

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF
CALIFORNIA

Certified copy of portion of proceedings, Meeting on July 11, 2023

ORDINANCE NO. 2721

AMENDING THE INLAND ZONING REGULATIONS REGARDING SUPPORTIVE AND TRANSITIONAL HOUSING, SECTIONS 314-61.2, 314-138, 314-154, 314-155, 314-177, AND ASSOCIATED TABLES OF CHAPTER 4 OF DIVISION 1 OF TITLE III OF THE HUMBOLDT COUNTY CODE.

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

SECTION 1. PURPOSE OF AMENDMENT TO THE ZONING REGULATIONS

State law prescribes that Supportive and Transitional Housing are residential uses allowed by right in all zones where similar residential structures are permitted. This ordinance makes the inland zoning regulations consistent with State Housing Element Law, complies with the Housing Accountability Act, and carries out Implementation Measures H-IM51 and H-IM71, and Policy H-P35 of the Humboldt County 2019 Housing Element. This ordinance amends sections 314-61; 314-138, 314-154, 314-155; 314-177; and amends associated zoning tables in sections 314-2, 3, 6 and 9.

SECTION 2. SUPPORTIVE HOUSING

Section 314-61.2 Supportive Housing is hereby added to Title III, Division 1, Chapter 4 of the Humboldt County Code as follows (additions are shown in underline text):

Add the following to section 314-61:

314-61.2 SUPPORTIVE HOUSING

61.2.1 Purpose

The purpose of these regulations is to facilitate development of supportive housing as defined in California Government Code. Section 65582 of the Government Code defines Supportive Housing as housing with no limit on the length of stay that is occupied by the target population, and that is linked to an onsite or offsite service that helps residents retain the housing, improve his or her health status, and maximize their ability to live and, when possible, work in the community. Supportive housing is a residential use subject to the same requirements and restrictions that apply to other residential uses of the same type in the same zone.

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61.2.2 Applicability

61.2.2.1 Single Unit Supportive Housing

Supportive Housing that consists of single residential units is principally permitted in all zones where single family residential development is principally permitted, and is subject only to the development standards applicable to residential uses of the same type in the same zone.

61.2.2.2 Multifamily Supportive Housing

Multifamily Supportive Housing developed under Government Code 65650 et seq., consisting of fifty (50) units or less that meets all of the following requirements is principally permitted in the R-3, R-4, C-1, C-2, C-3, CH, MB, MU1 and MU2 zoning districts, provided:

- (a) Units within the development are subject to a recorded affordability restriction for 55 years.
- (b) Affordability. One hundred percent (100%) of the units within the development, excluding managers' units, must be restricted to lower income households, and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. Lower income households has the same meaning as defined in Section 50079.5 of the California Health and Safety Code.
- (c) Supportive Housing Units. At least 25 percent (25%) of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. In developments with fewer than 12 units, one hundred percent (100%) of those units must be restricted to residents in supportive housing.
- (d) Services Plan. The applicant must submit a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project as required by Section 65651, and describing those services, which must include all of the following:
 - i) The name of the proposed entity or entities that will provide supportive services.
 - ii) The proposed funding source or sources for the provided onsite supportive services.
 - iii) Proposed staffing levels.
- (e) Replacement Dwelling Units. The supportive housing development must replace rental dwelling units in the manner provided in Section 65915 of the California Government Code.
- (f) Facilities. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- (g) Supportive Services Floor Area. For a development with twenty (20) or fewer total units, at least ninety (90) square feet shall be provided for onsite supportive services. For a development with more than 21 units, at least three percent (3%) of the total nonresidential floor area must be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- (h) Any other requirements of Government Code section 65650 et seq. regarding supportive housing, as that section may be amended.

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61.2.2.3 Multifamily Supportive Housing is subject only to the development standards applicable to residential uses of the same type in the same zone.

61.2.3 Supportive Housing in Commercial Zones and Business Parks

Supportive Housing located in C-1, C-2, C-3 or MB zoning districts is permitted above the ground floor as the primary use. Supportive Housing units may be located on the ground floor in C-1, C-2, C-3, or MB zoning districts with a Special Permit.

61.2.4 Parking

Supportive housing located within one-half mile walking distance of a public transit stop is not subject to minimum parking requirements.

SECTION 3. DEFINITIONS

Sections 314-138, 314-154 and 314-155 are hereby added to and amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

Amend as follows 314-138 DEFINITIONS (C):

Community Care Facility: Community Care Facility includes all the use types defined in State law as Community Care Facility (currently at Chapter 3 of the Health and Safety Code, commencing with Section 1500) and refers to any facility, place or building licensed by the State Department of Social Services, which is maintained and operated to provide non-medical residential care, day care, or home-finding agency services for children, adults, or children and adults, including but not limited to, the physically handicapped, mentally impaired, incompetent persons and abused or neglected children. Community Care Facilities providing these services for six (6) or fewer individuals shall be considered a residential use of the property for the purpose of zoning, except that Supportive and Transitional Housing as defined in this Code are considered residential uses regardless of the number of individuals served. (See also, “Family Day Care Homes” and “Family Day Care Center”)

Amend as follows by adding to 314-154 DEFINITIONS (S):

Supportive Housing means housing with no limit on the length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

Amend and repeal 314-155 DEFINITIONS (T) as follows:

Target Population: The target population, defined in Government Code Section 65582(i), means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals with developmental disabilities who are eligible for services under the California Welfare and Institutions Code (commencing with Section 4500).

~~**Transitional and Supportive Housing:** Transitional housing and supportive housing as defined in Health and Safety Code §50675.2(h), and 50675.14(b) shall be considered a residential use of~~

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property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

~~Transitional Housing: Boarding or lodging services provided by a public or non-profit organization for the purpose of helping persons find more stable living arrangements where the majority of people utilizing such services remain for periods of less than three (3) months. Rental housing that operates under a rental assistance program with a period of at least six months, but where the space is re-occupied by another program recipient after a set period. The housing may be integrated with other social services and counseling programs to assist in the transition to income and permanent housing.~~

SECTION 4. RESIDENTIAL USE TYPES

Section 314-177, Residential Use Types, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

Amend

177.7 TRANSITIONAL HOUSING

The Transitional Housing Use Type includes ~~boarding or lodging services provided by a public or non-profit organization for the purpose of helping persons find more stable living arrangements where the majority of people utilizing such services remain for periods of less than three (3) months.~~ rental housing that provides rental assistance for at least six months, but where the space is re-occupied by another program recipient after a set period. Transitional housing is a residential use, subject only to those restrictions that apply to other residential units of the same type in the same zone.

Add

177.8 SUPPORTIVE HOUSING

The Supportive Housing Use Type includes housing with no limit on length of stay that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Supportive housing is a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

SECTION 5. COMMERCIAL ZONE DISTRICTS

Amend Section 314-2, Commercial Zone Districts, Tables 2.1-2.4 as follows:

<u>314-2.1</u>	C-1: NEIGHBORHOOD COMMERCIAL
Principal Permitted Uses	

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314-2.1	C-1: NEIGHBORHOOD COMMERCIAL
Social halls, fraternal and social organizations, and clubs.	
Professional and business offices, and commercial instruction.	
Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries.	
Sales of used and secondhand goods when appurtenant to any of the foregoing.	
Caretaker's residence which is incidental to and under the same ownership as an existing commercial use. (Added by Ord. <u>2166</u> , Sec. 14, 4/7/98)	
Within Housing Opportunity Zones, multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-1 Zone.	
<u>Supportive housing is permitted above the ground floor as the primary use.</u>	
Emergency shelters.	
Uses Permitted with a Special Permit	
Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated "Principally Permitted" or "Conditionally Permitted" in the C-1 Zone. (Added by Ord. <u>2313A</u> 12/16/2003, Amended by Ord. <u>2335_12/14/2004</u>)	
Single Room Occupancy Facilities which are conversions of existing buildings	
<u>Supportive Housing may be located on the ground floor with a Special Permit.</u>	
Uses Permitted with a Use Permit	
Manufactured homes, hotels, motels, boarding and rooming houses, and manufactured home parks.	
Small animal hospitals completely enclosed within a building.	
Stores, agencies and services such as minor automobile repair; new automobile, trailer and boat sales, and used automobile, trailer and boat sales appurtenant thereto; bowling alleys; licensed premises not	

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<u>314-2.1</u>	C-1: NEIGHBORHOOD COMMERCIAL
appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, and storage warehouses.	
Private institutions where specifically allowed by the General Plan. (Amended by Ord. <u>2161</u> on 3/3/98)	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the C-1 zone.	

<u>314-2.2</u>	C-2: COMMUNITY COMMERCIAL
Principal Permitted Uses	
Social halls, fraternal and social organizations, and clubs.	
Professional and business offices, and commercial instruction.	
Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries. (From Section INL#314-34(a)(3))	
Caretaker's residence which is incidental to and under the same ownership as an existing commercial use. (From Section INL#314-34(a)(5); Added by Ord. <u>2166</u> , Sec. 14, 4/7/98)	
Stores, agencies and services such as minor automobile repair; new automobile, trailer and boat sales, and used automobile, trailer and boat sales appurtenant thereto; bowling alleys; licensed premises not appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, and storage warehouses. (From Section INL#314-34(b)(3); Ord. <u>1086</u> , Sec. 8, 7/13/76)	
Within Housing Opportunity Zones multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-2 Zone.	
<u>Supportive housing is permitted above the ground floor as the primary use.</u>	
Emergency shelters. (Amended by Ord. <u>2472</u> , Sec. 1, 2/14/12).	
Uses Permitted with a Special Permit	

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314-2.2	C-2: COMMUNITY COMMERCIAL
Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated "Principally Permitted" or "Conditionally Permitted" in the C-2 Zone. (Added by Ord. <u>2313A</u> , 12/16/2003, Amended by Ord <u>2235</u> , 12/14/2004)	
Single room occupancy facilities which are conversions of existing buildings. (Amended by Ord. <u>2472</u> , Sec. 1, 2/14/12)	
<u>Supportive Housing may be located on the ground floor with a Special Permit.</u>	
Uses Permitted with a Use Permit	
Hotels, motels, boarding and rooming houses and manufactured home parks.	
Small animal hospitals completely enclosed within a building.	
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing, lithographing and major auto repair. (Amended by Ord. <u>1848</u> , Sec. 14, 9/13/88)	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the C-2 zone.	

314-2.3	C-3: INDUSTRIAL COMMERCIAL
Use Type	Principal Permitted Use
Commercial Use Types	Automotive Sales, Service and Repair Office and Professional Service Warehousing, Storage and Distribution
Industrial Use Types	Cottage Industry Research/Light Industrial
Residential Use Types	Emergency Shelters. (Amended by Ord. <u>2472</u> , Sec. 1, 2/14/12) Within Housing Opportunity Zones multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-3 Zone.

SUPPORTIVE AND TRANSITIONAL HOUSING – INLAND

314-2.3	C-3: INDUSTRIAL COMMERCIAL
	<u>Supportive housing is permitted above the ground floor as the primary use.</u>
Use Type	Uses Permitted with a Special Permit
Residential Use Types	Outside Housing Opportunity Zones, residential uses subordinate to the permitted use including caretaker’s residences and apartments on the upper floors of multistory structures where below are establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-3 Zone. Single room occupancy facilities which are conversions of existing buildings. (Added by Ord. <u>2313A</u> , 12/16/03, Amended by Ord. <u>2335</u> , 12/14/04)
	<u>Supportive Housing may be located on the ground floor with a Special Permit.</u>
Use Type	Uses Permitted with a Use Permit
Civic Use Types	Community Assembly
Commercial Use Types	Heavy Commercial Neighborhood Commercial Retail Sales Retail Service
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 C-3 zone.

SECTION 6. INDUSTRIAL USE REGULATIONS

Amend Section 314-3, Industrial Use Regulations, Table 3.1 as follows:

314-3.1	MB: BUSINESS PARK
Use Type	Principal Permitted Use
Civic Use Types	Administrative
Commercial Use Types	Office and Professional Service Warehousing, Storage and Distribution
Industrial Use Types	Research/Light Industrial

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314-3.1	MB: BUSINESS PARK
<u>Residential Use Types</u>	<u>Supportive housing is permitted above the ground floor as the primary use.</u>
Use Type	Uses Permitted with a Special Permit
Residential Use Types	Residential Uses Subordinate to the Permitted Use including caretaker’s residences and, apartments on the upper floors of multistory structures where below are establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the MB Zone. as well as transitional housing, and emergency shelters. (Added by Ord. 2335, 12/14/04)
	<u>Supportive Housing may be located on the ground floor with a Special Permit.</u>
Use Type	Uses Permitted with a Use Permit
Commercial Use Types	Retail Sales Retail Service 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.

SECTION 7. RESIDENTIAL ZONE DISTRICTS

Amend Section 314-6, Residential Zone Districts, Tables 6.2-6.5 as follows:

314-6.2	R-1: RESIDENTIAL ONE-FAMILY
Principal Permitted Uses	
One family dwelling.	
Accessory dwelling unit.	
<u>Single unit supportive housing and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone.</u>	
Rooming and boarding of not over two (2) persons not employed on the premises.	

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314-6.2	R-1: RESIDENTIAL ONE-FAMILY
Keeping of no more than four (4) household pets on each lot.	
Uses Permitted with a Use Permit	
Guest houses and servants quarters.	
Public and private noncommercial recreation facilities, including golf courses.	
Manufactured home parks at a density no greater than allowed by the minimum parcel size in the zone or as may be modified by a combining zone.	
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the R-1 zone.	

314-6.3	R-2: RESIDENTIAL TWO-FAMILY
Principal Permitted Uses	
One-family dwellings.	
Two-family dwellings.	
Accessory dwelling unit.	
<u>Supportive housing and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone.</u>	
Rooming and boarding of not more than two (2) persons not employed on the premises.	
Keeping of no more than four (4) household pets for each dwelling unit.	
Uses Permitted with a Use Permit	
Guest houses and servants quarters.	
Private institutions.	
Manufactured home parks at a density no greater than allowed by the minimum parcel size in the zone or as may be modified by a combining zone.	
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the R-2 zone.	

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314-6.4	R-3: RESIDENTIAL MULTIPLE FAMILY
Principal Permitted Uses	
Two-family dwellings. (Amended by Ord. <u>2166</u> , 4/7/98)	
Accessory dwelling unit.	
Dwelling groups and multiple dwellings containing four or fewer units per building. (Amended by Ord. <u>2313A</u> , 12/16/03)	
<u>Supportive housing and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone.</u>	
Keeping of no more than two (2) household pets for each dwelling unit.	
Emergency shelters.	
Single room occupancy facilities.	
Uses Permitted with a Use Permit	
Hotels, motels, manufactured home parks, rooming and boarding houses, and emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use. (Amended by Ord. <u>2335</u> , 12/14/04)	
Private institutions.	
Professional offices.	
One-family dwellings and accessory dwelling units where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements. (Added by Ord. <u>2166</u> , Sec. 12, 4/7/98)	
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the R-3 zone.	

314-6.5 R-4: APARTMENT PROFESSIONAL	
Principal Permitted Uses	
Two-family dwellings and multiple dwellings, accessory dwelling units accessory to multifamily dwellings, and dwelling groups. (Amended by Ord. <u>2166</u> , Sec. 13, 4/7/98)	

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314-6.5 R-4: APARTMENT PROFESSIONAL
<u>Supportive housing and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone.</u>
Professional and business offices.
Commercial instruction.
Boarding and rooming houses.
Keeping of no more than two (2) household pets for each dwelling unit.
Manufactured home parks.
Single room occupancy facilities.
Uses Permitted with a Use Permit
Hotels, motels and emergency shelters. (Amended by Ord. <u>2335</u> , 12/14/04)
Private institutions.
Social halls and fraternal and social organizations.
Noncommercial recreation facilities.
Mortuaries.
Small animal hospitals completely enclosed within a building.
One-family dwellings where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements. (Added by Ord. <u>2166</u> , Sec. 13, 4/7/98)
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the R-4 zone.

SECTION 8. MIXED USE ZONE DISTRICTS

Amend Section 314-9.1 Mixed Use Zone Districts, Tables 9.1 and 9.2 as follows:

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314-9.1	MU1: MIXED USE (URBAN)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings and Multiple Dwellings and Dwelling Groups Single-Family Residential Accessory Dwelling Unit <u>Supportive and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone.</u> Guest House Emergency Shelter
Commercial Use Types	Neighborhood Commercial Retail Sales and Retail Services Transient Habitation Office and Professional Service Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations Commercial and Private Recreation
Civic Use Types	Minor Utilities Essential Services Conducted Entirely within an Enclosed Building Community Assembly Public and Parochial Parks, Playgrounds and Playing Fields Noncommercial Recreation
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Use Type	Conditionally Permitted Use
Civic Use Types	Public Recreation and Open Space Minor Generation and Distribution Facilities
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration 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 MU zone.

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314-9.2	MU2: MIXED USE (RURAL)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings Single-Family Residential Accessory Dwelling Unit <u>Supportive and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone</u> Guest House Emergency Shelter
Commercial Use Types	Neighborhood Commercial Retail Sales and Retail Services Office and Professional Service Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations Commercial and Private Recreation
Civic Use Types	Minor Utilities Essential Services Conducted Entirely within an Enclosed Building Community Assembly Public and Parochial Parks, Playgrounds and Playing Fields Noncommercial Recreation
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Agricultural Use Types	General Agriculture
Use Type	Conditionally Permitted Use
Residential Use Types	Multiple Dwellings Containing Four (4) or Fewer Units per Building Manufactured Home Parks
Commercial Use Types	Heavy Commercial Transient Habitation
Civic Use Types	Public Recreation and Open Space Minor Generation and Distribution Facilities

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314-9.2	MU2: MIXED USE (RURAL)
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration 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 MU zone.

SECTION 9. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED AND ADOPTED this 11th day of July, 2023, on the following vote, to wit:

AYES: Supervisors: Bohn, Bushnell, 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