

**DRAFT AMENDMENTS TO THE INLAND ZONING REGULATIONS, GENERAL PLAN, AND  
COASTAL ZONING REGULATIONS PERTAINING TO EMERGENCY SHELTERS**

**Recommended Commission Action**

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

*“Based on evidence in the staff report and public testimony, make all the required findings and adopt the Resolution recommending that the Humboldt County Board of Supervisors find that the proposed amendments are exempt from CEQA pursuant to Section 15269(c), and Section 15061(b)(3) of the CEQA Guidelines, Public Resources Code 21080.5 and 21080.9, and to CEQA Guidelines Sections 15269(c), and 15061(b)(3), and adopt the proposed amendments to the Inland Zoning Regulations and General Plan, and approve the amendments to the Coastal Zoning Regulations (as may be modified by the Planning Commission).”*

**EXECUTIVE SUMMARY:**

**Project Description:**

This proposal updates the inland and coastal zoning code and the General Plan to conform to state housing law changes regarding emergency shelters, codified in Government Code 65582 and 65583. By statute, cities and counties must designate at least one zone where emergency shelters are allowed by right, and may specify limited, objective standards for their development and operation. A previous code update to the inland code in 2012 brought the County’s code into compliance with law at that time; since then, new legislation added further requirements, which are addressed in these amendments.

**1. Amendments to the Inland Zoning Regulation and General Plan**

Current Inland Zoning Regulations allow emergency shelters in areas with public services, and provide a map of designated parcels where emergency shelters are allowed. New law requires explicit designation of a zone or zones where shelters are principally permitted. Development standards are limited in subject matter, and they must be objective. The intent is to reduce barriers to development of emergency shelters.

The proposed amendments keep the same five zones where emergency shelters have been principally permitted, and adds two zones not currently designated for by-right emergency shelters: Mixed Use Urban (MU-1) and Mixed Use Rural (MU-2). It also amends or adds development standards for emergency shelters, day shelters, and low barrier navigation centers. Day shelters and low barrier navigation centers are defined in state statute, and have specific requirements and standards for developers. The General Plan Amendment adds definitions to the General Plan. These changes will clarify the County’s regulations for potential shelter developers by using definitions and standards embedded in their grants and other state and Federal regulations, and will bring the County’s inland zoning code into compliance with state housing law.

Summary of amendments to Humboldt County Code (HCC) Section 314, and the General Plan.

The amendments do all of the following:

- Explicitly state the zones where day shelters, emergency shelters, and low barrier navigation centers are principally permitted;
- Set objective development standards to the extent allowed in Government Code Section 65583;
- Provide definitions for Day Shelters and Low Barrier Navigation Centers;

- Amend the Emergency Shelter Use type; and
- Clarify parking regulations for the above.

Drafts of the proposed Ordinance and General Plan Amendment are included here as Attachment 1 and incorporated by reference.

## **2. Local Coastal Program Amendment – Coastal Zoning Code and Coastal Plans**

The County's Coastal Zoning Regulations currently do not define Emergency Shelters, and do not regulate them. The proposed ordinance amendments designate one zone where emergency shelters would be allowed by right: the Commercial General (CG) zone. It adds a definition and development standards for emergency shelters. The changes will clarify the County's regulations for potential shelter developers in the Coastal Zone. In addition, minor changes are made to the Local Coastal Plans to accommodate emergency shelters in the CG zone. These amendments to the zoning regulations are in accord with the Coastal Act and the Local Land Use Plans (Local Coastal Plans), and bring the County's coastal zoning code into compliance with state housing law.

### Summary of amendments to Humboldt County Code (HCC) Section 313.

The amendments do all of the following:

- Explicitly state the zone where emergency shelters are principally permitted;
- Set objective development standards to the extent allowed in Government Code Section 65583;
- Provide a definition and use types for Emergency Shelters;
- Update the zoning tables where emergency shelters are allowed; and
- Amend the Local Coastal Plans to accommodate emergency shelters in CG – Commercial General zones.

Amendments to all six coastal plans add a definition for emergency shelters and allows them within the CG – Commercial General Plan designation.

Drafts of the proposed Coastal amendments are included here as Attachment 2 and incorporated by reference.

### **Tribal Consultation**

Staff solicited input from Tribal organizations by mail and email on July 26, 2022. The Blue Lake Rancheria has responded as of this writing, with no comment at this time.

### **Service Provider Comment**

Drafts of the Emergency Shelter Amendments were circulated to local shelter providers and DHHS for comment. One provider, Darlene Spoor of Arcata House Partnership, provided a written comment, which is included in Attachment 3, Comments.

### **Coastal Commission consultation**

Planning Department staff corresponded and met with local Coastal Commission staff to receive recommended changes to the Coastal Emergency Shelter Amendments draft. As a result of a meeting on July 26, certain revisions were made to the Coastal Ordinance. The following changes were recommended.

- Change the Use Type for emergency shelters from Residential to Civic/Essential Services. This would be a better fit in the Coastal Zone, and would be consistent with the local coastal plan allowances in that land use designation.
- Allow emergency shelters in Commercial General (CG) zones only. The original Emergency Shelter ordinance as Noticed allowed shelters by right in three zones – Neighborhood

Commercial (CN), Commercial General (CG), and Light Industrial (ML). It was noted that principally permitted emergency shelters in CN and ML zones would not be consistent with local coastal plans. In addition, there are currently no parcels zoned CN in the Coastal Zone, and only six parcels zoned ML. In contrast, there are several hundred parcels zoned Commercial General in the Coastal Zone.

- Include in the amendments changes to the coastal plans to align with and supplement the changes to the zoning regulations.

**Other Agency Involvement**

California Department of Housing and Community Development (HCD), Humboldt County Department of Health and Human Services.

**Public Comment**

Copies of the Draft Amendments were published on the Long Range Planning website on August 12, 2022, and email notification was sent to members of the public who requested notification. No public comment has been received as of this writing.

**Alternatives:** The Planning Commission could recommend that the Board of Supervisors not approve the amendments to the inland zoning regulation, General Plan, and coastal plan and zoning regulations if the Commission finds that the evidence presented does not support making all the required findings. In that case, Planning Staff would continue to apply state law regarding emergency shelters, where the County's code is superseded by statute. Based on the information in this staff report, staff believes the evidence supports making all the required findings and does not recommend further consideration of this alternative.