

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings; meeting on July 11, 2023

RESOLUTION NO.23-108

**CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING FINDINGS OF FACT PERTAINING TO SUPPORTIVE AND TRANSITIONAL HOUSING INSIDE 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 Ordinance has been reviewed by appropriate county departments, state agencies and local tribes and their input has been collected and considered; and

**WHEREAS**, the proposed Coastal Ordinance is exempt from environmental review under Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251, and 15265 of the CEQA Guidelines; 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 that support 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 regarding Supportive and Transitional Housing in the Coastal Zone; and

**WHEREAS**, the Humboldt County Planning Commission held a public hearing on the Supportive and Transitional Housing Ordinances 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 Amendment to the Coastal Zoning Ordinance; and

**WHEREAS**, on or before June 27, 2023 a Notice of Public Hearing on the proposed Zoning Amendments regarding Supportive and Transitional Housing was published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County; and

**WHEREAS**, on July 11, 2023 the Board of Supervisors held a public hearing on the proposed ordinances, 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 is statutorily exempt from environmental review.

**EVIDENCE:** a) Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251, and 15265 of the CEQA Guidelines, state CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program.  
b) 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 Natural Resources as being the functional equivalent of CEQA.

**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.

**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 Humboldt County Board of Supervisors:

1. Finds that the proposed amendments to the Coastal Zoning Regulations conform to and appropriately carry out the policies of each of the Humboldt County's six Coastal Plans and Chapter 3 of the Coastal Act, and further finds that the proposed Zoning Amendments will be carried out in accordance with the Coastal Act; and
2. Directs Planning and Building Department staff to transmit the Coastal Supportive and Transitional Housing Amendments, including all necessary supporting documentation, to the California Coastal Commission as an amendment to the certified Local Coastal Program for their review and certification in accordance with Public Resources Code Section 30514; and
3. Directs and hereby provides notice to the California Coastal Commission and its staff that modifications to the proposed amendments to the Zoning Regulations required by the Coastal Commission for certification shall first be brought back to the Board of Supervisors for consideration at a future public hearing prior to certification by the Coastal Commission.

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

1. Directs Planning Department staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research;
2. Directs the Clerk of the Board to give notice of the decision to any interested party; and
3. Directs the Clerk of the Board to publish the Post-Adoption Summary of the Ordinance within fifteen (15) days after its adoption.

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, Bushnell, Madrone, Wilson, Arroyo

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:

*Steve Madrone*

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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*

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Nicole Turner, Deputy Clerk