



COUNTY OF HUMBOLDT

For the meeting of: 8/20/2024

File #: 24-1164

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing - Received Too Late For Review (TLFR)

Vote Requirement: Majority

SUBJECT:

Adoption of Ordinances Amending the Zoning Code to Allow Tiny Home Villages and Emergency Housing Villages Within the Inland and Coastal Unincorporated Areas of Humboldt County

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing, receive and consider the staff report, accept public comment;
2. Close the public comment portion of the public hearing;
3. Deliberate and comment on the draft ordinances presented;
4. Adopt the resolutions [Attachment 1] to take the following actions:
 - a) Find that the proposed Inland and Coastal Tiny House Village Ordinances are exempt from CEQA pursuant to §15061(b)(3) of the CEQA Guidelines and the Coastal Tiny House Village Ordinance is exempt per §15265 of the CEQA Guidelines;
 - b) Find that the proposed Inland Tiny House Village Ordinance is consistent with the General Plan;
5. Find that the proposed Coastal Tiny House Village Ordinance is consistent with the Local Coastal Plan and the Coastal Act;
6. Adopt the Inland Tiny House Village Ordinance, allowing Tiny House Villages by adding sections 314-62.3, and 314-62.4, and amending sections 314-139, and 314-155 and related tables in Chapter 4 of Division 1 of Title III of the Humboldt County Code [Attachment 2];
7. Adopt the Coastal Tiny House Village Ordinance, allowing Tiny House Villages by adding sections 313-62.3, and 313-62.4, and amending sections 313-139, and 313-155 and related tables in Chapter 3 of Division 1 of Title III of the County Code, Coastal Zoning Code [Attachment 3];
8. Direct the Clerk of the Board to publish post-adoption summary of the Inland Ordinance [Attachments 4] within 15 days after adoption by the Board, and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance;
9. Direct Planning and Building staff to transmit the Coastal Ordinance with relevant information to the Coastal Commission for Certification;
10. Direct Planning staff to prepare and file a Notice of Exemption with the County Clerk and the Office of Planning and Research;
11. Adopt resolutions [Attachment 5] to take the following actions:
 - a. Find that the proposed Inland and Coastal Emergency Housing Village Ordinance is exempt from CEQA pursuant to §15061(b)(3) of the CEQA Guidelines and the Coastal Emergency Housing Village Ordinance is exempt per §15265 of the CEQA Guidelines;
 - b. Find that the proposed Inland Emergency Housing Village Ordinances is consistent with the General Plan and state law;
 - c. Find that the proposed Coastal Emergency Housing Village Ordinance is consistent with the Local Coastal Plan, state law and the Coastal Act;

12. Adopt the Inland Emergency Housing Village Ordinance, allowing Emergency Housing Villages by adding sections 314-62.5, and amending sections 314-136, and 314-140 and related tables in Chapter 4 of Division 1 of Title III of the Humboldt County Code [Attachment 6];
13. Adopt the Coastal Emergency Housing Village Ordinance, allowing Emergency Housing Villages by adding sections 313-62.5, and amending sections 313-136, and 313-140 and related tables in Chapter 3 of Division 1 of Title III of the County Code, Coastal Zoning Code [Attachment 7];
14. Direct the Clerk of the Board to publish a post-adoption summary of the Inland [Attachment 8] within 15 days after adoption by the Board, and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance;
15. Direct Planning and Building staff to transmit the Coastal Ordinance with relevant information to the Coastal Commission for Certification;
16. Direct Planning staff to prepare and file a Notice of Exemption with the County Clerk and the Office of Planning and Research; and
17. Direct staff to explore amending the California Building Code, Appendix P Emergency Housing and California Residential Code, Appendix AZ Emergency Housing for the purpose allowing cars, tents and membrane structures within Emergency Housing Villages in areas with less than 50 degrees Fahrenheit, as temporary housing allowed under an active Shelter Crisis Declaration.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Housing for All

Strategic Plan Category: 4002 - Increase and prioritize housing development

DISCUSSION:

Executive Summary

Tiny Home Villages provide permanent housing and Emergency Housing Villages provide forms of temporary housing to house unhoused people.

Four ordinances are being presented to the Board of Supervisors for consideration. Two ordinances are being proposed for the Tiny House Village Ordinance, one for the inland areas and one for the coastal areas. The intent of the Tiny House Village Ordinance is to encourage housing diversity and the expansion of lower cost housing developments in Humboldt County. Two more ordinances are being proposed for the Emergency Housing Village Ordinance, one for the inland areas and one for the coastal areas. The intent of the Emergency Housing Village Ordinance is to allow for the use or creation of emergency housing (utilizing California Building Standards Code (CBSC) Emergency Housing building exceptions) and would apply to any qualifying facility for persons experiencing homelessness for the duration of the Shelter Crisis Declaration.

The approach in preparing these ordinances has been to implement adopted policies of the General Plan's 2019 Housing Element to encourage the development of low-cost housing and to increase housing diversity. The ordinances will provide a uniform and comprehensive set of standards for the density, siting, general operations, and development requirements of Tiny House Villages and Emergency Housing Villages to ensure community compatibility. These standards are designed to protect the public health safety and welfare, and to encourage siting in preferred locations to ensure access to public utilities and services and help preserve the County's resource lands.

The Planning Commission considered these ordinances over three public hearings and with a 7-0 vote recommends the Board adopt these ordinances. The Planning Commission also recommends exploring amending certain provisions of the Building Code where exceptions are allowed to make providing shelter for unhoused people easier.

Background

The proposed Tiny House Village Ordinance and Emergency Housing Village Ordinance are contained as policies and implementation measures of the 2019 Housing Element (Policy H-P31). Allowance for Tiny House Villages: To improve housing diversity and encourage development of new low-cost housing tiny house villages are proposed as a type of multifamily dwelling (Implementation Measure H-IM40). Allowance for Tiny House Villages: Calls for development of a Tiny Home ordinance including provisions for detached bedrooms with central sanitary, laundry, cooking and dining facilities (Implementation Measure H-IM58). Alternative Lodge Park. Include provisions for Alternative Lodging Park (ALP) subject to a use permit providing spaces for temporary or permanent occupancy that are flexible allowing a broad range of housing types.

Summary of Tiny House Village Ordinance Regulations

The proposed Tiny House Village Ordinance amends the zoning regulations to allow for new housing configurations, Tiny House Villages (including three (3) or more Tiny Houses or Moveable Tiny Houses) and Dependent Unit Villages (including three (3) or more Dependent Sleeping Units which are not fully equipped with a kitchen area, toilet or sewage disposal system, but may contain a toilet or sewage disposal system).

Tiny House Villages and Dependent Unit Villages are allowed as principally permitted within the following inland zones: Residential Multiple Family (R-3), Apartment Professional (R-4), Mixed Use Urban (MU-1) zones, Neighborhood Commercial (C-1), Community Commercial (C-2), Highway Service Commercial (CH), and Unclassified (U) with a land use designation of Residential-Medium Density (RM) or Residential-Low Density (RL); except where a Special Permit is otherwise required. Other inland zones that would allow for conditionally permitted Tiny House Villages or Dependent Unit Villages are: Industrial Commercial (C-3), Mixed Use Rural (MU-2), Unclassified (U), Residential Suburban (RS), and Residential Two Family (R-2). The coastal ordinance allowances are reflective of these zone types.

Tiny House Villages and Dependent Unit Villages will be allowed a density of up to thirty (30) units per acre or as allowed by the General Plan Land Use designation. A Tiny House or a Moveable Tiny House would consist of living units with kitchen and bathroom facilities, while Dependent Units consist of individual sleeping quarters with central common sanitary and kitchen facilities. The density limit of 30 units per acre is consistent with allowed density within the General Plan for Residential-Medium Density (RM). The density could go higher using Density Bonus provisions under Humboldt County Code (HCC) Section 314-112 which would result in a percentage of the units being reserved for persons or families of very low income, low income, senior citizen housing, moderate income, transitional foster youth, or lower income students.

These ordinances have been designed to fit within the existing density allowances of the General Plan so that the General Plan EIR could be used as the environmental document for this project. The current structure of the ordinances do not extend any allowance not already permitted by the General Plan and Zoning Ordinance.

Other General Standards

General standards included in the ordinance applied to both Tiny House Villages and Dependent Unit Villages are as follows:

1. Shall not be rented for periods of less than 30 days in duration.
2. No more than two (2) household pets (including dogs and cats) allowed per unit.
3. All principally permitted villages require connection to public water and wastewater systems. In areas where no public water and sewer is available, a Special Permit is required.
4. Located on a property with connection to grid power or have a permitted renewable power source.
5. Access to the site from a Category 4 road with a Category 2 driveway with a minimum of 20 feet for Fire Safe Regulations.
6. Each individual unit shall have an assigned address issued prior to building permit.
7. A minimum and maximum for parking requirements and bike lockers.
8. Waste storage standards.
9. Common areas and open space.
10. Privacy requirement for placement of windows.
11. All sites will need to comply with setbacks, buffers and screening, and lighting requirements within the Humboldt County Zoning Code.
12. Development standards for Moveable Tiny House structures and Dependent Unit structures.
13. Common Facilities requirements for Dependent Unit Villages with shared kitchen areas, toilets, showers and bathrooms with running water.
14. Dependent Unit Villages shall have a property manager responsible for providing routine maintenance to the common

facilities.

Summary of Emergency Housing Village Ordinance Regulations

The proposed Emergency Housing Village Ordinance proposes two new housing configurations, Emergency Dependent Unit Villages (including three (3) or more Emergency Sleeping Cabins) and Alternative Lodge Parks (providing spaces for two (2) or more of the following housing types: manufactured and mobile homes, recreational vehicles, travel trailers, tiny houses, and moveable tiny houses). These types of developments are allowed as emergency housing during an active Shelter Crisis Declaration and are intended to provide housing for people experiencing homelessness.

Emergency Dependent Unit Villages are principally permitted within the following inland zones: Multiple Family (R-3), Apartment Professional (R-4), Mixed Use Urban (MU-1) zones, Neighborhood Commercial (C-1), Community Commercial (C-2), and Highway Service Commercial (CH). Other zones that would allow for conditionally permitted Emergency Dependent Unit Village are: Mixed Use Rural (MU-2); Industrial Commercial (C-3); Limited Industrial (ML); Heavy Industrial (MH); and Unclassified (U) with a land use designation of Residential-Medium Density (RM), Commercial General (CG) or Commercial Services (CS). The coastal ordinance allowances are reflective of these zone types.

All Alternative Lodge Parks will require a Conditional Use Permit, and would be allowed in the following inland zones: Residential Multiple Family (R-3); Apartment Professional (R-4); Neighborhood Commercial (C-1), Community Commercial (C-2); Industrial Commercial (C-3); Highway Service Commercial (CH); Mixed Use Rural (MU-2); Limited Industrial (ML); Heavy Industrial (MH) zones; and Unclassified (U) with a land use designation of Residential-Medium Density (RM), Commercial General (CG) or Commercial Services (CS).

As the Emergency Housing Village Ordinance is under Emergency Housing provisions of the Shelter Crisis Declaration, there is no limit on the density allowed for Emergency Dependent Unit Villages and Alternative Lodge Parks. However, the zones that have been included for these developments are in line with what would be allowed in RM land use designations of the General Plan for consistency, commercial and industrial zones that don't have density limits, and what is already allowed by the state for emergency housing. The proposed ordinances do not include a minimum requirement for parcel size in order to reduce the limitations on available sites for development.

General standards applied to both Emergency Dependent Unit Villages and Alternative Lodge Parks are as follows:

1. Operated by a government agency, religious institution, nonprofit charitable organization, or private nonprofit organization.
2. No individual or household shall be denied shelter because of inability to pay.
3. Connection to public water and wastewater.
4. Connection to grid power, renewable source of power or emergency generator.
5. Generator use standards.
6. Located on a Category 4 road and a Category 2 driveway with a minimum width of 20 feet for firetruck access.
7. Units shall provide address numbers, letters, or other suitable means of identification.
8. No minimum parking requirements.
9. Waste removal requirements.
10. Common facilities providing, but not limited to, a shared kitchen area, and shared bathroom and sanitary facilities, supporting the Emergency Housing Villages are required.
11. Shall be located within the boundaries of a fire protection district.
12. Sufficient space and internal circulation for ingress and egress for emergency access.
13. Requirements for removal of emergency housing village sites when the shelter crisis declaration is no longer in effect.

Planning Commission Actions

The Planning Commission conducted three public meetings on April 18, 2024, June 27, 2024, July 18, 2024, to consider the proposed Tiny House Village Ordinance and the Emergency Housing Village Ordinance. Over the course of these meetings, the Commission addressed the following concerns:

- a) Delineated commercial zones to allow Tiny House Villages and Emergency Housing Villages as principally permitted or with a conditional use permit.
- b) Wanted to encourage maximum Density.
- c) Protection of resource lands such as TPZ and AE in line with the General Plan.
- d) Siting Tiny House Villages and Emergency Housing Villages within areas containing public utilities, transit and services.
- e) Allowances for alternative power sources.
- f) Allowance of generator use with a Special Permit in Emergency Housing Villages and standards required.
- g) Requirements for parking or bike lockers.
- h) Requirements for water, wastewater and solid waste.
- i) Requirements for open space and common areas as well as common facilities.
- j) Road access and driveway requirements for firetruck access.
- k) Privacy requirement for Tiny House Village Ordinance.
- l) Development and design standards for Moveable Tiny House structures.
- m) Household pet limits (including dogs or cats) for Tiny House Village Ordinance.
- n) Common kitchen and service kitchen requirements.
- o) Applicability and ownership requirements for Emergency Housing Village Ordinance.
- p) Requirement for Emergency Housing Villages to be within a Fire Protection District.
- q) Development standards for Emergency Sleeping Cabins.
- r) Site removal requirements for Emergency Housing Villages after the shelter crisis declaration is no longer effective.

The Planning Commission debated heavily on many of the topics discussed. Both the Tiny House Village Ordinance and the Emergency Housing Village Ordinance were unanimously approved by the Planning Commission 7:0.

Project Location: All the unincorporated areas of Humboldt County, including the Coastal Zone.

Present General Plan Land Use Designation: All land use designations.

Present Zoning: All zoning districts.

Environmental Review: The proposed ordinances are exempt from environmental review under §15061(b)(3) of CEQA Guidelines, activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

State Appeal: Changes proposed to the Local Coastal Program (zoning ordinance provisions 313-62.3, 313-62.4, 313-62.5 and other sections of Chapter 3) must receive final certification from the California Coastal Commission before they become effective.

SOURCE OF FUNDING:

Local Early Action Plan (LEAP) grant funding from the California Department of Housing & Community Development for the development of the Tiny House Village Ordinance and the Emergency Housing Village Ordinance.

FINANCIAL IMPACT:

The Tiny House Village Ordinance and the Emergency Housing Village Ordinance will cost approximately \$76,500 to complete and

implement. The Tiny House Village Ordinance work has been funded by a Local Early Action Planning (LEAP) grant from the California Department of Housing and Community Development (HCD) for Fiscal Year 2024-25 in Fund 1100, Budget Unit 282 - Advanced Planning. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents and process improvements that accelerate housing production, including increasing the mix of housing types and housing supply. To be eligible for the funds under the LEAP grant the Tiny House Village Ordinance will require approval by the Board of Supervisors no later than September 15, 2024.

OTHER AGENCY INVOLVEMENT:

The development of the Tiny House Village Ordinance and the Emergency Housing Village Ordinance included the review and input from the managerial staff of the Humboldt County Planning and Building Department along with several other agencies, including: the Department of Public Works, the Department of Environmental Health, the Department of Health & Human Services, and the California Department of Housing & Community Development.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

Attachment 1 -Inland and Coastal Tiny House Village Ordinance Resolutions

Attachment 2 - Inland Tiny House Village Ordinance

Attachment 3 - Coastal Tiny House Village Ordinance

Attachment 4 - Tiny House Village Ordinance Post Adoption Summary (Inland)

Attachment 5 -Inland and Coastal Emergency Housing Village Ordinance Resolutions

Attachment 6 - Inland Emergency Housing Village Ordinance

Attachment 7 - Coastal Emergency Housing Village Ordinance

Attachment 8 - Emergency Housing Village Ordinance Post Adoption Summary (Inland)

Attachment 9 - CA Building Appendix P Emergency Housing

PREVIOUS ACTION/REFERRAL:

Meeting of: 4/18/2024 Planning Commission

File No.: 24-752

Meeting of: 6/27/2024 Planning Commission

File No.: 24-1043

Meeting of: 7/18/2024 Planning Commission

File No.: 24-1124