

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings; meeting on July 11, 2023

RESOLUTION NO.23- 107

CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING FINDINGS OF FACT, AND APPROVING GENERAL PLAN AMENDMENTS PERTAINING TO SUPPORTIVE AND TRANSITIONAL HOUSING OUTSIDE THE COASTAL ZONE.

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, changes to California Government Code Sections 65582, 65583, and 65650 et seq. prescribe certain aspects of local zoning regulations related to supportive and transitional housing; and

WHEREAS, Humboldt County's General Plan 2019 Housing Element Update includes Implementation Measure H-IM51, directing the County to amend the Zoning Regulations for supportive and transitional housing to be consistent with Government Code Sections 65582 and 65583; and Implementation Measure H-IM71, directing the County to amend related parts of the General Plan; and

WHEREAS, the proposed Supportive and Transitional Housing Amendments and Related General Plan Amendments have been reviewed by appropriate county departments, state agencies and local tribes and their input has been collected and considered; and

WHEREAS, the proposed Inland Ordinance is exempt from environmental review under in Sections 15060(c)(2) and 15061(b)(3) of the California Environmental Quality Act; and

WHEREAS, the Planning Division prepared and made available to the public the draft Supportive and Transitional Housing Ordinances, related General Plan Amendments, and a *Permitting Guidelines and Best Practices* manual on the County's webpage at <https://humboldt.gov.org/2448/2019-Housing-Element>; and

WHEREAS, the Findings in this resolution include substantial evidence in support of approving the proposed inland and coastal zoning ordinance amendments and General Plan amendments; and

WHEREAS, on or before October 6, 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 Zoning Amendments and General Plan Amendments regarding Supportive and Transitional Housing; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the Supportive and Transitional Housing Ordinances and General Plan Amendments on October 20, 2022 during which the Planning Commission reviewed, took public comments, considered a report, supplements, evidence and testimony and recommended the Board of Supervisors adopt the Inland Supportive and Transitional Housing Ordinance with modification, and the related General Plan Amendments; and

WHEREAS, on or before June 27, 2023 the Planning Division caused to be published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, a Notice of Public Hearing on the proposed Zoning Amendments and General Plan Amendments regarding Supportive and Transitional Housing; and

WHEREAS, on July 11, 2023 the Board of Supervisors held a public hearing on the proposed ordinances and related General Plan Amendments, and received public comments, reviewed and considered all public testimony and evidence and presented at the hearing;

Now, THEREFORE BE IT RESOLVED, that the Board of Supervisors makes all the following Required Findings of Approval:

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

1. FINDING: The proposed Supportive and Transitional Housing Ordinance and General Plan Amendments are exempt from environmental review pursuant to Sections 15060(c)(2) and 15061(b)(3) of the CEQA Guidelines. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

EVIDENCE: a) Transitional and supportive housing are residential uses being allowed where residential uses are already allowed.
b) The focus of these amendments will make clear that these activities are residential uses and provide clarity in the permitting process. There are no other potential impacts associated with this change.

FINDINGS FOR GENERAL PLAN AMENDMENT.

2. FINDING: The proposed General Plan Amendment and modification to the Zoning Ordinance is in the public interest.

EVIDENCE: a) State housing law requires the County to designate adequate sites for development of supportive and transitional housing. Under the Housing Accountability Act, the County is obligated to actively facilitate these types of housing development. The proposed ordinance advances these goals and is therefore in the public interest.
b) Homelessness is a crisis issue in the County and creating clear regulations identifying where transitional and supportive housing can be located will facilitate provision of needed resources.

3. FINDING: Conditions have changed in State requirements necessitating this modification to the Humboldt County General Plan.

- EVIDENCE:**
- a) Changes to State housing law, Gov. Code Secs. 65582, 65853, and 65650 define and regulate zoning and development of supportive housing and transitional housing. The proposed General Plan Amendment harmonizes language and standards in accordance with that change.
 - b) The 2019 Housing Element identified the need for this change and instituted Implementation Measures H-IM51 and H-IM71 directing the General Plan be amended to reflect current Government Code.

FINDINGS FOR AMENDMENTS TO THE ZONING REGULATIONS.

4. FINDING: The proposed zoning ordinance amendments are in the public interest.

- EVIDENCE:**
- a) State housing law tasks the County with designating adequate sites for and facilitating development of supportive and transitional housing.
 - b) Under the Housing Accountability Act, the County is obligated to actively facilitate these types of housing development.
 - c) Homelessness is a crisis in Humboldt County. Much of the funding available to address this is dependent upon a local jurisdiction having their ordinances and regulations up to date.

5. FINDING: The proposed zoning amendments are consistent with the Housing Element Implementation Measures of the General Plan.

- EVIDENCE:**
- a) The 2019 Housing Element, Chapter 8 of the General Plan, includes implementation measure H-IM51: amend the Zoning Regulations consistent with Government Code Article 11, commencing at Section 65650, and Government Code Section 65582(j) and 65582(c)(3) for transitional and supportive housing. The proposed amendments carry out these implementation measures, and are therefore consistent with the General Plan.

CONSISTENCY WITH STATE HOUSING ELEMENT DENSITIES.

6. FINDING: The proposed zoning amendments 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: The proposed supportive and transitional housing amendments potentially affect multifamily sites that could be included in the residential land inventory. However, the proposed changes 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.

Now **THEREFORE, BE IT RESOLVED** that the Board of Supervisors hereby:

1. Adopts the General Plan Amendments as shown in Exhibit A of this Resolution;
3. Directs Planning Department staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research;
4. Directs the Clerk of the Board to give notice of the decision to any interested party; and
5. Directs the Clerk of the Board to publish the Post-Adoption Summary of the Ordinance within fifteen (15) days after its passage.

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on July 11, 2023 by the following vote:

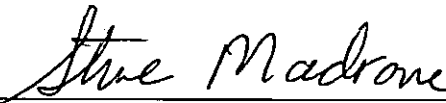
Adopted on motion by Supervisor Bohn , seconded by Supervisor Arroyo and the following vote:

AYES: Supervisors: Bohn, Buhsnell, Madrone, Wilson, Arroyo

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:



STEVE MADRONE, CHAIRPERSON,
HUMBOLDT COUNTY BOARD OF SUPERVISORS

(SEAL)

ATTEST:

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

By: 

Nicole Turner, Deputy Clerk

EXHIBIT A - General Plan Amendments

Humboldt County General Plan (Adopted October 23, 2017)

Amend Chapter 4, Section 4.8 Land Use Designations, pp. 4-2 and 4-3 as follows:

Table 4-B Residential Land Use Designations Allowable Use Types

	RM	RL	RE	RA
Residential				
Single Family Residential	X	X	X	X
Second Residential Unit		X	X	X
<u>Supportive Housing</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Multi-Family Residential	X	X		
Manufactured Home Parks	X	X		
Guest House		X	X	X
Group Residential	X			
Planned Developments	X	X	X	X
Emergency Shelter	X			
Transitional Housing	X	<u>X</u>	<u>X</u>	<u>X</u>
Residential Accessory Uses ¹	X	X	X	X
Other				
Cottage Industry	X	X	X	X
Bed & Breakfast Inns	X	X	X	X
Community Assembly	X	X	X	X
Neighborhood Commercial	X	X	X	X
Non-Commercial Recreation	X	X	X	X
Office and Professional	X			
Private Institution	X	X	X	
General Agriculture			X	X
Intensive Agriculture			X	X
Stables & Kennels			X	X
Timber Production			X	X
Fish & Wildlife Management	X	X	X	X
Essential Services	X	X	X	X
Similar Compatible Uses	X	X	X	X
Development Standards				
Density Range	7 to 30 units per acre, as specified on map	1-8 units per acre, as specified on map	1 to 5 acres per unit, as specified on map	5 to 160 acres per unit, as specified on map
Max. Floor Area Ratio	1.00	0.40	0.20	0.10
Additional Provisions	per zoning	per zoning	per zoning	per zoning

Table 4-C Commercial Land Use Designations

Commercial	CG	CS	CR
Automotive Sales, Service, & Repair	X	X	
Bed & Breakfast Inn	X	X	X
Commercial Recreation	X	X	X
Heavy Commercial		X	
Neighborhood Commercial	X	X	X
Office & Professional	X	X	
Private Recreation	X	X	X
Retail Sales	X	X	
Retail Services	X	X	
Transient Habitation	X	X	X
Visitor Serving Facilities			X
Warehousing, Storage, & Distribution		X	
Industrial			
Research/Light Industrial		X	
Civic	X	X	
Administrative	X	X	X
Community Assembly	X	X	X
Essential Services	X	X	
Health Care Services			
Other			
Residential Uses Subordinate to Principal Use	X	X	X
<u>Supportive Housing</u>	X	X	X
Timber Production			X
Similar Compatible Uses	X	X	X
Development Standards			
Max. Floor Area Ratio	3	3	3
Maximum Structure Height and other development standards	per zoning	per zoning	per zoning