must supervise;
- Limit the number of vehicles or shelters in lots close to homes.

Operations

- Apply rules consistently;
- Use volunteers, but set clear boundaries and limits for tasks; successful clients may make good volunteers;
- Take an anonymous client satisfaction survey every 90 days for clients receiving services;
- The 6-month participant limit is inadequate for most; on the other hand, no time limit leads to gridlock (no open spaces).

Model Management Plans

Three Model Management Plans are proposed as part of the zoning clearance application process for providers who want to participate in the Safe Parking - Safe Shelter Pilot. The Low Barrier Model, Village Model, and Minimal Requirements Model were drafted to accommodate different site, funding, and operation types. An Appendix is to be included with the application if tents, cabins, or other non-vehicle shelters are allowed. The Appendix incorporates the required elements from California Emergency Housing Standards (California Residential Code Appendix X, and California Building Code Appendix O). All four documents are presented as Attachment 5 to this staff report.

Partner and Agency Collaboration

The Safe Parking - Safe Shelter Pilot ordinance and Model Management Plans were drafted with input from other agencies and community groups experienced in providing services to individuals experiencing homelessness. Among those consulted are the Department of Health and Human Services (DHHS), the Humboldt Housing Trust Fund and Homelessness Solutions Committee; the Humboldt County Undersheriff, Affordable Housing and Homeless Alternatives (AHHA); and Arcata House Partnership (AHP).

Potential Partners and Providers.

Before drafting the Pilot Program, a number of agencies and potential partner organizations were interviewed to get suggestions and observations based on their expertise relating to homelessness. Department of Health and Human Services staff expressed a preference that resources be directed at permanent housing. However, given the current shortage and extended timeline, they recognize that short-term strategies like safe parking can serve as harm reduction.

In general, service providers identify several subpopulations of unhoused people: families in vehicles seeking a safe place to sleep; adults living in RVs which may or may not function; and working adults needing a place to sleep. Some prefer separating populations based on the types of services needed. Humboldt County Undersheriff Justin Braud noted in a phone interview in July of 2021 that there is significant overlap among the groups, as well as additional factors like animals

they are unwilling to lose, spotty function, resistance to shelter, and too many possessions. Based on his camp outreach, he observes that there is always a combination of people with different needs at any site. He thinks camps with separate sections for groups and subgroups would work.

There is general agreement that a model is needed that allows churches and smaller non-profits to provide services at a scale that they can manage with limited staff and resources. Professional providers agree that six months is not long enough to transition people to permanent housing, even if such housing was available. Therefore, flexibility on the length of stay in the Pilot Program is preferred. There is general agreement that requiring unhoused people to leave the shelter site during daytime hours is an unreasonable hardship on unhoused people without vehicles, and one that works counter to stabilizing their situations.

Comments on the Draft Ordinance by County Agencies

Humboldt County Code enforcement staff expressed concerns about the Pilot Program citing the potential for abandoned vehicles and accumulated trash that may remain after the use ceases at one or more sites that would then have to be removed at the county's expense. Their recommendation is to require a bond of posted by operators of the Safe Parking – Safe Shelter sites in an amount sufficient to cover cleanup costs should that become necessary. Another alternative would be for the County to set aside an amount in the contingencies budget for the term of the ordinance to cover site restoration costs.

The Planning Commission may include either or both of these alternatives in the resolution of approval for the project. However, the requirement of a bond likely exceeds the authority specified in State planning code; local regulation of emergency shelters is limited to development or management standards that apply to residential or commercial development within the same zone, or objective standards listed in parts (i) through (viii) of that section. (Gov't. Code 65583(a)(4)(a)). In addition, under the Housing Accountability Act, a local jurisdiction may not "condition approval [of an emergency shelter] in a manner that renders the project infeasible" unless it makes at least one of five specific written findings based on substantial evidence in the record (Government Code Section 65589.5).

Other recommendations include (1) a cap on the number of Pilot sites permitted, and (2) removing an allowance for Safe Parking/Safe Shelter programs at sites with existing churches in other zones. The revised draft ordinance includes a cap of ten (10) Safe Parking – Safe Shelter Pilot sites countywide. The revised draft incorporates recommendation number 2, but proposes the original allowance as an alternative. In response to other expressed concerns about code enforcement, more details of Pilot implementation are included in all three Management Plans.

Public Works Land Division offered five conditions of approval and 6 information notes, some of which are incorporated in the operating plans already, and some of which are addressed in staff's response (see Attachment 6).

Tribal Consultation and Collaboration

Members of the Housing Trust Fund and Homelessness Solutions Committee conferred informally with Tribal members during drafting and review of the Safe Parking – Safe Shelter ordinance. In addition, staff solicited input from Tribal organizations by mail and email in order to better coordinate service to residents in rural areas where government resources and services are less likely to be available. The Bear River and Wiyot Tribes have responded as of this writing. The Bear River response includes a request to review site plans for potentially significant effects once locations are proposed. Referral to those Tribes of submitted applications will be built into the staff procedures for implementing the ordinance.

Public Comment

Partner agencies and organizations were encouraged to share drafts with their contacts and partners. A public draft was made available on the Planning Department's Housing Element website at <https://humboldt.gov.org/3200/SAFE-PARKING-SAFE-SHELTER-PILOT-PROGRAM>. Notice of the public hearing was published in the newspaper on January 19, 2022, and text notifications and emails were sent to interested parties.

Comments received from the public so far have been from those participating in community activities to help unhoused people. The one written comment received agrees that the Pilot Program would be an important part of the system, and that evidence-based practices of housing first should still apply (voluntary services; harm reduction philosophy; no withholding services for sobriety, substance addiction, or lack of money). However, she suggests that shelter be provided under normal tenancy agreements.

Attachment 6 includes both Partner and Agency input and public comments received for this project to this date. Additional comments will be included in supplemental materials as they are received.

Shelter Crisis Ordinance

Pursuant to Government Code Section 8698, the Board of Supervisors declared a Shelter Crisis on February 27, 2018 through its Resolution 18-15. Under the Shelter Crisis Declaration, emergency shelter sites located on county-owned or county-leased land are exempt from CEQA, may waive liability for ordinary negligence, are subject to minimal emergency building codes, and are entitled to other benefits. Therefore, in order to facilitate emergency shelter development, including the Safe Parking - Safe Shelter Pilot Program, an ordinance is proposed that would enable use of the Shelter Crisis Declaration, as well as comply with 2020 legislative requirements amending the Shelter Crisis Act (AB 2553).

Conclusion and Recommendation

Safe Parking - Safe Shelter is a temporary, lower cost step on the road to rehousing. Because of Humboldt County's diversity of geography, population, and infrastructure, a flexible ordinance is needed that accommodates Minimal Requirements, Village, and Low Barrier program types. Minimal Requirements and Village type sites are designed for remote and rural areas because they are cost-efficient and can leverage local partners and non-profit organizations. The County is well situated to support the success of a safe parking and safe shelter program by (1) facilitating development through a Pilot ordinance; (2) donating and/or leasing land for programs under the Shelter Crisis Ordinance; and (3) collaborating with providers and acquiring funding where possible. Staff recommends all the above actions as a temporary solution to shelter the County's unhoused population.

Alternatives

The Planning Commission could choose not to recommend approval of either or both ordinances, or propose changes to either or both. Or the Planning Commission could recommend approval of both ordinances but reject or propose changes to the Model Management Plans, or recommend different plans. These alternatives are not recommended because of the recognized urgent need for emergency shelter options, and the staff-level coordination needed for development of and changes to the model plans. Also, agency and public comment received have already been addressed by changes to the proposed ordinances and model plans and plot plans, so based on the comments received to date, there is no need for the Planning Commission to reject or modify the ordinance.

ATTACHMENT 2

**ORDINANCE NO. _____,
ADDING SECTION 313-61.05, AMENDING SECTION 313-140, AND AMENDING
TABLES IN SECTIONS 314-2, AND 314-3 OF CHAPTER 3 OF DIVISION 1 OF TITLE
III OF THE HUMBOLDT COUNTY CODE, ALLOWING EMERGENCY SHELTERS,
AND SAFE PARKING/SAFE SHELTER PILOT PROGRAMS.**

ORDINANCE ALLOWING EMERGENCY SHELTERS, AND SAFE PARKING - SAFE SHELTER PILOT PROGRAMS BY AMENDING TITLE III, DIVISION 1, CHAPTER 3.

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

SECTION 1. PURPOSE OF ADDITION TO THE ZONING REGULATION

Title III, Division 1, Chapter 3, Coastal Zoning Regulations, is hereby amended to include allowances for emergency shelters, and for Safe Parking/Safe Shelter Pilot Programs. The ordinance amendments allowing the pilot programs will have a limited duration of 18 months at which time they will no longer be allowed. The program reduces damage to coastal resources by designating a developed area for unhoused people to find shelter rather than seeking shelter in undeveloped areas of Humboldt County including areas set aside for the protection of coastal resources. Under the Pilot Program, a government agency, religious institution, non-profit charitable organization, or private non-profit organization may provide homeless individuals and families living in a vehicle a safe place to park at no cost while accessing services to end their homelessness. This ordinance adds section 313-61.05 and amends sections 313-140, 313-154, and 313-171 in Chapter 3 of Division 1 of Title III of the County Code.

SECTION 2. SAFE PARKING/SAFE SHELTER PILOT ORDINANCE

Section 313-61 creating a Safe Parking/Safe Shelter Pilot Program in Title III, Division 1, Chapter 4 of the Humboldt County Code is hereby amended by adding the following (additions are shown in underline text):

313-61.05 SAFE PARKING AND SAFE SHELTER PILOT PROGRAM

61.05.1 Purpose and Duration.

The purpose of these regulations is to facilitate development of a pilot program to provide safe, temporary shelter sites that accommodate vehicles, tents, or other approved structures for people who are experiencing homelessness while they seek permanent housing. Participation in the program is not conditioned on accepting the services offered. This ordinance and all Zoning Clearance Certificates issued pursuant to this ordinance shall expire and be automatically repealed eighteen months from the effective date.

Alternative #1: This ordinance and all Zoning Clearance Certificates issued pursuant to this ordinance shall expire and be automatically repealed eighteen months from the effective date unless the term of the ordinance and specified Zoning Clearance Certificates are extended by the Board of Supervisors.

The ordinance places a limit on the number of Safe Parking and Safe Shelter sites at ten (10) sites.

61.05.2 Applicability.

The Safe Parking and Safe Shelter programs must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization. Safe Parking and

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Safe Shelter programs that meet all of the following requirements are principally permitted in the CN, CG, and ML zones with a Zoning Clearance Certificate.

Alternative #2: Safe Parking and Safe Shelter programs that meet all of the following requirements are principally permitted in the CN, CG, and ML zones and on sites in other zoning districts with an existing church with a minimum verified congregation of 20 persons with a Zoning Clearance Certificate.

61.05.3 Site Requirements and Coastal Resource Protection

Safe Parking and Safe Shelter sites that meet all the following site requirements are allowed by a Zoning Clearance Certificate:

- (a) May accommodate up to 20 vehicles, tents, sleeping cabins, or other units that meet California Building Code Appendix X and California Residential Code Appendix O, Emergency Housing standards. Exception: A site operated under the Village Model Management Plan (defined in 65.05.6 (c)) is limited to 15 vehicles, tents, sleeping cabins, or other units that meet the standards above.
- (b) Must be located on a road or have a driveway that is accessible for emergency vehicles, trash pickup, and portable restroom service.
- (c) Must have drainage so there is no standing water in the areas used for sleeping.
- (d) Must be located at least 300 feet from another Safe Parking or Safe Shelter site.
- (e) If the site is an existing parking lot, no more than one half of the parking spaces may be occupied by vehicles, tents, or shelter units.
- (f) At the time of issuance of a zoning clearance certificate, the proposed site may not be occupied by unauthorized homeless individuals, vehicles or shelters, and properties in the abatement process are not eligible.
- (g) All Safe Parking – Safe Shelter zoning clearance certificates or special permits on the anniversary date of such issuance will be subject to an annual inspection by the County to verify compliance with this section and all terms of the approved Management Plan.

Exceptions: Exception to the site requirements in paragraphs (a) through (e) above may be allowed subject to a Special Permit in accordance with Humboldt County Code Section 312-5 et seq with a finding that the exception poses no additional risk to the health and safety of the occupants.

In addition to a Zoning Clearance Certificate, Safe Parking and Safe Shelter facilities on parcels with the following characteristics also require a Coastal Development Permit:

- 1) Lands within the Coastal Commission appeals jurisdiction.
- 2) Parcels within Special Combining Zones that protect coastal resources: A:

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Archaeological Resource Area and Special Archaeological Resource Area for Shelter Cove; B: Beach and Dune Areas; D: Design Review; E: Coastal Elk Habitat; R: Streams and Riparian Corridors; T: Transitional Agricultural Lands; and W: Coastal Wetland Areas Combining Zones;

- 3) Areas of active or historic landslides; areas of potential liquefaction; or areas along a bluff or cliff where the proposed Safe Parking and Safe Shelter site is within the "area of demonstration of stability" as defined in the relevant Local Coastal Program.
- 4) Proximity within 1,000 feet of a toxic cleanup site as designated by California Department of Toxic Substances.

Safe Parking and Safe Shelter sites are not permitted within Coastal Natural Resources areas as mapped on the County's GIS.

61.05.4 Vehicle and Shelter Types

(a) Safe Parking Sites

- (1) The type of vehicle and number of each vehicle type, if applicable, must be specified in the Management Plan and may include cars, vans, recreational vehicles ("RVs") or a combination of these.
- (2) All vehicles parked overnight must be operable so they can be moved off the site under their own power.
- (3) A minimum of six feet clearance must be maintained between vehicles.

(b) Safe Shelter Sites

- (1) Tents, sleeping cabins, or other shelters are allowed as individual units if they meet California Building Code Appendix X and California Residential Code Appendix O, Emergency Housing.
- (2) A minimum of six feet clearance must be maintained between tents or units.
- (3) Each tent or unit must have an exit that leads directly to the outdoors/evacuation route.
- (4) Sleeping cabins must have light and ventilation.

61.05.5 Operating Standards

- (a) Vehicles, tents or shelter units must meet the minimum yard setbacks of the applicable zoning district.
- (b) Outdoor lighting must be shielded and directed away from adjoining properties.
- (c) If the site allows recreational vehicles, no disposal of graywater or blackwater from recreational vehicles is permitted at the site, unless the Provider documents the Division of Environmental Health has approved the septic system for that use and details of the septic system and leachfield are included in its Management Plan.

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(d) Hours of operation are limited to overnight hours set by the Provider in its Management Plan.

(1) Exception: A program that qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662 and meets all the criteria below may specify 24-hour operation in the Provider's Management Plan if it provides appropriate staffing. Low Barrier Navigation Center programs include all the following components:

- i. The program offers services to connect people to permanent housing through a services plan that identifies services staffing.
- ii. The program is linked to a coordinated entry system, so that staff may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system designed to coordinate program participant intake, assessment, and referrals as described in Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements.
- iii. The program complies with Housing First as set forth in Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- iv. The program has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System (HMIS) as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
- v. A site that operates as a Low Barrier Navigation Center under Government Code Section 65660 and 65662 may specify a length of stay longer than six (6) months, as set forth in the Provider's Management Plan, defined in 65.05.6 (c).

(2) Exception: A program operated under the Village Model Management Plan may choose to provide 24/7 service if it is limited to 15 vehicles, tents, sleeping cabins, or other units that meet California Emergency Housing Standards, and at least two employee or volunteer staff remain on site at all times, as set forth in the Provider's Management Plan.

61.05.6 Safe Parking/Safe Shelter Provider Requirements

- (a) A Safe Parking or Safe Shelter program must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization, or a party contracted by the above ("Provider"). Providers are responsible for monitoring compliance with its approved Management Plan described below and notifies emergency services in the event of an emergency.
- (b) The Provider must provide for, or provide access to all of the following:
 - (1) Sanitary facilities, including toilet and hand-washing;
 - (2) Shower facilities or access to showers;

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- (3) Facilities accessible to persons with disabilities (20% of spaces or units, including sanitary facilities)
 - (4) Garbage containers and trash disposal services; and
 - (5) Secure storage facilities for personal items, but storage of such items must not create a fire-life-safety hazard.
- (c) The Provider must have an approved Management Plan prior to opening its facility for use. The Provider may use one of three pre-approved Model Safe Parking/Safe Shelter Plans, available on file with the Planning and Building Department: (1) a Minimal Requirements Model designed for overnight programs, (2) a Village Model with fewer spaces, participants as staff, and capability for 24-hour operation, or (3) a service-intensive Low Barrier Model. The Plans describe the services provided including all of the following:
1. Hours of operation;
 2. Number of parking spaces or tent/shelter units;
 3. The services and amenities to be provided;
 4. Staffing levels;
 5. Neighborhood outreach program;
 6. Rules governing participant intake and selection, a written participant agreement, and procedures for periodic reviews, extensions, and removals;
 7. A security plan ensuring adequate health and safety of management and visitors on-site, and a process to avoid potential nuisances near the site. The Provider must demonstrate that local emergency services including the Sheriff's Office, the local fire department and the appropriate ambulance operators have been notified of the shelter's operation.
- Programs that accommodate tents, cabins, or other non-vehicle shelter types must also include in their approved Management Plans Appendix A, detailing plans to comply with the Emergency Housing building code.
- (d) A Provider may amend voluntary provisions of its Management Plan not included in these requirements by filing an update with the Planning Department, posting the changes as provided in the plan, and notifying neighbors as part of its Neighborhood Outreach Plan.
- (e) Providers operating Safe Parking/Safe Shelter facilities must annually track and report to the County by September 30 of each year the following details of the use of their facility:
- i. # persons served by month;
 - ii. # persons served whose residence was or is a vehicle;
 - iii. # persons served who are no longer in need of a homeless shelter

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- i. # persons who have moved into permanent supportive housing;
- iv. Average percent occupancy of safe parking and safe shelter sites.

61.05.7 Zoning Clearance Certificate Revocation

61.05.7.1 Grounds for Revocation

The Director may initiate proceedings to revoke the zoning clearance certificate for a Safe Parking – Safe Shelter site granted under this section if the Director has substantial evidence that:

- (a) the facility may not be in compliance with all applicable laws, which includes without limitation, any permit in connection with the facility, including a Coastal Development Permit, and any associated conditions with such permit(s);
- (b) the facility failed to comply with objective standards in this section;
- (c) the facility failed to comply with its Management Plan in a way that poses harm to the health and safety of its participants or the community, or to coastal resources;
- (d) activities at the facility constitute a nuisance as defined in Section 351-3 of the Humboldt County Code.

61.05.7.2 Notice

Before the Director may initiate a public hearing to revoke any zoning clearance certificate for a Safe Parking – Safe Shelter site, the Director must issue a written notice to the Provider that specifies (i) the facility; (ii) the violation(s) to be corrected; (iii) the timeframe in which the Provider must correct such violation(s); and (iv) that, in addition to all other rights and remedies the county may pursue, the county may initiate revocation proceedings for failure to correct such violation(s) in the specified timeframe.

61.05.7.3 Hearing

A zoning clearance certificate granted under this section may be revoked pursuant to 61.05.7.1 only by the Board of Supervisors after a duly noticed public hearing.

61.05.7.4 No Appeals

Any decision by the Board of Supervisors to revoke or not revoke a zoning clearance certificate is final and not subject to further appeals. Within five business days after the Board of Supervisors adopts a resolution to revoke the zoning clearance certificate, the Director will provide the permittee with a written notice that specifies the revocation and the reasons for such revocation.

SECTION 3. DEFINITIONS

Sections 313-140 and 313-154 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

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313-140 DEFINITIONS (E)

Add as follows:

Emergency Shelter means housing with or without supportive services for persons experiencing homelessness that is limited to occupancy of six months or less, as defined in Section 50801(e) of the California Health and Safety Code. An emergency shelter may be the principal or an ancillary use on the lot. No individual or household may be denied emergency shelter because of an inability to pay. Emergency shelter operations may be seasonal or year-round, and must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

313-154 DEFINITIONS (S)

Add as follows:

Safe Parking Program means a program that provides homeless individuals and families living in a vehicle a safe place to park while accessing services to end their homelessness. No rent or fee may be charged. Occupancy is limited to six months unless the program qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662. Safe parking may be the principal or an ancillary use on the lot. Safe parking programs must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

Safe Shelter Program means a program that provides homeless individuals and families a safe place to sleep in tents or other structures that meet California Building Code Appendix X Emergency Housing standards, while accessing services to end their homelessness. No rent may be charged. Occupancy is limited to six months or less unless the program qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662. Safe Shelter programs may be the principal or an ancillary use on the lot. Safe Shelter programs must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

SECTION 4. USE TYPE

Section 313-171.1, Civic Use Type, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text)):

313-171 CIVIC USE TYPES

171.5 ESSENTIAL SERVICES

The Essential Services Use Type includes uses which are necessary to support principal development. Typical Essential Services uses include: Former Section CZ#A313-6(B))

171.5.1 Fire and police stations; (Former Section CZ#A313-6(B)(1))

171.5.2 Ambulance services; (Former Section CZ#A313-6(B)(2))

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171.5.3 Post offices, excluding major processing centers; (Former Section CZ#A313-6(B)(3))

171.5.4 Dumpster sites, solid waste transfer stations, and road maintenance yards; (Former Section CZ#A313-6(B)(4))

171.5.5 Community wells, water storage tanks, and associated water treatment facilities. (Former Section CZ#A313-6(B)(5))

171.5.6 Public, parochial and private day-care centers, family day care centers, nursery schools, elementary, junior high, and high schools. (Former Section CZ#A313-6(B)(6); (Ord. 1842, Sec. 18, 8/16/1988)

171.5.7 Public and parochial parks, playgrounds and playing fields. (Former Section CZ#A313-6(B)(7)), Safe Parking and Safe Shelter Sites

171.5.8 Emergency Shelters, Safe Parking Programs and Safe Shelter Programs

SECTION 10. EFFECTIVE DATE.

This ordinance shall become effective immediately upon certification by the Coastal Commission.

PASSED AND ADOPTED this _____ day of _____, 2022, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Virginia Bass, Chair
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

By: _____
Nicole Turner, Deputy Clerk

Date:

ATTACHMENT 3

**ORDINANCE NO. _____,
ADDING SECTION 314-61.05 AMENDING SECTIONS 314-140, 314-154, 314-109 AND
314-177, AND AMENDING TABLES IN SECTIONS 314-2, 314-3, AND 314-6 OF
CHAPTER 4 OF DIVISION 1 OF TITLE III OF THE HUMBOLDT COUNTY CODE,
CREATING A SAFE PARKING/SAFE SHELTER PILOT PROGRAM.**

SAFE PARKING/SAFE SHELTER PILOT PROGRAM - INLAND

ORDINANCE CREATING A SAFE PARKING/SAFE SHELTER PILOT PROGRAM BY AMENDING TITLE III, DIVISION 1, CHAPTER 4.

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

SECTION 1. PURPOSE OF ADDITION TO THE ZONING REGULATION

Title III, Division 1, Chapter 4, Inland Zoning Regulations, is hereby amended to include a Safe Parking/Safe Shelter Pilot Program with a duration of 18 months. The program allows a government agency, religious institution, non-profit charitable organization, or private non-profit organization to provide homeless individuals and families living in a vehicle a safe place to park at no cost while accessing services to end their homelessness. This ordinance adds section 314-61.05 and amends sections 314-140, 314-154, and 314-177, and amends associated zoning tables in Chapter 4 of Division 1 of Title III of the County Code.

SECTION 2. SAFE PARKING/SAFE SHELTER PILOT ORDINANCE

Section 314-61 creating a Safe Parking/Safe Shelter Pilot Program in Title III, Division 1, Chapter 4 of the Humboldt County Code is hereby amended and added to as follows (additions are shown in underline text):

314-61.05 SAFE PARKING AND SAFE SHETLER PILOT PROGRAM

61.05.1 Purpose and Duration.

The purpose of these regulations is to facilitate development of a pilot program to provide safe, temporary shelter sites that accommodate vehicles, tents, or other approved structures for people who are experiencing homelessness while they seek permanent housing. Participation in the program is not conditioned on accepting the services offered. This ordinance and all Zoning Clearance Certificates issued pursuant to this ordinance shall expire and be automatically repealed eighteen months from the effective date.

Alternative #1: This ordinance and all Zoning Clearance Certificates issued pursuant to this ordinance shall expire and be automatically repealed eighteen months from the effective date unless the term of the ordinance and specified Zoning Clearance Certificates are extended by the Board of Supervisors.

The ordinance places a limit on the number of Safe Parking and Safe Shelter sites at ten (10) sites.

61.05.2 Applicability.

The Safe Parking and Safe Shelter programs must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization. Safe Parking and Safe Shelter programs that meet all of the following requirements are principally permitted in the C-1, C-2, C-3, ML, R-3, MU1 and MU2 zoning districts with a Zoning Clearance Certificate.

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Alternative #2: Safe Parking and Safe Shelter programs that meet all of the following requirements are principally permitted in the C-1, C-2, C-3, ML, R-3, MU1 and MU2 zoning districts and on sites in other zoning districts with an existing church with a minimum verified congregation of 20 persons with a Zoning Clearance Certificate.

61.05.3 Site Requirements

Safe Parking and Safe Shelter sites:

- (a) May accommodate up to 20 vehicles, tents, sleeping cabins, or other units that meet California Building Code Appendix X and California Residential Code Appendix O, Emergency Housing standards. Exception: A site operated under the Village Model Management Plan (defined in 65.05.6 (c)) is limited to 15 vehicles, tents, sleeping cabins, or other units that meet the standards above.
- (b) Must be located on a road or have a driveway that is accessible for emergency vehicles, trash pickup, and portable restroom service.
- (c) Must have drainage so there is no standing water in the areas used for sleeping.
- (d) Must be located at least 300 feet from another Safe Parking or Safe Shelter site.
- (e) If the site is an existing parking lot, no more than one half of the parking spaces may be occupied by vehicles, tents, or shelter units.
- (f) At the time of issuance of a zoning clearance certificate, the proposed site may not be occupied by unauthorized homeless individuals, vehicles or shelters, and properties in the abatement process are not eligible.
- (g) All Safe Parking – Safe Shelter zoning clearance certificates or special permits on the anniversary date of such issuance will be subject to an annual inspection by the County to verify compliance with this section and all terms of the approved Management Plan.

Exceptions to parts (a)-(e) above may be allowed subject to a Special Permit in accordance with Humboldt County Code Section 312-5 et seq with a finding that the exception poses no additional risk to the health and safety of the occupants.

61.05.4 Vehicle and Shelter Types

(a) Safe Parking Sites

- i. The type of vehicle and number of each vehicle type, if applicable, must be specified in the Management Plan and may include cars, vans, recreational vehicles (“RVs”) or a combination of these.
- ii. All vehicles parked overnight must be operable so they can be moved off the site under their own power.
- iii. A minimum of six feet clearance must be maintained between vehicles.

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(b) Safe Shelter Sites

- i. Tents, sleeping cabins, or other shelters are allowed as individual units if they meet California Building Code Appendix X and California Residential Code Appendix O, Emergency Housing.
- ii. A minimum of six feet clearance must be maintained between tents or units.
- iii. Each tent or unit must have an exit that leads directly to the outdoors/evacuation route.
- iv. Sleeping cabins must have light and ventilation.

61.05.5 Operating Standards

- (2) Vehicles, tents or shelter units must be at least five feet from any property line.
 - (3) Outdoor lighting must be shielded and focused away from adjoining properties.
 - (4) If the site allows recreational vehicles, no disposal of graywater or blackwater from recreational vehicles is permitted at the site, unless the Provider shows documentation for legal disposal in its Management Plan.
 - (5) Hours of operation are limited to overnight hours as specified in the Provider's Management Plan.
- A. Exception. A program that qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662 may specify 24-hour operation in the Provider's Management Plan if it provides appropriate staffing. Low Barrier Navigation Center programs include all the following components:
- i. The program offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - ii. The program is linked to a coordinated entry system, so that staff may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system designed to coordinate program participant intake, assessment, and referrals as described in Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements.
 - iii. The program complies with Housing First as set forth in Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
 - iv. The program has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System (HMIS) as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
 - v. A site that operates as a Low Barrier Navigation Center under Government Code Section 65660 and 65662 may specify a length of stay longer than six (6) months.

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as set forth in the Provider's Management Plan, defined in 65.05.6 (c).

- B. Exception: A program operated under the Village Model Management Plan described below may choose to provide 24/7 service if it is limited to 15 vehicles, tents, sleeping cabins, or other units that meet California Emergency Housing Standards, and at least two employee or volunteer staff remain on site at all times, as set forth in the Provider's Management Plan.

61.05.6 Safe Parking/Safe Shelter Provider

- (a) A Safe Parking or Safe Shelter program must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization, or a party contracted by the above ("Provider"). A Provider monitors compliance with its written Management Plan and notifies emergency services in the event of an emergency.
- (b) The Provider must provide for, or provide access to all of the following:
- i. Sanitary facilities, including toilet and hand-washing;
 - ii. Shower facilities or access to showers;
 - iii. Facilities accessible to persons with disabilities (20% of spaces or units, including sanitary facilities)
 - iv. Garbage containers and trash disposal services; and
 - v. Secure storage facilities for personal items, but storage of such items must not create a fire-life-safety hazard.
- (c) The Provider must have an approved Management Plan prior to opening its facility for use. The Provider may use one of three pre-approved Model Safe Parking/Safe Shelter Plans, available on file with the Planning and Building Department: (1) a Minimal Requirements Model designed for overnight programs, (2) a Village Model with fewer spaces, participants as staff, and capability for 24-hour operation, or (3) a service-intensive Low Barrier Model. The Plans describe the services provided including all of the following:
1. Hours of operation;
 2. Number of parking spaces or tent/shelter units;
 3. The services and amenities to be provided;
 4. Staffing levels;
 5. Neighborhood outreach program;
 6. Rules governing participant intake and selection, a written participant agreement, and procedures for periodic reviews, extensions, and removals;
 7. A security plan ensuring adequate health and safety of management and visitors on-site, and a process to avoid potential nuisances near the site. The Provider must demonstrate that local emergency services including the Sheriff's Office, the local

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fire department and the appropriate ambulance operators have been notified of the shelter's operation.

Programs that accommodate tents, cabins, or other non-vehicle shelter types must submit Appendix A, detailing plans to comply with the Emergency Housing building code.

(d) A Provider may amend voluntary provisions of its Management Plan by filing an update with the Planning Department, posting the changes as provided in the plan, and notifying neighbors as part of its Neighborhood Outreach Plan.

(e) Providers operating Safe Parking/Safe Shelter facilities must annually track and report to the County by September 30 of each year the following details of the use of their facility:

- i. # of persons served by month;
- ii. # of persons served whose residence was or is a vehicle;
- iii. # of persons served who are no longer in need of a homeless shelter
 - i. # of persons who have moved into permanent supportive housing;
- iv. Average percent occupancy of safe parking and safe shelter sites.

61.05.7 Zoning Clearance Certificate Revocation

61.05.7.1 Grounds for Revocation

The Director may initiate proceedings to revoke the zoning clearance certificate for a Safe Parking – Safe Shelter site granted under this section if the Director has substantial evidence that:

- (a) the facility may not be in compliance with all applicable laws, which includes without limitation, any permit in connection with the facility and any associated conditions with such permit(s);
- (b) the facility failed to comply with objective standards in this section;
- (c) the facility failed to comply with its Management Plan in a way that poses harm to the health and safety of its participants or the community; or
- (d) activities at the facility constitute a nuisance as defined in Section 351-3 of the Humboldt County Code.

61.05.7.2 Notice

Before the Director may initiate a public hearing to revoke any zoning clearance certificate for a Safe Parking – Safe Shelter site, the Director must issue a written notice to the Provider that specifies (i) the facility; (ii) the violation(s) to be corrected; (iii) the timeframe in which the Provider must correct such violation(s); and (iv) that, in addition to all other rights and remedies the county may pursue, the county may initiate revocation proceedings for failure to correct such

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violation(s) in the specified timeframe.

61.05.7.3 Hearing

A zoning clearance certificate granted under this section may be revoked pursuant to 61.05.7.1 only by the Board of Supervisors after a duly noticed public hearing.

61.05.7.4 No Appeals

Any decision by the Board of Supervisors to revoke or not revoke a zoning clearance certificate is final and not subject to further appeals. Within five business days after the Board of Supervisors adopts a resolution to revoke the zoning clearance certificate, the Director will provide the permittee with a written notice that specifies the revocation and the reasons for such revocation.

SECTION 3. DEFINITIONS

Sections 314-140 and 314-154 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

314-140 DEFINITIONS (E)

Amend as follows:

~~**Emergency Shelter:** Boarding or lodging services usually in a dormitory or congregate setting provided by a public or non-profit organization without direct compensation to persons without permanent housing and where the majority of people utilizing such services remain for periods of less than one (1) month. Operations may be seasonal or year-round and client services such as counseling, medical evaluation and job/life skills training may be offered in addition to food, showers and sleeping accommodations. (Ord. 2335, 12/14/2004)~~

Emergency Shelter means housing with or without supportive services for persons experiencing homelessness that is limited to occupancy of six months or less, as defined in Section 50801(e) of the California Health and Safety Code. An emergency shelter may be the principal or an ancillary use on the lot. No individual or household may be denied emergency shelter because of an inability to pay. Emergency shelter operations may be seasonal or year-round, and must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

314-154 DEFINITIONS (S)

Add as follows:

Safe Parking means a program that provides homeless individuals and families living in a vehicle a safe place to park while accessing services to end their homelessness. No rent or fee may be charged. Occupancy is limited to six months unless the program qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662. Safe parking may be the

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principal or an ancillary use on the lot. Safe parking programs must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

Safe Shelter Program means a program that provides homeless individuals and families a safe place to sleep in tents or other structures that meet California Building Code Appendix X Emergency Housing standards, while accessing services to end their homelessness. No rent may be charged. Occupancy is limited to six months or less unless the program qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662. Safe Shelter programs may be the principal or an ancillary use on the lot. Safe Shelter programs must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

SECTION 4. RESIDENTIAL USE TYPES

Section 314-177, Residential Use Types, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text)):

314-177.1 EMERGENCY SHELTER

The Emergency Shelter Use Type includes temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, individual shelters, tents or other structures, or safe parking. Emergency shelter is provided by a public or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services such as counseling, medical evaluation and job/life skills training may be offered in addition to food, showers and sleeping accommodations.

SECTION 5. PARKING

Section 314-109.1.3.1.5 is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text)):

109.1.3.1.5 Emergency Shelters. ~~One (1) space for each ten (10) beds plus one (1) space for each employee at peak shift.~~ One (1) space per employee working in the emergency shelter, but not more than the parking required for other residential or commercial uses within the same zone.

SECTION 6. COMMERCIAL ZONE REGULATIONS

Tables in Section 314-2 regarding Commercial Zone Regulations in Title III, Division 1, Chapter 4 of the Humboldt County Code are amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

314-2.1	C-1: NEIGHBORHOOD COMMERCIAL
Principal Permitted Uses	

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314-2.1	C-1: NEIGHBORHOOD COMMERCIAL
Social halls, fraternal and social organizations, and clubs.	
Professional and business offices, and commercial instruction.	
Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries.	
Sales of used and secondhand goods when appurtenant to any of the foregoing.	
Caretaker’s Residence which is incidental to and under the same ownership as an existing commercial use. (Added by Ord. 2166 , Sec. 14, 4/7/98)	
Within Housing Opportunity Zones, multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-1 Zone.	
Emergency Shelters, within areas mapped to specifically allow emergency shelters as a principally permitted use	
Uses Permitted with a Special Permit	
Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated “Principally Permitted” or “Conditionally Permitted” in the C-1 Zone, as well as emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use.	

314-2.1	C-1: NEIGHBORHOOD COMMERCIAL
Principal Permitted Uses	
Social halls, fraternal and social organizations, and clubs.	
Professional and business offices, and commercial instruction.	
Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry	

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314-2.1	C-1: NEIGHBORHOOD COMMERCIAL
agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries.	
Sales of used and secondhand goods when appurtenant to any of the foregoing.	
Caretaker’s Residence which is incidental to and under the same ownership as an existing commercial use. (Added by Ord. 2166 , Sec. 14, 4/7/98)	
Within Housing Opportunity Zones, multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-1 Zone.	
Emergency Shelters, within areas mapped to specifically allow emergency shelters as a principally permitted use	
Uses Permitted with a Special Permit	
Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated “Principally Permitted” or “Conditionally Permitted” in the C-1 Zone, as well as emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use.	

314-2.2	C-2: COMMUNITY COMMERCIAL
Principal Permitted Uses	
Social halls, fraternal and social organizations, and clubs.	
Professional and business offices, and commercial instruction.	
Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries. (From Section INL#314-34(a)(3))	
Caretaker’s Residence which is incidental to and under the same ownership as an existing commercial use. (From Section INL#314-34(a)(5); Added by Ord. 2166, Sec. 14, 4/7/98)	
Stores, agencies and services such as minor automobile repair; new automobile, trailer and boat sales, and used automobile, trailer and boat sales appurtenant thereto; bowling alleys; licensed premises not	

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<u>314-2.2</u>	C-2: COMMUNITY COMMERCIAL
appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, and storage warehouses. (From Section INL#314-34(b)(3); Ord. 1086, Sec. 8, 7/13/76)	
Within Housing Opportunity Zones multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-2 Zone	
Emergency Shelters, within areas mapped to specifically allow emergency shelters as a principally permitted use	
Uses Permitted with a Special Permit	
Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated “Principally Permitted” or “Conditionally Permitted” in the C-2 Zone, as well as emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use. (Added by Ord. 2313A, 12/16/2003, Amended by Ord 2235, 12/14/2004)	
Single Room Occupancy Facilities which are conversions of existing buildings (Amended by Ord. 2472, Sec. 1, 2/14/12)	

<u>314-2.3</u>	C-3: INDUSTRIAL COMMERCIAL
Use Type	Principal Permitted Use
Commercial Use Types	Automotive Sales, Service and Repair Office and Professional Service Warehousing, Storage and Distribution
Industrial Use Types	Cottage Industry Research/Light Industrial
Residential Use Types	Emergency Shelters, within areas mapped to specifically allow emergency shelters as a principally permitted use Within Housing Opportunity Zones multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-3 Zone. (Amended by Ord. <u>2472</u> , Sec. 1, 2/14/12)
Use Type	Uses Permitted with a Special Permit
Residential Use Types	Outside Housing Opportunity Zones, residential Uses Subordinate to the Permitted Use including caretaker’s residences and apartments on the

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314-2.3	C-3: INDUSTRIAL COMMERCIAL
	<p>upper floors of multistory structures where below are establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-3 Zone, as well as emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use.</p> <p>Single Room Occupancy Facilities which are conversions of existing buildings. (Added by Ord. 2313A, 12/16/03, Amended by Ord. 2335, 12/14/04)</p>

SECTION 7. INDUSTRIAL ZONE REGULATIONS

Tables in Section 314-3 regarding Industrial Zone Regulations in Title III, Division 1, Chapter 4 of the Humboldt County Code are amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

314-3.2	ML: LIMITED INDUSTRIAL
Principal Permitted Uses	
Small animal hospitals completely enclosed within a building. (From Section INL#314-37(b)(2); Ord. 1086 , Sec. 8, 7/13/76)	
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors’ yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards, metal-working shops, wholesale outlet stores, painters’ and decorators’ yards, plumbing shops, printing, lithographing and major auto repair. (From Section INL#314-37(b)(3); Ord. 1086 , Sec. 8, 7/13/76)	
Administrative, business and professional offices. (From Section INL#314-43(a)(2))	
Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, and research and development laboratories. (From Section INL#314-43(a)(3))	
Emergency shelters, within areas mapped to specifically allow emergency shelters as a principally permitted use.	
Uses Permitted with a Special Permit	
Single room occupancy facilities which are conversions of existing buildings.	
Uses Permitted with a Use Permit	

SAFE PARKING/SAFE SHELTER PILOT PROGRAM - INLAND

314-3.2	ML: LIMITED INDUSTRIAL
Dwellings, accessory dwelling units, manufactured homes, hotels, motels, emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use , and manufactured home parks. (Amended by Ord. 2335 , 12/14/04)	
Animal hospitals and kennels.	
Animal feed and sales yards.	
Manufacture of furniture, finished paper and paper products.	
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the ML zone.	

SECTION 8. MIXED USE ZONE REGULATIONS

Tables in Section 314-9 regarding Mixed Use Zone Regulations in Title III, Division 1, Chapter 4 of the Humboldt County Code are amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

314-9.1	MU1: MIXED USE (URBAN)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings and Multiple Dwellings and Dwelling Groups Single-Family Residential Accessory Dwelling Unit Guest House <u>Emergency Shelter</u>
Commercial Use Types	Neighborhood Commercial Retail Sales and Retail Services Transient Habitation Office and Professional Service Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations Commercial and Private Recreation
Civic Use Types	Minor Utilities Essential Services Conducted Entirely within an Enclosed Building

SAFE PARKING/SAFE SHELTER PILOT PROGRAM - INLAND

314-9.1	MU1: MIXED USE (URBAN)
	Community Assembly Public and Parochial Parks, Playgrounds and Playing Fields Noncommercial Recreation
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Use Type	Conditionally Permitted Use
Civic Use Types	Public Recreation and Open Space Minor Generation and Distribution Facilities

314-9.2	MU2: MIXED USE (RURAL)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings Single-Family Residential Accessory Dwelling Unit Guest House <u>Emergency Shelter</u>
Commercial Use Types	Neighborhood Commercial Retail Sales and Retail Services Office and Professional Service Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations Commercial and Private Recreation
Civic Use Types	Minor Utilities Essential Services Conducted Entirely within an Enclosed Building Community Assembly Public and Parochial Parks, Playgrounds and Playing Fields Noncommercial Recreation
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Agricultural Use Types	General Agriculture

SAFE PARKING/SAFE SHELTER PILOT PROGRAM - INLAND

314-9.2	MU2: MIXED USE (RURAL)
Use Type	Conditionally Permitted Use
Residential Use Types	Multiple Dwellings Containing Four (4) or Fewer Units per Building Manufactured Home Parks
Commercial Use Types	Heavy Commercial Transient Habitation
Civic Use Types	Public Recreation and Open Space Minor Generation and Distribution Facilities
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 MU zone.

SECTION 9. RESIDENTIAL ZONE REGULATIONS

Tables in Section 314-6 regarding Residential Zone Regulations in Title III, Division 1, Chapter 4 of the Humboldt County Code are amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

<u>314-6.4</u>	R-3: RESIDENTIAL MULTIPLE FAMILY
Principal Permitted Uses	
Two-family dwellings. (Amended by Ord. <u>2166</u> , 4/7/98)	
Accessory dwelling unit.	
Dwelling groups and multiple dwellings containing four or fewer units per building. (Amended by Ord. <u>2313A</u> , 12/16/03)	
Keeping of no more than two (2) household pets for each dwelling unit.	
Emergency shelters, within areas mapped to specifically allow emergency shelters as a principally permitted use.	

SAFE PARKING/SAFE SHELTER PILOT PROGRAM - INLAND

314-6.4	R-3: RESIDENTIAL MULTIPLE FAMILY
Single room occupancy facilities.	
Uses Permitted with a Use Permit	
Hotels, motels, manufactured home parks, and rooming and boarding houses, and emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use. (Amended by Ord. 2335 , 12/14/04)	
Private institutions.	
Professional offices.	
One-family dwellings and accessory dwelling units 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. (Added by Ord. 2166 , Sec. 12, 4/7/98)	
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the R-3 zone.	

SAFE PARKING/SAFE SHELTER PILOT PROGRAM - INLAND

SECTION 10. EFFECTIVE DATE.

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

PASSED AND ADOPTED this _____ day of _____, 2022, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Virginia Bass, Chair
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

By: _____
Nicole Turner, Deputy Clerk

Date:

ATTACHMENT 4

**ORDINANCE NO. _____,
ADDING SECTION 314-47.1, EMERGENCY HOUSING UNDER SHELTER CRISIS
DECLARATION, TO CHAPTER 4 OF DIVISION 1 OF TITLE III OF THE
HUMBOLDT COUNTY CODE.**

REVIEW DRAFT

ORDINANCE RELATING TO EMERGENCY HOUSING UNDER SHELTER CRISIS DECLARATION, AMENDING TITLE III, DIVISION 1, CHAPTER 4.

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

SECTION 1. PURPOSE OF SHELTER CRISIS ORDINANCE.

Title III, Division 1, Chapter 4, Inland Zoning Regulations, is hereby amended to include Emergency Housing Under Shelter Declaration, allowing the County to facilitate the development of emergency shelters on county-owned or county-leased land. The ordinance proposed here meets the County's obligation under AB 2553 (2020) by adopting a local ordinance to ensure compliance with building codes for Emergency Housing (Appendix O and X), and by establishing certain required reporting. This ordinance will allow emergency shelters to be developed during a shelter crisis on county-owned or county-leased land to be exempt from environmental review under CEQA, to substitute standard building codes with emergency standards, to avoid liability for ordinary negligence, and to suspend certain laws regarding occupation of mobile homes and recreational vehicles. This ordinance adds section 314-47.1 in Chapter 4 of Division 1 of Title III of the County Code.

SECTION 2. SAFE PARKING/SAFE TENT PILOT ORDINANCE

Section 314-47.1 creating a Safe Parking/Safe Tent Pilot Program in Title III, Division 1, Chapter 4 of the Humboldt County Code is hereby added as follows (additions are shown in underline text):

314-47.1 EMERGENCY HOUSING UNDER SHELTER CRISIS DECLARATION

47.1.1 Purpose

This section sets minimum local health and safety standards for structures within homeless shelters and facilities, effective for the duration of a Shelter Crisis declared under California Government Code Section 8698.4 and its subparts. The purpose of these standards is to mitigate the negative effects of the shelter crisis within the County while preserving the public health and safety of all of its citizens.

47.1.2 Applicability

This section applies to any Humboldt County facility for persons experiencing homelessness, including any facility for that purpose defined in this Code, that is located or constructed on any land owned or leased by the County of Humboldt, or land owned or leased jointly by the County and another public entity, for the duration of the crisis.

47.1.2.1 Joint Powers Agreements

The County's declaration of a shelter crisis and this ordinance will apply to any land owned or leased by an agency or entity created pursuant to the Joint Exercise of Powers Act (California Government Code commencing with Section 6500) if the County is one of the parties to the agreement creating the entity or agency and the real property owned or leased by the agency or entity is located within the jurisdiction of the County, or City and County.

47.1.3 Emergency Housing Standards Apply

Emergency Shelters, Low Barrier Navigation Centers, Day Shelters, Safe Parking, and any other facility defined in this Code serving persons experiencing homelessness, and that is located or constructed on County, or County and City owned property, must comply with California Residential Code Appendix X and California Building Code Appendix O (collectively referred to as “Emergency Housing Standards”) and any future standards adopted by the Department of Housing and Community Development related to emergency housing or emergency housing facilities. The Emergency Housing Standards are hereby adopted by the County of Humboldt, and apply to emergency housing and emergency housing facilities, as defined in Appendix O, section O102, of the California Building Code.

47.1.4 Reporting Requirements

Providers operating facilities under the scope of this section must track and report to the County at least annually, by September 30 of each year:

- (a) The total number of residents or clients served in the facility, by month;
- (b) The total number of those served whose residence was or is a vehicle;
- (c) The total number of residents who have moved from the homeless shelter into permanent supportive housing;
- (d) The number of residents who have exited the system and are no longer in need of a homeless shelter or permanent supportive housing;
- (e) The total number of residents who have exited the system;
- (f) The bed capacity of the facility, excluding safe parking for homeless persons.

ATTACHMENT 5 (A – E)

Provider's Management Plan

Safe Parking- Safe Shelter Facility

Low Barrier Model

Note: If tents, cabins, or other individual shelter unit types are allowed, please also attach *Appendix A, Tents, Cabins, and Non-Vehicle Shelter Standards*

Overview

The Low Barrier Model is for service-intensive programs without the cost or time to build traditional shelters, or to expand traditional shelters. Data collection and monitoring of participants is required; 24/7 operation is allowed at the provider's discretion. Accommodates pets, partners, possessions, and follows Housing First harm reduction philosophy.

Program Description

1. Name of Project
2. Site Address and Assessor's Parcel Number
3. Service Provider name and address
4. Service Provider contact person's name, email and phone number

This program qualifies as a Low Barrier Navigation Center under Government Code Section 65660 and 65662, meaning all of the following apply:

- It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- The program is linked to a coordinated entry system, so that staff may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system designed to coordinate program participant intake, assessment, and referrals as described in Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements.

- The program complies with Housing First as set forth in Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- The program has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System (HMIS) as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

5. Plot Plan (Please attach)

All Safe Parking/Safe Shelter operations must be conducted consistent with the attached Plot Plan, which is incorporated into this Management Plan by reference.

6. Hours of operation _____ Note: up to 24-hour operations are allowed for “Low-Barrier Shelters.” Hours of operation may be changed but must be incorporated in the Provider’s Program Rules and posted prominently at the site.

7. Quiet hours _____

8. Maximum number of parking spaces or tent/shelter units _____

Cars, vans, trucks

Trailers, RVs

Tents

Other (please describe)

9. The services and amenities to be provided

Required

___ Ability to serve individuals, couples and families with children, but not necessarily at one site

___ Ability to serve individuals with domestic pets

___ Sanitary facilities, including toilet and hand-washing

___ Shower facilities or access to showers

___ Facilities accessible to persons with disabilities (20% of spaces or units, including sanitary facilities)

___ Garbage containers and trash disposal services

___ Access to a telephone for use by participants

- ___ Access to charging equipment for devices
- ___ Secure storage for personal items
- ___ Client intake and waiting area
- ___ Supervision and security during all hours of operation
- ___ Designated facility for staff use, client waiting, intake, and consulting
- ___ Documentation of minimal rules required for Participants to maintain safety in order to allow use of the shelter by individuals and families who may not be able or willing to follow requirements at other shelters, such as sobriety requirements. (Provide details in the Host & Participant Agreement, attached)
- ___ Documentation of collaboration with partners who will provide services, including, without limitation, permanent housing assistance, mental health services, linkage to public assistance, stabilizing and supportive services, services for veterans, and health services. (Provide details; attach separate pages as needed)

Allowed and Recommended (but not required)

- ___ Site fencing
- ___ Security camera(s)
- ___ Access to electricity
- ___ Access to Wi-Fi
- ___ Laundry vouchers
- ___ Coolers and ice for food storage
- ___ Assistance with vehicle registration and securing a driver's license

Other (please describe)

10. Size of exterior and interior onsite waiting and client intake areas:

Pilot Startup and Site Inspection

11. Prior to issuance of the permit, a building inspector will visit the site to verify compliance

with code and this management plan.

12. An inspection of the site will be conducted on or before the anniversary date of permit issuance.

13. The Provider will use the following startup strategies:

___ outreach to potential participants;

___ publicizing criteria for participation;

___ making available the dates and times where intake will occur;

___ informing/engaging the local sheriff or code enforcement staff to facilitate startup;

___ other measures:

Community Integration

14. Neighborhood outreach plan

a. Property owners were contacted through

Meetings

Date(s) _____

Door to door notification

Date(s) _____

Other methods (list)

Date(s) _____

b. Safe Parking/Safe Shelter Program Rules have been made available to neighbors through the following method(s):

- c. Name and phone number of program staff member that has been designated for ongoing neighborhood outreach:
 Name: _____
 Phone Number: _____
- d. Frequency of ongoing neighborhood meetings is:
- e. The following measures will be taken to avoid potential nuisances near the site:

Operating Procedures

- 15. The length of stay is six months maximum for each participant, but Low Barrier sites may modify length of stay at the Provider's discretion.

Length of stay _____

Extensions allowed? (Yes/No) _____

Wait period between periods of participation? _____

Other conditions, procedures, or length of stay provisions:

- 16. Participants who are still unhoused and in need of shelter after the designated length of stay

- f. Will be notified _____ days in advance of the term end date.
- g. May reapply for renewed participation after a break period of _____.
- h. The break period _____ may / _____ may not be waived if open spaces are available.
- i. Other procedures _____.

- 17. Participants may exit or may be asked to exit the program by the following procedures:

18. Inoperable vehicles and abandoned items will be removed from the site by:

- ___ a contingency fund;
- ___ tow vouchers;
- ___ agreements with towing company;
- ___ repair vouchers;
- ___ other (determined by provider)

19. Participants will be selected according to the following rules and priorities:

- a.
- b.
- c.
- d.

(Use additional pages to if necessary)

20. A waiting list will be kept and administered as follows:

21. At the time of registration, participants must sign a Safe Parking/Safe Shelter Host & Participant Agreement. The agreement may be based on the Sample at the end of this Appendix, or the Provider may write its own Agreement. (Please attach a completed copy to the application)

22. The Provider's Program Rules and the Host & Participant Agreement will be posted prominently at the site, along with contact information for the Provider and onsite staff person.

23. Periodic reviews of Participant needs and circumstances will be conducted every _____ according to case management protocol. Reviews will discuss any changes in the Host & Participant Agreement for the Participant, and any violations of the Agreement that may have occurred since the last periodic review.

24. The following are required conditions of the Participant Agreement:

- a. Participants may not use or possess any weapons or firearms of any kind on the site.

b. Urinating and defecating outside the facilities provided is prohibited.

25. Staff will be on site at all times during hours of operation. The expected staffing level will be _____ employees on site. Onsite management will be conducted as follows:

(Attach additional pages as needed)

Records

26. Providers operating Safe Parking/Safe Shelter facilities must annually track and report to the County by September 30 of each year the following details of the use of their facility:

- i. # of persons served by month;
- ii. # of persons served whose residence was or is a vehicle;
- iii. # of persons served who are no longer in need of a homeless shelter
 - A. The # of persons who have moved into permanent supportive housing;
- iv. Average percent occupancy of safe parking and safe shelter sites.

Site Security

27. Security measures will be followed to ensure adequate health and safety of participants, staff, and visitors on-site. (Please check and describe all that apply)

Site fencing

Security camera(s)

Hired security

Staff person

Designated participant(s)

Other (describe)

28. The Provider notified the Sheriff's Office and the local fire department of the program's operation and contact information for the staff at the site on _____ (date).

Plan Modification or Revocation

24. A provider may amend voluntary provisions of this Management Plan by filing an update with the Planning Department and notifying neighbors as part of its Neighborhood Outreach Plan. Voluntary provisions are those written into the Plan by the provider.
25. The Planning Director may initiate proceedings to revoke the zoning clearance certificate for a Safe Parking – Safe Shelter site for any of the conditions cited in Section 61.05.7 of the County Code. A zoning clearance certificate may only be revoked by the Board of Supervisors after a duly noticed public hearing.

Safe Parking – Safe Shelter Pilot Program Hosts & Participants Agreement Sign-up and Release of Claims Agreement

Children:

Name	Age	Sex

For any child listed above, please give the name and number of any parent/s who is not staying in the vehicle or shelter. N/A

Emergency Contact (*Name, Phone/Address*):

Other relevant information: N/A

- I will cooperate with the host representatives to the fullest extent possible, will actively participate in services I select, and abide by all program rules.
- I agree to stay on the property and in the vehicle or shelter provided at my own risk, and will make no claim against the host if personal injury, loss of personal belongings or damage of personal property occurs while on the premises.
- I consider my stay on the property to be transitory and not subject to the California tenant laws. I understand that this shelter is being provided on a trial basis and that I may be asked to leave at any time.

Participant Signature: _____

Date: _____

Host Signature: _____

Date: _____

Safe Parking – Safe Shelter Pilot Program Hosts & Participants Agreement

Policy Agreement

1. _____, the Host, agrees to offer services on a voluntary basis to connect participants with permanent housing.
2. _____ abides by Housing First principles. No rent or fees are charged for services, nor is any individual or family denied participation because of inability to pay.
3. Individual shelters may not be entered or searched without a warrant. An exception exists in the case of an emergency that threatens health or safety of participants or staff.

I _____, the Participant, will adhere to the following rules and policies while participating in the Safe Parking/Safe Shelter Pilot Program at this location _____.
I will:

1. Allow only those listed on the Sign-Up and Release of Claims Agreement at the shelter.
2. Maintain the vehicle or shelter and surrounding area in a clean and organized condition.
3. Refrain from asking for money, goods, or services from staff, volunteers, employees, and other participants, other than those offered as part of the services provided.
4. Remember that other uses and activities exist on or around the site, and I agree to co-exist with those uses with minimum interference.
5. Recognize that other participants at the site have similar circumstances, needs, and challenges; I agree be considerate, and support and assist when I am able.
6. Refrain from physical, verbal, or emotional abuse toward any man, woman, child or animal.
7. Not engage in confrontational behavior while on or near the property.
8. Abide by the Provider’s Program Rules regarding possession or consumption of drugs or alcohol. Participants in violation will be removed from the program.
9. Smoke only in designated outside areas.
10. Not bring weapons of any kind onto property.

I understand that violation of these rules may result in a written warning, suspension of services, or immediate termination of services. I further understand that if I am asked to leave and do not do so or become disruptive, I will be subject to arrest for criminal trespass.

Signature: _____ Date: _____

Signature: _____ Date: _____

Host Signature: _____ Date: _____

Provider's Management Plan

Safe Parking-Safe Shelter Facility

Village Model

Note: If tents, cabins, or other individual shelter unit types are allowed, please also attach *Appendix A, Tents, Cabins, and Non-Vehicle Shelter Standards*

Overview

The Village Model is limited to fifteen vehicles or individual shelter units, and it may operate 24 hours at provider's choice. Two staff must be on site at all times; staff may be trained volunteers including trained participants. Participants are asked to accept the Provider's Community Agreement in order to take part in the Village pilot. Participants commit to a nominal number of volunteer hours per week for community projects and maintenance.

Program Description

1. Name of Project
2. Site Address and Assessor's Parcel Number
3. Service Provider name and address
4. Service Provider contact person's name, email and phone number

5. Plot Plan (Please attach)

All Safe Parking/Safe Shelter operations must be conducted consistent with the attached Plot Plan, which is incorporated into this Management Plan by reference.

6. Hours of operation may be overnight or 24/7 at the discretion of the provider. Note: if the facility operates 24 hours, item 22 is required.

Hours of operation _____

7. Quiet hours _____

8. A maximum of fifteen (15) parking spaces, tents, or individual shelter units are allowed per site. These may be:

Cars, vans, trucks _____
Trailers, RVs _____
Tents, sleeping cabins _____
Other (please describe)

9. The services and amenities to be provided

Required

- ___ Sanitary facilities, including toilet and hand-washing
- ___ Shower facilities or access to showers
- ___ Facilities accessible to persons with disabilities (20% of spaces or units, including sanitary facilities)
- ___ Garbage containers and trash disposal services
- ___ Access to a telephone for use by participants
- ___ Access to charging equipment for devices
- ___ Secure storage for personal items
- ___ Client intake and waiting area
- ___ Supervision and security during all hours of operation.

Allowed and Recommended (but not required)

- ___ Site fencing
- ___ Security camera(s)
- ___ Access to Wi-Fi
- ___ Access to electricity
- ___ Laundry vouchers
- ___ Coolers and ice for food storage
- ___ Assistance with vehicle registration and securing a driver's license
- ___ Ability to serve individuals with domestic pets.

Other (please describe)

10. Size of exterior or interior onsite waiting and client intake areas

Pilot Startup and Site Inspection

1. Prior to issuance of the permit, a building inspector will visit the site to verify compliance with code and this management plan.
2. An inspection of the site will be conducted on or before the anniversary date of permit issuance.
3. The Provider will use the following startup strategies:
 - ___ outreach to potential participants;
 - ___ publicizing criteria for participation;
 - ___ making available the dates and times where intake will occur;
 - ___ informing/engaging the local sheriff or code enforcement staff to facilitate startup;
 - ___ other measures:

Community Integration

4. Neighborhood outreach plan
 - a. Property owners were contacted through
 - Meetings
Date(s) _____
 - Door to door notification
Date(s) _____
 - Other methods (list)

Date(s) _____
 - b. Safe Parking/Safe Shelter Program Rules have been made available to neighbors through the following method(s):
 - c. Name and phone number of program staff member that has been designated for ongoing neighborhood outreach:

Name: _____

Phone Number: _____

- d. What is the frequency of ongoing neighborhood meetings?

- e. The following measures will be taken to avoid potential nuisances near the site:

DRAFT

Operating Procedures

5. Length of stay is six months maximum for each Participant. Participants who are still unhoused and in need of shelter after six months:

f. Will be notified _____ days in advance of the six-month end date.

g. May reapply for a new permit after a break period of _____.

(Note: Upon approval by the Provider, based on history and circumstances of the Participant, the break period requirement may be waived on a case-by-case basis.)

6. Participants may exit or may be asked to exit the program by the following procedures:

7. Inoperable vehicles and abandoned items will be removed from the site by:

___ a contingency fund;

___ tow vouchers;

___ agreements with towing company;

___ repair vouchers;

___ other (determined by provider)

8. Participants will be selected according to the following rules and priorities:

a.

b.

c.

d.

(Use additional pages to describe if necessary)

9. Participants may volunteer to commit to ___ hours of work per _____. The work requirement is _____ / is not _____ prerequisite to participation in the program.

10. A waiting list will be kept and administered as follows:

11. At the time of registration, participants must sign the attached Safe Parking/Safe Shelter Host & Participant Agreement. (Please attach a copy)
12. The Provider's Program Rules and a copy of the Host & Participant Agreement must be posted prominently at the site, along with contact information for the Provider and onsite staff person.
13. Periodic reviews of Participant needs and circumstances will be conducted every _____ (one week maximum). Reviews will discuss any changes in the Participant Agreement for the Participant, and any Participant Agreement violations that may have occurred since the last periodic review.
14. The following are minimum required conditions of the Participant Agreement:
 - a. Participants may not use or possess any weapons or firearms of any kind on the site.
 - b. Urinating and defecating outside the facilities provided is prohibited.
15. Staff will be on site at all times during hours of operation. The expected staffing level will be _____ employees on site.
16. If the site operates 24/7, at least two employee or volunteer staff must be on site at all times.
17. Onsite management will be conducted as follows:

(Attach additional materials if necessary)

Records

11. Providers operating Safe Parking/Safe Shelter facilities must annually track and report to the County by September 30 of each year the following details of the use of their facility:
 - i. # of persons served by month;
 - ii. # of persons served whose residence was or is a vehicle;
 - iii. # of persons served who are no longer in need of a homeless shelter
 - i. The # of persons who have moved into permanent supportive housing;
 - iv. Average percent occupancy of safe parking and safe shelter sites.

Site Security

18. Security measures will be followed to ensure adequate health and safety of participants, staff, and visitors on-site. (Please check and describe all that apply)

Site fencing

Security camera(s)

Hired security

Staff person

Designated participant(s)

Other (describe)

19. The Provider notified the Sheriff's Office and the local fire department of the program's operation and contact information for the staff at the site on _____ (date).

Plan Modification or Revocation

27. A provider may amend voluntary provisions of this Management Plan by filing an update with the Planning Department and notifying neighbors as part of its Neighborhood Outreach Plan. Voluntary provisions are those written into the Plan by the provider.
28. The Planning Director may initiate proceedings to revoke the zoning clearance certificate for a Safe Parking – Safe Shelter site for any of the conditions cited in Section 61.05.7 of the County Code. A zoning clearance certificate may only be revoked by the Board of Supervisors after a duly noticed public hearing.

Safe Parking – Safe Shelter Pilot Program Hosts & Participants Agreement Sign-up and Release of Claims Agreement

Children:

Name	Age	Sex

For any child listed above, please give the name and number of any parent/s who is not staying in the vehicle or shelter. N/A

Emergency Contact (*Name, Phone/Address*):

Other relevant information: N/A

- I will cooperate with the host representatives to the fullest extent possible, will actively participate in services I select, and abide by all program rules.
- I agree to stay on the property and in the vehicle or shelter provided at my own risk, and will make no claim against the host if personal injury, loss of personal belongings or damage of personal property occurs while on the premises.
- I consider my stay on the property to be transitory and not subject to the California tenant laws. I understand that this shelter is being provided on a trial basis and that I may be asked to leave at any time.

Participant Signature: _____

Date: _____

Host Signature: _____

Date: _____

Safe Parking – Safe Shelter Pilot Program Hosts & Participants Agreement Policy Agreement

1. _____, the Host, agrees to offer services on a voluntary basis to connect participants with permanent housing.
2. _____ abides by Housing First principles. No rent or fees are charged for services, nor is any individual or family denied participation because of inability to pay.
3. Individual shelters may not be entered or searched without a warrant. An exception exists in the case of an emergency that threatens health or safety of participants or staff.

I _____, the Participant, will adhere to the following rules and policies while participating in the Safe Parking/Safe Shelter Pilot Program at this location _____.
I will:

1. Allow only those listed on the Sign-Up and Release of Claims Agreement at the shelter.
2. Maintain the vehicle or shelter and surrounding area in a clean and organized condition.
3. Refrain from asking for money, goods, or services from staff, volunteers, employees, and other participants, other than those offered as part of the services provided.
4. Remember that other uses and activities exist on or around the site, and I agree to co-exist with those uses with minimum interference.
5. Recognize that other participants at the site have similar circumstances, needs, and challenges; I agree be considerate, and support and assist when I am able.
6. Refrain from physical, verbal, or emotional abuse toward any man, woman, child or animal.
7. Not engage in confrontational behavior while on or near the property.
8. Abide by the Provider’s Program Rules regarding possession or consumption of drugs or alcohol. Participants in violation will be removed from the program.
9. Smoke only in designated outside areas.
10. Not bring weapons of any kind onto property.

I understand that violation of these rules may result in a written warning, suspension of services, or immediate termination of services. I further understand that if I am asked to leave and do not do so or become disruptive, I will be subject to arrest for criminal trespass.

Signature: _____ Date: _____

Signature: _____ Date: _____

Host Signature: _____ Date: _____

Provider's Management Plan Safe Parking/Safe Shelter Facility Minimal Requirements Model

Note: If tents, cabins, or other individual shelter unit types are allowed, please also attach *Appendix A, Tents, Cabins, and Non-Vehicle Shelter Standards*

Overview

The Minimal Requirements Model is limited to twenty (20) vehicles or individual shelter units and operates overnight only, with minimal services. Cost is kept low by reduced staff requirements, and regulation that is less onerous than other models. Portable to rural areas, and can be tailored to available local resources.

Program Description

1. Name of Project
2. Site Address and Assessor's Parcel Number
3. Service Provider name and address
4. Service Provider contact person's name, email and phone number
5. Plot Plan (Please attach)

All Safe Parking/Safe Shelter operations must be conducted consistent with the attached Plot Plan, which is incorporated into this Management Plan by reference.

6. Hours of operation are overnight only. The maximum length of stay in Minimal Requirements Facilities is from 5:00 pm – 9:00 am. Note: longer hours of operation - up to 24 hours - are allowed for "Low-Barrier" and "Village Model" programs. Please use the Low Barrier Model or Village Model Safe Parking/Safe Shelter Plan as appropriate.

Hours of operation _____

7. Quiet hours _____

8. Maximum number of parking spaces or tent/shelter units _____

Cars, vans, trucks
Trailers, RVs
Tents, sleeping cabins
Other (please describe)

9. The services and amenities to be provided

Required

- Sanitary facilities, including toilet and hand-washing
- Shower facilities or access to showers
- Facilities accessible to persons with disabilities (20% of spaces or units, including sanitary facilities)
- Garbage containers and trash disposal services
- Access to a telephone for use by participants
- Access to charging equipment for devices
- Secure storage for personal items
- Client intake and waiting area.

Allowed and Recommended (but not required)

- Site fencing
- Security camera(s)
- Access to Wi-Fi
- Access to electricity
- Laundry vouchers
- Coolers and ice for food storage
- Assistance with vehicle registration and securing a driver's license
- Ability to serve individuals with domestic pets.

Other (please describe)

10. Size of exterior or interior onsite waiting and client intake areas

Pilot Startup and Site Inspection

11. Prior to issuance of the permit, a building inspector will visit the site to verify compliance with code and this management plan.
12. An inspection of the site will be conducted on or before the anniversary date of permit issuance.
13. The Provider will use the following startup strategies:
 - ___ outreach to potential participants;
 - ___ publicizing criteria for participation;
 - ___ making available the dates and times where intake will occur;
 - ___ informing/engaging the local sheriff or code enforcement staff to facilitate startup;
 - ___ other measures:

Community Integration

14. Neighborhood outreach plan

- a. Property owners were contacted through

Meetings

Date(s) _____

Door to door notification

Date(s) _____

Other methods (list)

Date(s) _____

- b. Safe Parking/Safe Shelter Program Rules have been made available to neighbors through the following method(s):

- c. Name and phone number of program staff member that has been designated for ongoing neighborhood outreach:
Name: _____
Phone Number: _____
- d. If ongoing neighborhood meetings are planned, what is the frequency?

- e. The following measures will be taken to avoid potential nuisances near the site:

Operating Procedures

15. Length of stay is six months maximum for each Participant. Participants who are still unhoused and in need of shelter after six months:

- f. Will be notified _____ days in advance of the six month end date.
- g. May reapply for a new permit after a break period of _____.

(Note: Upon approval by the Provider, based on history and circumstances of the Participant, the break period requirement may be waived on a case-by-case basis.)

16. Participants who are still unhoused and in need of shelter after the designated length of stay

- a. Will be notified _____ days in advance of the term end date.
- b. Other procedures _____.

17. Participants may exit or may be asked to exit the program by the following procedures:

18. Inoperable vehicles and abandoned items will be removed from the site by:

- ___ a contingency fund;
- ___ tow vouchers;
- ___ agreements with towing company;
- ___ repair vouchers;
- ___ other (determined by provider)

19. Participants will be selected according to the following rules and priorities:

- a.
- b.
- c.
- d.

(Use additional pages to describe if necessary)

20. A waiting list will be kept and administered as follows:

21. At the time of registration, participants must sign the attached Safe Parking/Safe Shelter Host & Participant Agreement. (Please attach a copy)

22. The Provider's Program Rules and the Host & Participant Agreement will be posted prominently at the site, along with contact information for the Provider and onsite staff person.

23. Periodic reviews of Participant needs and circumstances will be conducted every _____ (one week maximum). Reviews will discuss any changes in the Participant Agreement for the Participant, and any Participant Agreement violations that may have occurred since the last periodic review.

24. The following are required conditions of the Participant Agreement:

- a. Participants may not use or possess any weapons or firearms of any kind on the site
- b. Urinating and defecating outside the facilities provided is prohibited.

25. Staff will be on site at all times during hours of operation. The expected staffing level will be _____ employees on site. Onsite management will be conducted as follows:

(Attach additional materials if necessary)

Records

26. Providers operating Safe Parking/Safe Shelter facilities must annually track and report to the County by September 30 of each year the following details of the use of their facility:

- i. # of persons served by month;
- ii. # of persons served whose residence was or is a vehicle;
- iii. # of persons served who are no longer in need of a homeless shelter
 - i. The # of persons who have moved into permanent supportive housing;
- iv. Average percent occupancy of safe parking and safe shelter sites.

Site Security

27. Security measures will be followed to ensure adequate health and safety of participants, staff, and visitors on-site. (Please check and describe all that apply)

Site fencing

Security camera(s)

Hired security

Staff person

Designated participant(s)

Other (describe)

28. The Provider notified the Sheriff's Office and the local fire department of the program's operation and contact information for the staff at the site on _____ (date).

Plan Modification or Revocation

29. A provider may amend voluntary provisions of this Management Plan by filing an update with the Planning Department and notifying neighbors as part of its Neighborhood Outreach Plan. Voluntary provisions are those written into the Plan by the provider.
30. The Planning Director may initiate proceedings to revoke the zoning clearance certificate for a Safe Parking – Safe Shelter site for any of the conditions cited in Section 61.05.7 of the County Code. A zoning clearance certificate may only be revoked by the Board of Supervisors after a duly noticed public hearing.

DRAFT

Safe Parking – Safe Shelter Pilot Program Hosts & Participants Agreement Sign-up and Release of Claims Agreement

Children:

Name	Age	Sex

For any child listed above, please give the name and number of any parent/s who is not staying in the vehicle or shelter. N/A

Emergency Contact (*Name, Phone/Address*):

Other relevant information: N/A

- I will cooperate with the host representatives to the fullest extent possible, will actively participate in services I select, and abide by all program rules.
- I agree to stay on the property and in the vehicle or shelter provided at my own risk, and will make no claim against the host if personal injury, loss of personal belongings or damage of personal property occurs while on the premises.
- I consider my stay on the property to be transitory and not subject to the California tenant laws. I understand that this shelter is being provided on a trial basis and that I may be asked to leave at any time.

Participant Signature: _____

Date: _____

Host Signature: _____

Date: _____

Safe Parking – Safe Shelter Pilot Program Hosts & Participants Agreement Policy Agreement

1. _____, **the Host**, agrees to offer services on a voluntary basis to connect participants with permanent housing.
2. _____ abides by Housing First principles. No rent or fees are charged for services, nor is any individual or family denied participation because of inability to pay.
3. Individual shelters may not be entered or searched without a warrant. An exception exists in the case of an emergency that threatens health or safety of participants or staff.

I _____, **the Participant**, will adhere to the following rules and policies while participating in the Safe Parking/Safe Shelter Pilot Program at this location

_____.

I will:

1. Allow only those listed on the Sign-Up and Release of Claims Agreement at the shelter.
2. Maintain the vehicle or shelter and surrounding area in a clean and organized condition.
3. Refrain from asking for money, goods, or services from staff, volunteers, employees, and other participants, other than those offered as part of the services provided.
4. Remember that other uses and activities exist on or around the site, and I agree to co-exist with those uses with minimum interference.
5. Recognize that other participants at the site have similar circumstances, needs, and challenges; I agree be considerate, and support and assist when I am able.
6. Refrain from physical, verbal, or emotional abuse toward any man, woman, child or animal.
7. Abide by the Provider’s Program Rules regarding possession or consumption of drugs or alcohol. Participants in violation will be removed from the program.
8. Smoke only in designated outside areas.
9. Not bring weapons of any kind onto property.

I understand that violation of these rules may result in a written warning, suspension of services, or immediate termination of services. I further understand that if I am asked to leave and do not do so or become disruptive, I will be subject to arrest for criminal trespass.

Signature: _____ Date: _____

Signature: _____ Date: _____

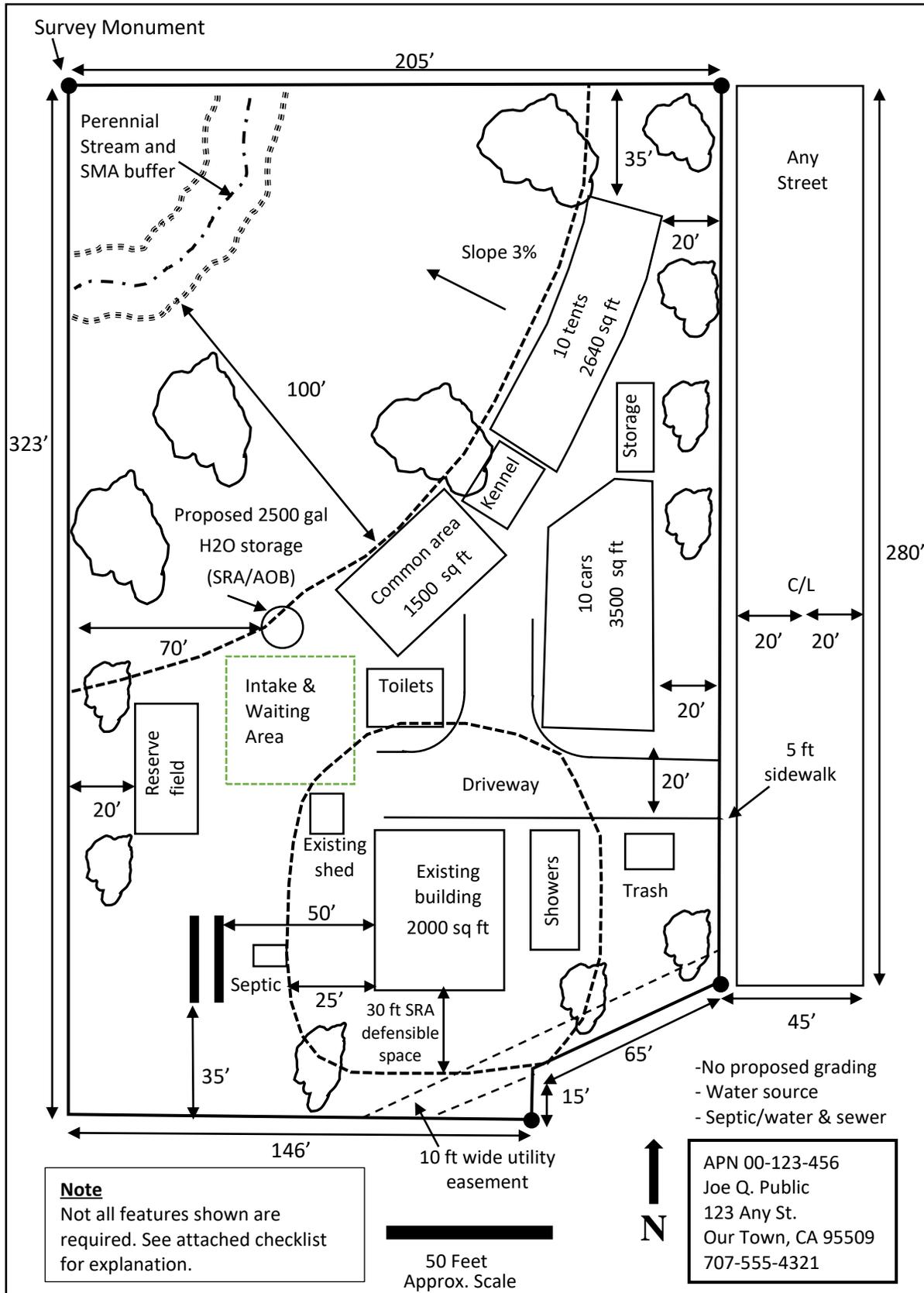
Host Signature: _____ Date: _____

Safe Parking/Safe Shelter

Plot Plan

(Example only)

Directions to site:



Setbacks

Setback type	Where applied	Requirement
Side and rear setbacks	From building or shelter structure to property line	Same as for zoning district
Street setback	From building or shelter structure to property line	Same as for zoning district
Defensible space	Parcels larger than 1 acre	30 ft around buildings
Septic, leach and reserve fields	Where onsite wastewater system is used	Show distances to buildings and property line
Water storage tank	Where public water is not available	Show distances to property line
Streamside Management Area buffer		100 ft

Site Checklist - Minimal Requirements and Village Models

	<u>Required</u>	<u>Allowed and Recommended (but not required)</u>
	Sanitary facilities, including toilet and hand-washing	Site fencing
	Shower facilities or access to showers	Access to Wi-Fi and electricity
	Garbage containers and trash disposal services	Laundry vouchers
	Telephone and charging equipment for devices	Coolers and ice
	Secure storage for personal items	Ability to serve individuals with domestic pets
	Client intake and waiting area	Ability to serve couples and families.

Site Checklist - Low Barrier Model

	<u>Required</u>	<u>Allowed and Recommended (but not required)</u>
	Ability to serve individuals, couples and families with children, but not necessarily at one site.	Site fencing
	Ability to serve individuals with domestic pets.	Access to Wi-Fi and electricity
	Sanitary facilities, including toilet and hand-washing	Laundry vouchers
	Shower facilities or access to showers	Assistance with vehicle registration and securing a driver's license
	Garbage containers and trash disposal services	Coolers and ice
	Access to telephone and charging equipment for devices	
	Secure storage for personal items.	
	Supervision and security during all hours of operation (show camera locations if applicable)	
	Designated facility for staff use, client waiting, intake, and consulting.	

Additional Requirements – All Sites

	Facilities accessible to persons with disabilities (20% of spaces or units, including sanitary facilities)
	All trash and project facilities shall be located as not to hinder safe ingress and egress from the parking lot or site.
	Site visibility shall be maintained at the driveway entrance. Nothing to be permitted in the visibility triangle area where the street or driveway intersects the County maintained roads, including but not limited to fencing, temporary shelters, approved structures, restroom and shower facilities, and trash facilities. [County Code Section 341-1 et seq.]
	For proposed parking lots, the applicant shall be responsible to correct any involved drainage problems resulting from the project site. No drainage shall be directed to the County road right of way.
	Paved parking lots must have an approved encroachment developed to County standards.
	<p>If the site is located within the boundaries of the municipal separate storm sewer system (MS4), the property is required to comply with the MS4 permit requirements, unless it is exempt. The County's MS4 boundaries are shown in MS4 Boundary Area Maps pdf, and in the County's WebGIS under Natural Resources/Low Impact Development Areas (MS4).</p> <p>Exempt sites are those that create or replace less than 2500 square feet of impervious surface.</p>

	<p>Definition of Impervious Surface: <i>A surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/storm water. Impervious surfaces include, but are not limited to: roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff, are not impervious surfaces.</i></p> <p>All sites within the MS4 boundaries must complete a Stormwater Information Sheet, available on page 5 of the Humboldt-LID-Stormwater-Manual V3.0.pdf.</p> <p>Sites that are not exempt must comply with the MS4 permit by following best practices in part 2 or part 3 of the manual, depending on the project's square footage of impervious area. For more information on low impact development practices visit the Stormwater-Program website.</p>
	<p>The site must have a plan to keep trash and debris out of the drainage inlets and a plan to keep the area maintained. See best management practices (BMPs) SC-10, SC-11, SC-71, and SC-75 in the California Stormwater Quality Association (CASQA) BMP Handbook.</p>

APPENDIX A
Tents, Cabins, and Non-Vehicle Shelter Standards
for the
Provider's Management Plan
Safe Parking- Safe Shelter Facility

Standards for Tents, Cabins, and Other Non-Vehicle Shelters

In addition to the Operating Procedures in the Model Management Plan, tents, sleeping cabins, huts, or other shelters that cannot be moved from the facility at night, must at minimum meet the Emergency Housing Standards in the California Building Code Appendix O and the California Residential Code Appendix X, summarized as follows. Please provide the details of how the project will meet these standards:

Tents

(Complete only if the program allows tents)

1. Tents must provide adequate space for single-occupancy sleeping. Tent types allowed at this site are:
 2. Tents may only be occupied for up to 7 days unless they are:
 - A. maintained with tight wooden floors raised at least 4 inches above the ground level and are equipped with baseboards on all sides to a height of at least 6 inches.

OR

- B. maintained on a concrete or asphalt slab with the finished surface at least 4 inches above grade and equipped with curbs or water diversion barriers on all sides at least 6 inches high.

___ Tents allowed at this project will be occupied fewer than 7 days.

___ Tents allowed at this project will rest on wooden floors or a slab as described above.

3. A tent is not considered a suitable sleeping place if heating is required to maintain a

minimum temperature of 50 degrees Fahrenheit during the period of occupancy. Provisions for cold weather at this facility are:

- Seasonal operation only (50 degrees or warmer overnight)
- Alternate shelter with heat
- Other solution (describe)

4. This facility's policy on portable heaters and cooking equipment in tents is:

5. Security for tents and other shelters will be provided during non-operating hours by (check all that apply):

- Complete site fencing
- On-site security or staff
- Secure storage area for personal possessions
- Other (describe)

Sleeping cabins or hard-sided shelters

(Complete only if the program allows cabins or hard-sided shelters)

Cabins and hard-sided shelters at this site:

6. Must either maintain a minimum temperature of 50 degrees Fahrenheit during the period of occupancy, or provide for cold weather at this facility by:

- Seasonal operation only (50 degrees or warmer overnight)
- Alternate shelter with heat
- Other solution (describe)

7. ____ Have an interior floor area of at least 70 square feet.
8. ____ Have a privacy lock on entrance doors and all windows for use by the occupants.
9. ____ Have minimum ceiling heights of at least 80 inches for living and sleeping areas, 76 inches for bathrooms, toilet rooms, and kitchens, if provided, and 74 inches for lofts.
10. ____ Have at least two exits placed remotely from each other. The bottom of the egress window is no more than 44 inches above the floor, with net clear opening height of 24 inches, and width of 20 inches. The egress window has a net clear opening area of at least 5 square feet.
11. ____ Have a means of ventilation (natural and/or mechanical) allowing for adequate air replacement.
12. ____ Have at least one interior light source.
13. ____ Have one smoke alarm as described in California Residential Code [Section R314](#).
14. Cabins and hard-sided shelters must be designed to resist wind and rain, and to support the following live loads: a minimum Floor live load of at least 40 pounds per square foot of floor area; a minimum Horizontal live load of at least 15 pounds per square foot of vertical wall and roof area; and a minimum Roof live load of at least 20 pounds per square foot (958 Pa) of horizontal roof area. In areas where snow loads are greater than 20 pounds per square foot, the roof must be designed and constructed to resist these additional loads.

Shelter structures allowed at this site ensure compliance with these standards by:

15. ____ If an emergency sleeping cabin contains plumbing or gas service, it complies with all applicable requirements of the [California Plumbing Code](#) and the [California Mechanical Code](#).
16. Cabins and hard-sided shelters will provide access to electricity by:
 - ____ An emergency generator or renewable power source such as solar or wind power
 - ____ Access to a central facility with electricity
 - ____ Electrical connections in individual shelter units.
 - ____ If cabins and hard-sided shelters contain continuous electrical service, it complies with the [California Electrical Code](#). (**NOTE:** NFPA requires creation of a user login to view its free online resources.)
 - ____ For cabins or hard-sided shelters with electrical heating equipment, a dedicated

receptacle outlet is provided for that purpose.

____ For cabins or hard-sided shelters with electricity, at least one GFCI-protected receptacle outlet for use by the occupant(s).

17. ____ If cabins or hard-sided shelters contain a fuel-burning appliance(s), a [carbon monoxide alarm](#) must be installed in accordance with [Section R315](#).

DRAFT

ATTACHMENT 6

**SAFE PARKING - SAFE SHELTER PILOT PROGRAM
AGENCY, PARTNER, AND PUBLIC COMMENTS
RECEIVED**

For Planning Commission Agenda of: March 17, 2022

**Safe Parking - Safe Shelter Pilot Program
Agency and Partner Comments Received**

23-Jan-22

Commenter	Comment	Response	Subject 1	Method	Subject Abbreviations
Wiyot Tribe Representative Ted Hernandez	This looks like a great project I am adding my Tribal Administrator Michelle Vassel and our HHS Director Mir. Robert Pitts.	Add Tribal Administrator Michelle Vassel and our HHS Director Mr. Robert Pitts for future notifications on this project.	COOR	email	ADA = accessibility for persons with disabilities
Bear River Band TPO	Would like to review sites for significant impacts when sites are selected	Contact when sites are selected	CR	email, referral	CR = Cultural resources
Public works land	The County Administrative Office is responsible for the operation of County owned parking lots, it is recommended that a referral be sent to this office. County Code Section 261.5.	Email CAO office with notification of this project.	COOR	email, referral reply	
Public works land	Condition of approval: All trash and project facilities shall be located as not to hinder safe ingress and egress from the parking lot	Included condition in Plot Plans	SITE	email, referral reply	Coor = Partner and Interagency coordination
Public works land	Condition of approval: Site visibility shall be maintained at the driveway entrance. Nothing to be permitted in the visibility triangle area, including but not limited to fencing, temporary shelters, approved structures, restroom and shower facilities, and trash facilities. [County Code Section 341-1 et seq.]	Included condition in Plot Plans	SITE	email, referral reply	SITE = Site specifications
Public works land	Condition of approval: For proposed parking lots applicant shall be responsible to correct any involved drainage problems resulting from the project site. No drainage shall be directed to the County road right of way.	Included condition in Plot Plans	SITE	email, referral reply	HRS = Hours of operation
Public works land	Condition of approval: Only parking lots with an approved encroachment and developed to County standards shall be permitted.	Included condition in Plot Plans	SITE	email, referral reply	V = Vehicle standards

Commenter	Comment	Response	Subject 1	Method	Subject Abbreviations
Public works land	Condition of approval: If subject property is located within the municipal separate storm sewer system (MS4) boundary area, development of the property is required to comply with the MS4 permit requirements, unless determined to be exempt. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission or Zoning Administrator. [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS0000004 adopted 02/0512013, Section E.12; Humboldt Low Impact Development Stormwater Manual v3.0 (08118/2021), Part A, Table 1].	Included condition in Plot Plans	SITE	email, referral reply	S = Setbacks
Public works land	A plan to keep trash and debris out of the drainage inlets and a plan to keep the area maintained is required. CASQA BMPs that apply are SC-3, SC-10, SC-11, SC-71, and SC-75.	Include condition in Plot Plans	SITE	email, referral reply	
Public works land	Lot frontage improvements to the roadway (such as paved driveway aprons, sidewalk, curb & gutter, parking lanes, lane widening, shoulder widening, road paving, curb returns, curb ramps, etc.) will typically not be required as part of this project. Lot frontage improvements are typically required when building permits (or other development permits) are requested.	N/A	SITE	email, referral reply	
Public works land	Note: Ordinance does [not, sic] appear to state or require that any provided facilities (i.e. restrooms, showers, camp sites, cabins, and parking spaces) on-site need to be ADA compliant.	Added requirement to ordinance and management plans for 20% ADA accessible units and services.	ADA	email, referral reply	

Commenter	Comment	Response	Subject 1	Method	Subject Abbreviations
Public works land	Overnight hours in section 61.05.5 (d) of the ordinance are not defined.	Hours of operation, including overnight hours, are set by the service provider in the Management Plan, and posted on site.	HRS	email, referral reply	
Public works land	Ordinance Section 61.05.4(ii) does not state that vehicles must have current registration.	Vehicles must be operative, meaning able to drive on or off the site under its own power. Providers may either require current registration, or provide assistance. Part of services provided may be helping participants to get registration	V	email, referral reply	
Public works land	Note: Ordinance section 61.05.5(a) could be problematic for commercial properties that have unusual property line configurations. (Example would be Mill Creek Shopping Center in McKinleyville. In this case the parking lot looks like one parking area but it is actually multiple properties with reciprocal easements to allow for the ingress, egress and parking.)	Property lines would be addressed in site plan; exceptions can be clarified case by case.	S	email, referral reply	
Code Enforcement	CE opposes the project, citing the potential for abandoned vehicles that would have to be removed at the county's expense. Their recommendation is a bond of \$200 per vehicle or space posted by operators of the Safe Parking – Safe Shelter sites. Recommend a bond of \$200 per vehicle or space posted by operators of the Safe Parking – Safe Shelter sites.	Present \$200 bond per vehicle or space as an Alternative	V	phone	
Public Works email	Suggestions for Plot Plan	Include improvements in draft	S	email	
D Spoor, Arcata House Partnership	App A non-vehicle standards: raised floor - what about accessible units; 10%, 20%?	Added requirement to ordinance and management plans for 20% ADA accessible units and services.	ADA	email	

**Safe Parking - Safe Shelter Pilot Program
PUBLIC Comments received**

23-Jan-22

Commenter	Comment	Response	Subject 1	Method	Subject Abbreviations
Janelle Egger, Fortuna	Summary of comments: create a tenancy agreement with participants; suggests a small fee to participants; replace 18-month duration with ongoing program with Board-appointed oversight; suggests adding a day center for 24/7 services; advocates for campgrounds under a tenancy agreement; please provide access to emergency Housing Codes Appendix X and O.	The state's definition of emergency shelter specifies a limited length of stay (6 months, unless it is a Low Barrier Navigation Center). Many safe parking programs rely on grant funds for emergency shelter, so tenancy would not be applicable for the type of shelter proposed.	L, D	email	L= Length of stay, D = Pilot duration

Re: Proposed Safe Parking - Safe Shelter Pilot Program and Shelter Crisis Ordinance

Milner, Mary <MMilner1@co.humboldt.ca.us>

Thu 1/13/2022 8:17 AM

To: ted@wiyot.us <ted@wiyot.us>

Thanks you Ted. I look forward to hearing from Michelle and Robert.

Best regards,

Mary Milner
Humboldt County Long Range Planning
707 268-3772
mmilner1@co.humboldt.ca.us

From: Ted Hernandez <ted@wiyot.us>

Sent: Wednesday, January 12, 2022 10:28 PM

To: Milner, Mary <MMilner1@co.humboldt.ca.us>

Cc: michelle@wiyot.us <michelle@wiyot.us>; Robert Pitts <rpitts@wiyot.us>; Ted Hernandez <chair@wiyot.us>

Subject: RE: Proposed Safe Parking - Safe Shelter Pilot Program and Shelter Crisis Ordinance

Good evening Mary,

This looks like a great project I am adding my Tribal Administrator Michelle Vassel and our HHS Director Mr. Robert Pitts. I know Michelle and Robert could assist you with what you need.

Hou`

Ted Hernandez

Wiyot Chairman

From: Milner, Mary <MMilner1@co.humboldt.ca.us>

Sent: Wednesday, January 12, 2022 12:29 PM

To: Ted Hernandez <ted@wiyot.us>

Subject: Re: Proposed Safe Parking - Safe Shelter Pilot Program and Shelter Crisis Ordinance

Dear Mr. Hernandez,

Attached is information about Humboldt County's proposed Safe Parking - Safe Shelter Pilot Program. We invite your comments and suggestions to improve the program and to assure that it is useful to a wide range of organizations in unincorporated areas.

Draft documents, meeting times, and more information are available at the [County's Safe Parking – Safe Shelter Pilot Program](#) web page.

Please excuse the duplication if you have already received notice of this project from our automated system. Feel free to contact Mary Milner (below) or Michael Richardson at 707 268-3723 if you have

any questions.

Sincerely,

Mary Milner
Humboldt County Long Range Planning
707 268-3772
mmilner1@co.humboldt.ca.us

FW: Project Review Request: PLN-2021-17324 Cannabis Related: No

Hilton, Keenan <KHilton@co.humboldt.ca.us>

Fri 1/14/2022 1:51 PM

To: Milner, Mary <MMilner1@co.humboldt.ca.us>

 1 attachments (235 KB)

1.pdf;

From: Planning Clerk <planningclerk@co.humboldt.ca.us>

Sent: Thursday, January 13, 2022 2:02 PM

To: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: FW: Project Review Request: PLN-2021-17324 Cannabis Related: No

Hi Keenan,

This came in the Planning Clerk's inbox. The Referral has been sent out but may not include the map. It is attached.

Thanks,
Diane

From: THPO Bear River Band <thpo@brb-nsn.gov>

Sent: Wednesday, January 12, 2022 10:25 PM

To: Planning Clerk <planningclerk@co.humboldt.ca.us>

Subject: Fwd: Project Review Request: PLN-2021-17324 Cannabis Related: No

Dear Planning Staff,

Will these parking places all be on currently paved lots, or are some planned for unpaved locations? As a *plan*, the proposal does not appear to represent an impact on cultural resources; once locations are proposed we would like to review them for potentially significant effects.

Thank you

----- Forwarded message -----

From: **Humboldt County No Reply** <noReply@co.humboldt.ca.us>

Date: Wed, Jan 12, 2022 at 11:46 AM

Subject: Project Review Request: PLN-2021-17324 Cannabis Related: No

To: <THPO@brb-nsn.gov>

Dear Partner Agency, (Bear River Band)

A permit application has been received for the following project:

Application Number: PLN-2021-17324

Description: SB2 Safe Parking Pilot

Cannabis Related: No

Parcel: 000-000-000-000

Address: No Address Listed on Permit

Please access Accela OR your Accela Citizen Access (ACA) account for the County of Humboldt to review this project and submit your response.

ACA: <https://aca.accela.com/humboldt/Default.aspx>

Thank You,

County of Humboldt Planning & Building Department

--

THPO Bear River Band
TRIBAL HISTORIC PRESERVATION OFFICE

Bear River Band of the Rohnerville Rancheria

266 Keisner, Loleta, CA 95551

[707-733-1900](tel:707-733-1900) EXT 1233

CONFIDENTIALITY STATEMENT: This message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any review, dissemination or copying of this message or any attachment is strictly prohibited. If you have received this item in error, please notify the original sender and destroy this item, along with any attachments. Thank you.



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

ON-LINE
 WEB: CO.HUMBOLDT.CA.US

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

CLARK COMPLEX	
HARRIS & H ST., EUREKA	
FAX 445-7388	
LAND USE	445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Mary Milner, Planner, Planning & Building Department

VIA: Robert W. Bronkall, Deputy Director

FROM: Ken Freed, Assistant Engineer

DATE: 01/12/2022

RE: **SB2 SAFE PARKING PILOT, APN 000-000-000, APPS# -PLN-2021-17324**

The County Administrative Office is responsible for the operation of County owned parking lots, it is recommended that a referral be sent to this office.

The Departments recommended conditions of approval are as follows:

- (1) All trash and project facilities shall be located as not to hinder safe ingress and egress from the parking lot.
- (2) Site visibility shall be maintained at the driveway entrance. Nothing to be permitted in the visibility triangle area, including but not limited to fencing, temporary shelters, approved structures, restroom and shower facilities, and trash facilities. [County Code Section 341-1 et seq.]
- (3) For proposed parking lots applicant shall be responsible to correct any involved drainage problems resulting from the project site. No drainage shall be directed to the County road right of way.
- (4) Only parking lots with an approved encroachment and developed to County standards shall be permitted.
- (5) If subject property is located within the municipal separate storm sewer system (MS4) boundary area, development of the property is required to comply with the MS4 permit requirements, unless determined to be exempt. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission or Zoning Administrator. [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004

adopted 02/05/2013, Section E.12; Humboldt Low Impact Development Stormwater Manual v3.0 (08/18/2021), Part A, Table 1].

A plan to keep trash and debris out of the drainage inlets and a plan to keep the area maintained is required. CASQA BMPS that apply are SC-3, SC-10, SC-11, SC-71, and SC-75.

Informational Notes:

1. Lot frontage improvements to the roadway (such as paved driveway aprons, sidewalk, curb & gutter, parking lanes, lane widening, shoulder widening, road paving, curb returns, curb ramps, etc.) will typically not be required as part of this project. Lot frontage improvements are typically required when building permits (or other development permits) are requested.
2. Ordinance does appear to state or require that any provided facilities (i.e. restrooms, showers, camp sites, cabins, and parking spaces) on-site need to be ADA compliant.
3. “Overnight hours” in section 61.05.5 (d) of the ordinance are not defined.
4. Ordinance Section 61.05.4(a)ii does not state that vehicles must have current registration.
5. Ordinance section 61.05.5(a) could be problematic for commercial properties that have unusual proper line configurations. (Example would be Mill Creek Shopping Center in McKinleyville. In this case the parking lot looks like one parking area but it is actually multiple properties with reciprocal easements to allow for the ingress, egress and parking.)
6. The County Administrative Office is in charge of operations regarding County owned lots per County Code Section 261.5.

// END //

FW: SB2 Safe Parking Pilot

Freed, Ken <KFreed@co.humboldt.ca.us>

Thu 1/13/2022 9:13 AM

To: Milner, Mary <MMilner1@co.humboldt.ca.us>

From: Freed, Ken

Sent: Thursday, January 13, 2022 8:35 AM

To: mmilner@co.humboldt.ca.us

Subject: SB2 Safe Parking Pilot

Mary

The Department has provided comments to your referral. On a side note (obviously not as important), if your plot plan looked like a parking lot with stall pavement markings and the edge of the existing pavement it would have been more realistic. Other items noted using an APN with the correct format APN 000-123-456, having the centerline shown on the "Any Street", and I do want to note that not all streets have a 40 foot right of way and a 5 foot sidewalk. Again, not as important as the project itself!

Kenneth M. Freed

Assistant Engineer II

Humboldt County Department of Public Works – Land Use Division

3015 H Street Eureka, CA 95501

Ph (707)445-7205 Fax (707) 445-7388



Fwd: FW: Safe Parking/Safe Shelter update

Darlene Spoor <dspoor@arcatahouse.org>

Wed 12/15/2021 9:08 PM

To: Milner, Mary <MMilner1@co.humboldt.ca.us>

 1 attachments (31 KB)

DRAFT APP A_Non-vehicle Shelter Stanrds 12.8.21.docx;

Nice work Mary. I have a couple of comments.

- Tents A + B no allowance for drainage
- raised floor - what about accessible units; 10%, 20% ?
- on wooden platform or concrete. what about blacktop like parking lots?
- cabins - there is no mention of the 50 degree requirement like with tents

Just something to consider.

Darlene

Darlene A. Spoor, Ed.D.
Executive Director
Arcata House Partnership
1005 Eleventh St
Arcata, CA 95521
707-822-4528 x 111

----- Forwarded message -----

From: **Ward, Robert** <rward@co.humboldt.ca.us>

Date: Thu, Dec 9, 2021 at 12:09 PM

Subject: FW: Safe Parking/Safe Shelter update

To:

Forwarding to HTFHSC members

Robert Ward, JD

Housing and Assistance Coordinator

Humboldt County Dept. of Health and Human Services

507 F Street

Eureka, CA 95501

(707) 298-3499

From: Milner, Mary <MMilner1@co.humboldt.ca.us>
Sent: Thursday, December 9, 2021 12:08 PM
To: Ward, Robert <rward@co.humboldt.ca.us>
Subject: Safe Parking/Safe Shelter update

Hi Robert,

Attached is an Appendix to the Safe Parking/Safe Shelter management plans intended to set standards for Tents, Cabins, and Other Non-Vehicle Shelters. Feel free to share with HTFHSC and others.

This is the only major change from earlier drafts I sent around. I'm hoping to have my computer issue solved by 1:30, if not I may be calling in.

Mary Milner

Humboldt County Long Range Planning

707 268-3772

mmilner1@co.humboldt.ca.us

Re Draft Shelter Crisis & Safe Parking - Safe Tent Pilot Ordinances

Writings edited for clarity

----November 23, 2021 Comment to County Planning Staff

Before commenting on the drafts, at bit of background:

"Please tell us where we can go where we can live legally. A place where we can stay in bed when sick, where we can get ourselves up when we need to, where we can cook ourselves meals and work together as a community." October 2016 petition signed by 33 people at one of Eureka's rotating sleeping sites. Not delivered as the sleeping program ended abruptly a couple weeks later.

The Palco Marsh and Eureka sleeping site programs demonstrated that people can and do choose to live in sanctioned areas. The lesson from both is that police managing something they were not trained in or interested in doing is not the answer. The special homeless unit approach (Eureka's CSET) is expensive and continues to rely on a carrot (offer of services) and stick (orders to move, camping citations, drunk in public arrests) approach.

Re the County's SAFE PARKING AND SAFE TENT PILOT PROGRAM CIRCULATED DRAFT:

With hours of operation limited to overnight hours these are night shelters, not homes under a tenancy agreement.

High cost to operate as there is no charge to occupants regardless of ability to pay.

Limited impact on overall homelessness as each site limited to 20 occupants.

Limited duration requiring Board approval to renew is onerous. Even with current infusion of funding the housing shortage is not going to be resolved in 18 months. Replace with regular reports from a Board appointed body with oversight responsibility.

Adopted Housing First approach deemphasizes on-site services, demonstrates that with a place to live within the community even those suffering with mental health and/or addiction recover and are successful. Combining program services with 24/7 shelter (navigation center) is more expensive. Helpful, even necessary for some; unwanted, unnecessary for many.

The adopted Housing First policy is about having a home, a place to live. These are "overnight shelter sites".

Alternatively, the County could allow safe living sites, which "... combines the day center with a camp to address the need for a legal place to live while the affordable housing shortage can be resolved. Though located in a camp, the day center is available as a meeting place even for homeless not able to live there. The facility is not part of any other program providing services. Following the adopted Housing First approach, it is a place to live without preconditions such as participation in any programs. Another significant difference is the City's

role as lead agency through an oversight committee." July 31, 2017 cover letter to proposal in response to Chief Mills' RFP for a day center.

The Shelter Crisis code (Gov. 8698.2) is intended to provide emergency housing to protect the health and safety of people without a place to live. Instead of small, overnight shelters and program specific 24/7 navigation centers, campground(s) operated under tenancy agreement could accommodate both those in social services, mental health, addiction, employment, education, other programs AND those who do not qualify or who choose not to participate in these programs.

----December 10, 2020 email to County Planning Staff

Thanks for the info. The County has declared a Shelter Crisis, however, I have not seen or heard of any actions taken to provide emergency housing. (GOV code 8698.2(b)) Of course the last year has been focused on COVID related sheltering.

By resolution the County adopted the Housing First approach. It is also part of the Housing Element. I believe this has been mentioned as part of County grant requests. I do not know if it is mentioned in any of the draft documents prepared by the HTFHSC.

As amended in September 2020, the CA Gov Code now includes Sec. 8698.4. While this section permits homeless shelters as emergency housing, it references 2019 CA Res Code X and CA Building Code O as the minimum standards for "emergency housing or emergency housing facilities". (Gov Code 8698.4(a)(2)(A)(i)) The referenced codes are not at the CA Code Search site, can you provide a link for them?

Did the County submit the Gov Code 8698.4(a)(6)) report in January 2021, is there a draft report for January 1, 2022?

Thank you for the info on shelters, they are an important part of the system.

I am not suggesting self-governing communities.

Having spent a few years working on tenant issues; in my comments to the HTFHSC I suggested a Board Appointed oversight committee.

---- December 13, 2020 email to County Planning Staff

My attempt to download *Res Code X and CA Building Code O* only saved a link; attempt to print also failed.

I did read both and noted only minor differences between the two. Both indicate "The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance"; tents are exempt from some requirements; there are only a couple requirements specific to tents, others apply to all; and in certain basic areas of health and safety "the enforcing agency" determines and/or monitors the conditions.

The definition of "enforcing agency" at a linked "up.codes" site is: "The designated department or agency as specified by statute or regulation."

Together with the definitions in App.X and App. O, it appears that the County or perhaps any governmental agency, could utilize these for a camp operated under Housing First principals. The speaker at the County's 2016(?) Housing First gathering is a mental health professional working with people suffering with mental health and/or substance abuse. His work uses existing housing and regular tenancy agreements along with a supportive counseling approach. Sometimes that approach includes "hard conversations" and/or another chance(s).

From my time in front of the Courthouse, at the designated palco marsh camp, and the sleeping sites, I can say with certainty that the people living outdoors are varied and include the uneducated and highly educated, life long poverty and economic/disaster refugees, life long Humboldt residents and those just passing through, all different political/religious persuasions, those seeking community or autonomy/personal space. All have only one thing in common, lack of housing.

We have a housing shortage. The state is trying to address the housing shortage, but it will take years, so cost and good outcomes are important.

---December 17, 2020 email to County Planning Staff

[...] However, I do thank you for the thought.

Thank you also for the printable Appendix documents. Much easier than trying to bounce back and forth on the tablet.

I think that we are addressing two approaches to addressing immediate needs: shelters and emergency housing.

We agree: "In the meantime though, all the evidence-based practices of housing first should still apply - voluntary services; harm reduction philosophy, no withholding services for sobriety, substance addiction, or lack of money." I would ADD: normal tenancy agreements as modified by current emergency laws.

Below is my attempt over the last few days to see if there is legal support for my Dec 9th email to the HHTFHSC.¹ I do not disagree that shelters and navigation centers are options. I see camps operated as emergency housing with an appointed oversight committee (group, board...?) as more in line with the County's commitment to the housing first approach.

Now for Appendix X Emergency Housing (I found only a few minor differences between it and Appendix O)--

¹ Humboldt Housing Trust Fund and Homelessness Solutions Committee, aka HTFHSC

Thank you for sending the pdfs; they appear to be what I was looking at but could not download or print. I reread these for one purpose, and that was to see if they would or could allow a campground using Housing First principals. They clearly allow a campground as emergency housing.

The definition of "Emergency Housing" in Section AX102 *Definitions* and Section AX103 *Emergency Housing* both include tents constructed per the appendix. There is an exception for tents in AX103.3 *Occupant Load*, and the time limit on tent use does not apply if raised floors with sideboards are provided. (AX106.1) "Tent" is broadly defined as "A structure, enclosure or shelter, with or without sidewalls or drops, constructed with fabric or pliable material supported by any manner except air or the contents that it protects."

AX102 *Definitions* includes: "*Emergency Housing Site*. A site containing emergency housing and emergency housing facilities supporting the emergency housing."

I did not expect and did not find anything in the Appendix X that addressed who would provide and/or manage this emergency housing. I believe that is in the Shelter Crisis codes and the appendixes address physical requirements.

CA Government Code Chapter 7.8. Shelter Crisis addresses the role of local government. It provides that a "political subdivision shall be immune from liability for ordinary negligence in the provision of emergency housing". And that "Political subdivisions may ... enact municipal health and safety standards to be operative during the housing emergency" that "apply only to additional public facilities open to the homeless pursuant to this chapter." And the "governing body may take such action as is necessary to carry out the provisions of this chapter".²

In September 2020 *Gov Code Chapter 7.8. Shelter Crisis* was amended to add Section 8698.4. It provides that "Emergency housing MAY include homeless shelters... on land owned or leased by a city, county..."³ If an ordinance setting minimum standards is passed, it must at least meet the standards in Appendix X and Appendix O and any future standards adopted by HCD "related to emergency housing or emergency housing facilities" or adopt appropriate findings.⁴ In short, the Shelter Crisis law was amended to allow shelters as long as they meet the Appendix standards for emergency housing or emergency housing facilities.

I found that neither Appendix X nor the *CA Gov Code Chapter 7.8. Shelter Crisis* address whether an emergency housing camp should operate as a shelter, program related housing (supportive/transitional housing), or as housing under a tenancy agreement. My Nov 23, 2021 email and comments at the December HTFHSC meeting were in support of a camp using the County adopted Housing First approach with tenancy and appointed oversight committee.

² Gov Code 8698.1(a) and (b) and Gov Code 8698.2(a)(1))

³ Gov Code 8698.4(a)(1), caps added

⁴ Gov Code 8698.4(a)(2)(A)(i)

Gov Code Section 8698.4 requires "a plan to transition residents from homeless shelters to permanent housing"⁵ and yearly reports regarding current numbers⁶ and new actions being taken under the shelter crisis declaration to better serve the homeless population".⁷

Gov Code Section 8698.4 has a sunset date. It "shall remain in effect only until January 1, 2026, and as of that date is repeal".⁸ This will remove "homeless shelters" leaving only "emergency housing" in *Gov Code Chapter 7.8. Shelter Crisis*.

I assume Humboldt's Dept. of Health and Human Services and/or Humboldt Housing and Homeless Coalition has the information on existing shelters and transitional housing, and programs such as mental health, addiction, job training, family reunification programs, permanent supportive housing. Again, I am suggesting camps operating under tenancy laws as modified by emergency housing law and an appointed oversight committee be added to the plan.

I would add "a place to live under tenancy laws as modified by emergency housing law" to this from your Dec 13 email: "In the meantime though, all the evidence-based practices of housing first should still apply - voluntary services; harm reduction philosophy, no withholding services for sobriety, substance addiction, or lack of money."

----January 6, 2022 email to County Planning Staff

I took a look to see if there was any possible funding and came across the Homeless Housing, Assistance, and Prevention Program; administered by the Homelessness Coordinating and Financing Council. "Humboldt County CoC" has been allocated \$2,547,368.97 and Humboldt County \$237,544.38 for FY 2021-22.

Camps as emergency housing under the shelter crisis declaration providing interim housing would address need, costs and Housing First policy. Two *possible* major stumbling blocks are current DHHS/HHHC plans and lack of buy-in from government, nonprofit and private service providers.

janelle egger

*Fortuna resident and independent activist for civil rights, open government,
and a legal place to call home for those without housing*

⁵ Gov Code 8698.4(a)(5)(C)

⁶ Gov Code 8698.4(a)(6)(A -E)

⁷ Gov Code 8698.4(a)(6)(F)

⁸ Gov Code 8698.4(d)

Humboldt Housing and Homeless Coalition
507 F Street
Eureka, CA 95501
Tel (707) 298-3499 Fax (707) 441-5590
humboldthousing.org



Humboldt County Planning Commission
825 5th Street
Eureka CA, 95501
planningclerk@co.humboldt.ca.us

RE: SUPPORT - Safe Parking Safe Shelter Pilot Program and Shelter Crisis Ordinance: PLN-2021-17324

Dear Commissioners:

The Humboldt Housing and Homeless Coalition would like to offer our support for the Safe Parking Safe Shelter Pilot Program and Shelter Crisis ordinance as presented to the Commission.

The Humboldt Housing and Homeless Coalition (HHHC) is a federally designated local continuum of care comprised of organizations, service providers, developers, government agencies and leaders, faith-based organizations and community members dedicated to ending homelessness. The HHHC's vision is that all members of our community will have access to safe, decent, affordable housing. Our mission is to facilitate countywide collaboration to build awareness, support, partnerships and funding for shelter and affordable housing and to coordinate the continuum of care for people experiencing homelessness.

The Safe Parking Safe Shelter pilot program envisioned by the proposed ordinance is an essential component of this continuum. The Shelter Crisis ordinance is necessary to comply with recent state legislation and take advantage of its benefits. Taken together, these efforts will offer increased opportunities to provide safe emergency shelter while service providers work with clients to secure permanent housing. The HHHC has worked with county departments for many years to expand solutions and offer creative ideas for ending homelessness in our county. These pilot program opportunities and shelter crisis ordinance will help do that.

We urge the Commission's support of the Safe Parking Safe Shelter Pilot Program and Shelter Crisis ordinance.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Spoor".

Co-Chair, Humboldt Housing and Homeless Coalition