

ATTACHMENT 3

Inland Emergency Shelter Ordinance

ORDINANCE NO. ____ - ____ AMENDING THE INLAND ZONING REGULATIONS REGARDING EMERGENCY SHELTERS, AND ADDING DAY SHELTERS AND NAVIGATION CENTERS TO SECTIONS 314-47.1, 314-47.2 AND 314-54.1 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 ADDITION TO THE ZONING REGULATION

The Humboldt County 2019 Housing Element included Implementation Measures H-IM54 and H-IM71, providing that the County amend the Zoning Regulations and the General Plan to allow emergency shelters as a principally permitted use in the Limited Industrial (ML), Community Commercial (C-2), Industrial Commercial (C-3), and Residential Multiple Family (R-3) zoning districts; and to make other changes in the code to make it consistent with Government Code Section 65583(a)(4). This ordinance amends sections 314-47.2, 314-139, and 314-147; adds sections 314-46.1; and amends associated zoning tables in Chapter 4 of Division 1 of Title III of the County Code.

SECTION 2. DAY SHELTERS

Section 314-46.1, Day Shelters, is hereby added to Title III, Division 1, Chapter 4 of the Humboldt County Code as follows (additions are shown in underline text):

46.1.1 Purpose

The purpose of these regulations is to allow and facilitate development of Day Shelters, which are emergency shelters that provide services to people experiencing homelessness but do not provide overnight accommodations. Day shelters must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

46.1.2 Applicability

Day shelters as defined in this Code, that meet all of the following requirements, are principally permitted in the C-1, C-2, C-3, ML, R-3, MU1 and MU2 zoning districts except as otherwise specified.

46.1.3 Site Requirements

46.1.3.1 Day shelters must have on-site staff through a Provider.

46.1.3.2 Exterior lighting must be directed in a manner that does not cast light into neighboring properties and public rights of way.

46.1.3.3 Common facilities may be provided for clients, including but not limited to cooking and dining, recreation, counseling, child care, and other support services.

46.1.4 Day Shelter Provider

The shelter must be operated by a Provider who monitors compliance with its written management plan that specifies the hours of operation and describes the services provided.

46.1.4.1 Laundry facilities, electricity, wi-fi, and pet shelter and exercise areas are

recommended in accordance with low barrier practices.

SECTION 3. EMERGENCY SHELTERS

Section 314-47.2 Emergency Shelters in Title III, Division 1, Chapter 4 of the Humboldt County Code is hereby amended as follows (additions are shown in underline text; deletions are shown in ~~strikethrough~~):

314-47.1 47.2 EMERGENCY SHELTERS

~~47.1.1~~ 47.2.1 Purpose.

~~The provisions of this Section are intended to provide opportunities for the development of temporary and permanent emergency shelters for homeless persons in areas with public services, and to establish standards for these facilities.~~ The purpose of these regulations is to increase development of emergency shelters and services for people who are experiencing homelessness and to establish development standards. No individual or household may be denied housing and shelter because of inability to pay.

47.2.2 Applicability.

These regulations apply to emergency shelters as defined in 314-140 and elsewhere in this code, in all zones where those shelters are permitted.

47.2.3 General Provisions.

Emergency shelters that meet all of the following requirements are principally permitted in the C-1, C-2, C-3, ML, R-3, MU1 and MU2 zoning districts. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except as follows in Section 47.2.4.

~~47.1.2~~ 47.2.4 Development Standards

~~47.1.2.1~~ 47.2.4.1 Lighting. Adequate external lighting ~~must shall~~ be provided. The lighting ~~must shall~~ be stationary, and directed away from adjacent properties and public rights-of-way, ~~and of an intensity compatible with the neighborhood.~~

~~47.1.2.2~~ 47.2.4.2 Common Facilities. Common Facilities may be provided for cooking and dining, recreation, counseling, child care, and other support services, for use of the residents and staff. Laundry facilities, electricity, wi-fi, and pet shelter and exercise areas are recommended in accordance with low barrier practices.

~~The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:~~

~~Central cooking and dining room(s).~~

~~Recreation room.~~

~~Counseling center.~~

~~Child care facilities.~~

~~Other support services.~~

47.2.4.3 Waiting and Intake Area. If client intake occurs on-site, an enclosed or screened

waiting and intake area must be provided on the property to prevent queuing in the public right-of-way. The area must be at least ten percent of the total square footage of the shelter, and must be located outside of the yard setbacks.

~~47.1.2.3 47.2.4.4 Security. Parking and outdoor facilities must shall be designed to provide security for residents, visitors and employees. The agency or organization operating the shelter (Provider) must provide security for residents, visitors and employees during hours that the emergency shelter is in operation.~~

~~47.1.2.4 47.2.4.5 Emergency Shelter Provider. The agency or organization operating the shelter must shall comply with the following requirements:~~

~~47.1.2.4.3 47.2.4.5.1 The Provider must shall have a written management plan that specifies the hours of operation and the number of beds up to a maximum of fifty beds, including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.~~

~~47.1.2.4.1 47.2.4.5.2 Temporary shelter must shall be available to residents for no more than six months, with review and renewal as specified in the Provider's management plan.~~

~~47.1.2.4.2 Staff and services shall be provided to assist residents to obtain permanent shelter and income.~~

~~47.1.2.5 47.2.4.6 Maximum Unit Density. Homeless shelters located in residential districts, when not developed in an individual dwelling unit format, are shall not be subject to the density standard of the General Plan, but the number of beds must shall be limited to 50. In no case may shall occupancy of the facility exceed the limit set forth in the adopted Airport Land Use Plan.~~

~~47.1.2.6 47.2.4.7 Proximity to Other Emergency Shelters. Principally permitted emergency shelters may shall not be located within 300 feet of each other.~~

~~47.1.2.7 47.2.4.8 Exceptions. Exceptions to each of the development standards 47.1.2.1-47.1.2.6 47.2.4.1-47.2.4.7 may be allowed with a Special Permit.~~

SECTION 4. LOW BARRIER NAVIGATION CENTERS

Section 314-54.1, Low Barrier Navigation Centers, is hereby added to Title III, Division 1, Chapter 4 of the Humboldt County Code as follows (additions are shown in underline text):

314-54.1 LOW BARRIER NAVIGATION CENTERS

54.1.1 Purpose.

These regulations are intended to facilitate development of low barrier navigation centers as set forth in Sections 65660 to 65663 of the California Government Code. A Low Barrier Navigation Center is a Housing First, service-enriched shelter that provides temporary living facilities for individuals experiencing homelessness, where case managers connect clients to income, public benefits, health services, shelter, and housing with the intent to move people toward permanent housing. Low barrier navigation centers must be operated by a government agency, religious institution, or non-profit organization. "Low Barrier" means using best practices to reduce barriers to entry, including but not limited to the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

54.1.2 Applicability.

A low barrier navigation center as defined in this Code is principally permitted in C-1, C-2, C-3, ML, R-3, MU1 and MU2 zoning districts, provided that it meets the following requirements:

- (a) It offers services to connect people to permanent housing through a Provider's services plan that identifies services staffing.
- (b) It is linked to a coordinated entry system, so that staff in the center or staff who co-locate in the center may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- (c) It complies with Housing First, Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- (d) It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
- (e) No individual or household shall be denied housing and shelter because of inability to pay.

54.1.3 Development Standards

54.1.3.1 Lighting. Adequate external lighting must be provided. The lighting shall be stationary, and directed away from adjacent properties and public rights-of-way.

54.1.3.2 Common Facilities. Common Facilities may be provided for cooking and dining, recreation, counseling, child care, and other support services, for use of the residents and staff. Laundry facilities, electricity, wi-fi, and pet shelter and exercise areas are recommended in accordance with Housing First practices.

54.1.3.3 Waiting and Intake Area. If client intake occurs on-site, an enclosed or screened waiting and intake area must be provided on the property to prevent queuing in the public right-of-way. The area must be at least ten percent of the total square footage of the shelter, and must be located outside of the yard setbacks.

54.1.3.4 Security. The agency or organization operating the shelter (Provider) must provide security for residents, visitors and employees during hours that the emergency shelter is in operation.

54.1.3.5 Service Provider. The agency or organization operating the navigation center must have a written management plan that specifies the hours of operation and the number of beds up to a maximum of fifty beds.

54.1.3.6 Maximum Unit Density. Low barrier navigation centers located in residential districts, when not developed in an individual dwelling unit format, shall not be subject to the density standard of the General Plan, but the number of beds is limited to 50. In no case may occupancy of the facility exceed the limit set forth in the adopted Airport Land Use Plan.

54.1.3.7 Proximity to Other Shelters. Principally permitted low barrier navigation centers may not be located within 300 feet of each other, or within 300 feet of any emergency shelter.

54.1.3.8 Exceptions. Exceptions to each of the development standards 54.1.3.1-54.1.3.7 may be allowed with a Special Permit.

SECTION 5. DEFINITIONS

Sections 314-139 and 314-147 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

314-139 DEFINITIONS (D)

“Day Shelter” shall mean any shelter operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization that provides a temporary shelter exclusively for the homeless without requiring occupants to sign leases or occupancy agreements. Day shelters shall be open less than 24 hours a day; they may not provide overnight accommodations; and clients must be allowed to stay in the shelter for as many hours as it is open. No individual or household may be denied access to day shelter because of an inability to pay.

314-147 DEFINITIONS (L)

Low Barrier Navigation Center shall mean a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low Barrier” means best practices to reduce barriers to entry. No individual or household shall be denied shelter because of inability to pay. Navigation centers shall be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization. Navigation center as used in this Chapter shall have the same meaning as Section 65660(a) of the California Government Code, and as this Section may be amended.

SECTION 6. RESIDENTIAL USE TYPES

Section 314-177, Residential Use Types, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text. Unmarked text reflects the definition as amended in Ordinance 2693 on June 7, 2022):

314-177.1 EMERGENCY SHELTER

The Emergency Shelter Use Type includes temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters. Emergency Shelter may include Day Shelters, Low Barrier Navigation Centers, or Safe Parking or Safe Shelter sites consisting of tents or other structures as described in this Code ~~or safe parking~~. Emergency shelter is provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing.

Operations may be seasonal or year-round and client services may be offered, including but not limited to, ~~such as~~ counseling, medical evaluation and job/life skills training ~~may be offered in~~ addition to food, showers and sleeping accommodations.

SECTION 7. PARKING

Section 314-109.1.3.1.5 is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text. Unmarked text reflects the version amended in Ordinance 2693 on June 7, 2022):

109.1.3.1.5 Emergency Shelters. One (1) space per employee working in the emergency shelter, but not more than the parking required for other residential or commercial uses within the same zone. Emergency Shelters may include Day Shelters and Low Barrier Navigation Centers.

SECTION 11. EFFECTIVE DATE.

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

PASSED AND ADOPTED this _____ day of _____, 2023, on the following vote, to wit:

AYES: Supervisors:
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

Date: