

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 25-047

Record Number LRP-2023-18374

Recommending that the Board of Supervisors adopt the proposed amendments to the Zoning Ordinance to amend the Requests for Modifications or Exceptions for Residential Accessibility Ordinance and retitle it Request for Reasonable Accommodation for Residential Accessibility Ordinance, as described in the draft ordinance.

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

WHEREAS, Humboldt County initiated the Zoning Ordinance amendments herein to implement its General Plan Housing Element, which through H-IM67 directs the County to amend the Zoning Regulations such that they are consistent with the California Fair Employment and Housing Act, California Government Code Section 11135, the Federal Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act, (referred to in this resolution and the proposed code as the "Acts"), which establish required accessibility standards, specifically those related to nondiscrimination and equity for individuals with disabilities requiring accommodations for their dwellings; and

WHEREAS, on Wednesday August 20, 2025, the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing on the proposed ordinance regarding Reasonable Accommodations for Residential Accessibility; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the proposed Request for Reasonable Accommodation for Residential Accessibility Ordinance on September 4, 2025 to receive a report and any supplements to the report on the draft ordinance, as well as evidence and testimony and made a recommendation to the Board of Supervisors to adopt the proposed draft Request for Reasonable Accommodation for Residential Accessibility Ordinance within the Zoning Regulations;

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

REQUIRED FINDINGS OF APPROVAL

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- 1. FINDING:** The proposed amendments to the Zoning Ordinance are exempt from environmental review under the common sense exemption (Section 15061(b)(3) of the State CEQA Guidelines) where it can be seen with certainty that a project will not have an adverse effect on the environment and the definition of project under Section 15378 of the State CEQA Guidelines (per Section 15378(b)(2), continuing administrative activities such as general policy and procedure making are excluded from the definition of project).

EVIDENCE: a) The proposed ordinance will not allow any new development that the County would not be required to approve per State law otherwise. The proposed ordinance merely describes the policy and procedure to follow in order to be consistent with State law requirements.

PUBLIC INTEREST

- 2. FINDING:** The amendments are in the public interest. Updating the Reasonable Accommodation policies to match the terms of the Acts by amending Section 312-42 is consistent with the purpose of the Adopted Ordinance.

EVIDENCE: a) The intent of the ordinance is to clarify how the County should comply with the current standards within the Acts, which should improve the accessibility of residences and is therefore in the public interest.

CONSISTENCY WITH THE GENERAL PLAN

- 3. FINDING:** The proposed Zoning Regulation Ordinance is consistent with the General Plan.

EVIDENCE: a) The amendments to the Zoning Ordinance implement the Housing Element. The proposed ordinance incorporates the Humboldt County General Plan's goals, policies and standards as directed in Implementation Measure H-IM67. H-IM67 directs the County to amend the Zoning Regulations such that they are consistent with the Acts, specifically to remove the Special Permit procedure requirements, identify that the Planning Director is the appropriate reviewing authority and the Board of Supervisors is the appropriate appeal authority, and specify that decisions must be rendered in writing within 30 days, all in relation to requests for Reasonable

Accommodations for Residential Accessibility.

CONSISTENCY WITH THE COASTAL ACT

- 4. FINDING:** The proposed Zoning Regulations Updates will not adversely affect Coastal Access, Recreation, Marine, Land Resources, cause new development that may affect scenic resources, public works facilities, safety, and priority of coastal dependent developments or interfere with or allow industrial development.

EVIDENCE: a) Any new development within the Coastal Zone initiated in relation to this code will still require a Coastal Development Permit in accordance with the Coastal Act and Local Coastal Program. The findings required to approve any requested accommodations must identify that they would not have any significant adverse impacts on coastal resources.

CONSISTENCY WITH STATE PLANNING LAW

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

EVIDENCE: a) The amendments do not impact residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law. The amendments will not alter residential density of parcels within Humboldt County, as there is no disability for which the accommodation would be increasing or reducing the residential density of a property, nor would such an accommodation be reasonable.

DECISION

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

1. Adopt the required findings above; and
2. Adopt the Planning Commission recommended amendments to Section 312-42 of Chapter 2 of the Zoning Regulations.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **September 4, 2025**.

The motion was made by COMMISSIONER THOMAS MULDER and seconded by COMMISSIONER JEROME QIRIAZI and the following vote:

AYES: Commissioners: Thomas Mulder, Jerome Qiriazzi, Iver Skavdal, Peggy O'Neill

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Noah Levy, Sarah West, Lorna McFarlane

DECISION: Motion carried 4/0

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



John H. Ford, Director
Planning and Building Department