

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

Ordinance No. 2743

ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 3 OF THE HUMBOLDT COUNTY CODE

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

SECTION 1. PURPOSE OF AMENDMENTS TO THE ZONING REGULATION

The Humboldt County 2019 Housing Element includes Implementation Measure H-IM58 creating provisions for Alternative Lodge Parks to allow spaces for occupancy that are flexible allowing a broad range of housing types. This ordinance will allow for Emergency Housing Villages to encourage the development of new low-cost housing development and allow a broad range of housing types for occupancy as emergency housing. This ordinance amends the zoning regulations to allow new housing configurations (Emergency Housing Villages including Emergency Dependent Unit Villages and Alternative Lodge Parks) as permitted housing types, and specifies objective performance standards for each to protect public health and safety.

SECTION 2. EMERGENCY HOUSING VILLAGES

Add Section 313-62.5 creating and setting standards for types of Emergency Housing Villages allowed as emergency housing in Title III, Division 1, Chapter 4 of the Humboldt County Code as follows (additions are shown in underline text):

313-62.5 Emergency Housing Villages

The purpose of these regulations is to allow a broad range of housing types for occupancy as emergency housing. This section allows for Emergency Housing Villages including Emergency Dependent Unit Villages and Alternative Lodge Parks, and is allowable under Government Code Chapter 7.8 – Shelter Crisis, Section 8698.4 addressing emergency housing upon declaration of a shelter crisis. All units allowed under this section for Emergency Housing Villages shall meet the minimum requirements of the California Building Code (CBC), Appendix P *Emergency Housing* and California Residential Code (CRC), Appendix AZ *Emergency Housing*, or subsequent appendices, unless otherwise stated in this Code. All units that only meet the minimum building standards for *Emergency Housing* are only allowable during an active shelter crisis declaration.

62.5.1 Applicability

This section applies to any facility to be for persons experiencing homelessness for the duration of the shelter crisis.

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62.5.2 Operating Standards

Emergency Housing Villages shall be operated by a government agency, religious institution, nonprofit charitable organization, or private nonprofit organization.

62.4.2.1 No individual or household shall be denied shelter because of inability to pay.

62.5.3 General Development Standards

All Emergency Housing Villages are subject to the following development standards:

62.5.3.1 Water and Wastewater

62.5.3.1.1 Emergency Housing Villages within Urban Service Areas shall connect to public water and wastewater systems where those services are available.

62.5.3.2 Energy

The source of electricity may be connection to grid power, renewable source of power or an emergency generator.

62.5.3.3 Generator Use

A Special Permit is required when generator(s) are used to provide power for an Emergency Housing Village. Generators shall be subject to the following criteria:

62.5.3.3.1 The generator shall be placed within an enclosed fire resistant structure capable of attenuating generator noise.

62.5.3.3.2 Generator noise shall not result in a noise level of more than 60 decibels at the property line.

62.5.3.3.3 Fuel storage shall have secondary containment.

62.5.3.4 Access

Emergency Housing Villages shall be located on a Category 4 road and a Category 2 driveway. The road and driveway shall have a minimum width of 20 feet for Fire Safe Regulations.

62.5.3.5 Identification

Emergency housing spaces shall be designated by address numbers, letters, or other suitable means of identification. The identification shall be in a conspicuous location facing the street or driveway fronting the building or structure.

62.5.3.5 Parking

There is no minimum parking requirement.

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62.5.3.6 Waste Removal and Composting

62.5.3.7.1 One or more areas shall be set aside for enclosed trash and recycling containers. If a waste service is used, the areas must be directly accessible for garbage and recycling trucks.

62.5.3.7.2 The property owner of record is responsible for the satisfactory removal of all refuse accumulated at the Tiny House Village by either (1) contracting with a franchised collector or (2) self-hauling and disposing of refuse created, without compensation, in a manner consistent with State requirements and Section 521-4 of this Code.

62.5.3.7.3 Green waste shall be addressed separately from the trash pickup and shall not go into the waste stream.

62.5.3.8 Common Facilities

Emergency Housing Villages shall provide on-site common facilities that include, but are not limited to, kitchen areas, toilets, showers and bathrooms with running water that meet the minimum requirements of the California Building Code (CBC), Appendix P *Emergency Housing* and California Residential Code (CRC), Appendix AZ *Emergency Housing*, or subsequent appendices.

62.5.3.9 Fire Protection

Emergency Housing Villages shall be located within the boundaries of a fire protection district

62.5.4 Emergency Dependent Unit Villages

Emergency Dependent Unit Villages allow for Emergency Sleeping Cabins, which are not equipped with a kitchen area, toilet, and sewage disposal system. Emergency Sleeping Cabins in Emergency Dependent Unit Villages shall meet the minimum requirements of the California Building Code, Appendix P104 *Emergency Sleeping Cabins* and California Residential Code, Appendix AZ104 *Emergency Sleeping Cabins*, or subsequent appendices, unless otherwise stated in this Section 313-62.5 of the HCC.

62.5.4.1 Types and Number of Structures

Groups of three (3) or more Emergency Sleeping Cabins as emergency housing in an Emergency Dependent Unit Village.

62.5.4.2 General Provisions

62.5.4.2.1 Zones Where Emergency Dependent Unit Villages are Principally Permitted with a Coastal Development Permit

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Emergency Dependent Unit Villages are principally permitted with a Coastal Development Permit in Residential Multi-Family (RM), Commercial Neighborhood (CN), and Commercial General (CG); except where a Special Permit is otherwise required in section 62.5.3 for Development Standards.

62.5.4.2.2 Zones Where Emergency Dependent Unit Villages Are Conditionally Permitted with a Coastal Development Permit

An Emergency Dependent Unit Village that meets the requirements of this section is permitted with a Conditional Use Permit and Coastal Development Permit in Mixed Residential (R2), and Business Park (MB).

62.5.4.3 Development Standards

Emergency Dependent Unit Villages are required to meet the development standards in Section 62.4.3 in addition to the following:

62.5.4.3.1 The placement pad for an Emergency Sleeping Cabin shall include a compacted structural base capable of supporting the weight of the Emergency Sleeping Cabin.

62.5.5 Alternative Lodge Parks

Alternative Lodge Parks will provide spaces for occupancy that are flexible allowing a broad range of housing types. The range of allowable housing types include manufactured and mobile homes, recreational vehicles, travel trailers, tiny houses and moveable tiny houses.

62.5.5.1 Types and Number of Structures

A combination of a minimum of two (2) sleeping units as emergency housing on a single parcel under one ownership. The range of allowable housing types include manufactured and mobile homes, recreational vehicles, travel trailers, tiny houses and moveable tiny houses. The maximum number of units per acre for any Alternative Lodge Park will be determined by the Planning Commission based on site conditions.

62.5.5.2 General Provisions

62.5.5.2.1 Conditionally Permitted Alternative Lodge Parks with a Coastal Development Permit

An Alternative Lodge Park that meets the requirements of this Section is permitted with a Conditional Use Permit and Coastal Development Permit in Residential Multi-Family (RM), Mixed Residential (R2), Commercial Neighborhood (CN), Commercial General (CG), and Business Park (MB).

62.5.5.3 Development Standards

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Alternative Lodge Parks are required to meet the development standards in Section 62.5.3 in addition to the following:

62.5.5.3.1 Spaces provided for sleeping units and internal circulation shall be sufficient space for ingress and egress for emergency access.

62.5.6 Removal of Emergency Housing Village Sites

In the case that the local Shelter Crisis Declaration is no longer effective, it shall be the responsibility of the operator to clean up the site and remove all infrastructure that does not meet California Building Standards Code within 180 days of the expiration date of the Shelter Crisis Declaration. Any on-site wastewater treatment systems to be abandoned shall be destroyed.

SECTION 3. DEFINITIONS

Sections 313-136 and 313-140 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

Add:

313-136 DEFINITIONS (A)

Alternative Lodge Park: An Alternative Lodge Park provides spaces for occupancy for persons experiencing homelessness, allowing a broad range of housing types during a local emergency housing crisis. The range of allowable dwelling types include manufactured and mobile homes, recreational vehicles, travel trailers, tiny houses and moveable tiny houses.

314-140 DEFINITIONS (E)

Emergency Dependent Unit Village: An Emergency Dependent Unit Village is a grouping of three (3) or more Emergency Sleeping Cabins that are not equipped with a kitchen area, toilet, or sewage disposal system. This applies to any facility to be for persons experiencing homelessness for the duration of the shelter crisis. An Emergency Dependent Unit Village shall contain separate on-site common facilities that include, but are not limited to, kitchen areas, toilets, showers and bathrooms with running water.

Emergency Housing Villages: Emergency Housing Villages allow for a broad range of housing types as emergency housing. This applies to any facility to be for persons experiencing homelessness for the duration of the shelter crisis. This includes Emergency Dependent Unit Villages, and Alternative Lodge Parks, and is allowable under Government Code 8698.4 addressing emergency housing upon declaration of a shelter crisis.

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Emergency Sleeping Cabin: An Emergency Sleeping Cabin is a hard-roof and sided structure providing a room for living and sleeping, not equipped with a kitchen area, toilet, and sewage disposal system, and is allowable as emergency housing under Government Code 8698.4 addressing emergency housing upon declaration of a shelter crisis. This applies to any facility to be for persons experiencing homelessness for the duration of the shelter crisis. Emergency Sleeping Cabins shall meet the minimum requirements of the California Building Code (CBC), Appendix P104 *Emergency Sleeping Cabins* and California Residential Code (CRC), Appendix AZ104 *Emergency Sleeping Cabins*, or subsequent appendices.

SECTION 4. ZONING TABLES

Sections 313-2.1, 313-2.2, 313-3.1, 313-6.2, and 313-6.3 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

313-2 Commercial Zone Districts

313-2.1 CN: Neighborhood Commercial

313-2.1	CN: Neighborhood Commercial
	Principal Permitted Use
	Neighborhood Commercial Principal Permitted Use (See Section 313-163.1.9 for description)
<u>Residential Use Types</u>	<u>Emergency Dependent Unit Villages</u>
Use Type	Conditionally Permitted Use
Residential Use Types	Caretaker's Residence. <u>Alternative Lodge Parks</u>

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313-2.1	CN: Neighborhood Commercial
Civic Use Types	Administrative Community Assembly Essential Services Minor Generation and Distribution Facilities Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations
Commercial Use Types	Retail Sales Retail Services Office and Professional Service
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations.
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 CN zone.

313-2.2 CG: Commercial General

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313-2.2	CG: Commercial General
Use Type	Principal Permitted Use
<u>Residential Use Types</u>	<u>Emergency Dependent Unit Villages</u>
Civic Use Types	Minor Utilities Essential Services Administrative Non-Assembly Cultural
Commercial Use Types	Retail Sales Retail Services Automotive, Sales, Service and Repair Office and Professional Service
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Use Type	Conditionally Permitted Use
Residential Use Types	Caretaker's Residence <u>Alternative Lodge Parks</u>

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313-2.2	CG: Commercial General
Civic Use Types	<p>Community Assembly</p> <p>Health Care Services</p> <p>Extensive Impact Civic Use</p> <p>Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations</p> <p>Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations</p> <p>Minor Generation and Distribution Facilities</p>
Commercial Use Types	<p>Heavy Commercial</p> <p>Warehousing Storage and Distribution</p> <p>Transient Habitation</p>
Industrial Use Type*	Research/Light Industrial
Natural Resource Use Type	Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the CG zone.

313-3 Industrial Use Regulations

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313-3.1 MB: Business Park

313-3.1	MB: Business Park
Use Type	Principal Permitted Use
Civic Use Types	Minor Utilities Administrative
Commercial Use Types	Warehousing, Storage and Distribution Office and Professional Service
Industrial Use Types*	Research/Light Industrial
Use Type	Conditionally Permitted Use
<u>Residential Use Types</u>	<u>Emergency Dependent Villages</u>
	<u>Alternative Lodge Parks</u>
Commercial Use Types	Retail Sales Retail Service Uses Transient Habitation
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 MB zone.

313-6 Residential Zone Districts

313-6.2 RM: Residential Multi-Family

313-6.2	RM: Residential Multi-Family
Principal Permitted Use	

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313-6.2	RM: Residential Multi-Family
Residential Multi-Family Principal Permitted Use (See Section 313-163.1.9 for description)	
313-163.1.9 The Residential Multifamily Principally Permitted Use includes the following uses: Multifamily Residential, <u>Emergency Dependent Unit Village</u> , Accessory Dwelling Unit, Group Residential, and Minor Utilities to serve these uses.	
Conditionally Permitted Use	
Residential Use Types	Single Family Residential
	<u>Alternative Lodge Park</u>
	Manufactured Home Park; subject to the Manufactured Home Park Regulations
Civic Use Types	Essential Services
	Community Assembly
	Public Recreation and Open Space
	Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations
	Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations
Commercial Use Types	Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations
	Transient Habitation

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313-6.2	RM: Residential Multi-Family
	Private Recreation
	Neighborhood Commercial
	Office and Professional Service
	Private Institution
Natural Resource Use Type	Fish and Wildlife Management
	Watershed Management
	Wetland Restoration
	Coastal Access Facilities

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313-6.3 R2: Mixed Residential

313-6.3	R2: Mixed Residential
Principal Permitted Use	
Mixed Residential Principal Permitted Use (See Section 313-163.1.9 for description)	
313-163.1.9 The Mixed Residential Principally Permitted Use includes the following uses: Single-Family Residential, Accessory Dwelling Unit, Multifamily Residential (Duplex only), Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.	
Conditionally Permitted Use	
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations
	Guest House
	<u>Emergency Dependent Unit Village</u>
	<u>Alternative Lodge Park</u>
Civic Use Types	Essential Services
	Community Assembly
	Public Recreation and Open Space
	Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations
	Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations
	Minor Generation and Distribution Facilities

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313-6.3	R2: Mixed Residential
Commercial Use Types	Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations
	Neighborhood Commercial
	Private Institution
	Private Recreation
Commercial Timber Use Type	Timber Production
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Fish and Wildlife Management
	Watershed Management
	Wetland Restoration
	Coastal Access Facilities

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective immediately upon certification by the Coastal Commission unless modifications to the proposed ordinance are required by the Coastal Commission for certification, in which case they must first be brought back to the Board of Supervisors for consideration at a future public hearing prior to certification by the Coastal Commission.

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PASSED AND ADOPTED this 20th day of August 2024, on the following vote, to wit:

AYES: Supervisors: Bohn, Bushnell, Wilson, Madrone, Arryo
NAYS: Supervisors:
ABSENT: Supervisors:
ABSTAIN: Supervisors:



REX BOHN, CHAIRPERSON,
HUMBOLDT COUNTY BOARD OF SUPERVISORS

(SEAL)

ATTEST:

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

By: 

Nicole Turner, Deputy Clerk