



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**LONG RANGE PLANNING**

---

3015 H Street • Eureka CA 95501  
Phone: (707) 445-7541 • Fax: (707) 268-3792

Date: Meeting of September 15, 2022

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Public Hearing on Amendments to the Inland Zoning Regulations, General Plan, Coastal Plans and Coastal Zoning Regulations Pertaining to Emergency Shelters**

<b>Table of Contents</b>		<b>Page</b>
Agenda Item Transmittal		2
Recommended Action		3
Executive Summary		3
Draft Resolution of Approval		4
Required Findings of Approval		5
<b>Attachments</b>		
Attachment 1	Draft Amendments to the Inland Zoning Regulations and General Plan	16
Attachment 2	Draft Amendments to the Coastal Zoning Regulations and Coastal Plans of the Humboldt County Local Coastal Program	25
Attachment 3	Public Comments	37

Please contact or Mary Milner, at 707 268-3772, [mmilner1@co.humboldt.ca.us](mailto:mmilner1@co.humboldt.ca.us) if you have any questions about the amendments.

## AGENDA ITEM TRANSMITTAL

Meeting Date	Subject	Contact
September 15, 2022	Draft Amendments to the Inland Zoning Regulations, General Plan, and Coastal Zoning Regulations Pertaining to Emergency Shelters	Mary Milner

**Project Description:** This proposal updates the inland and coastal zoning code and the General Plan and Coastal Plans 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.

The inland ordinance adds Section 314-46.1 Day Shelters, amends Section 314-47.2 Emergency Shelters, adds Section 314-54.1 Low Barrier Navigation Centers, and adds definitions and a use type to Title III, Division 1, Chapter 4 of the Humboldt County Code. The associated General Plan amendment adds definitions to Appendix B, the Glossary of the General Plan.

The coastal ordinance amends the Coastal Implementation Plan (Coastal Zoning Code) by adding for the first time a definition and use types for emergency shelters in Section 313-47.1, Title III, Division 1, Chapter 3 of the Humboldt County Code. The ordinance adds Emergency Shelters as a principally permitted use in the Commercial General (CG) zone. Amendments to the coastal plans add a definition for emergency shelters and allows them within the CG – Commercial General Plan designation.

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

**Present Plan Designations:** Commercial, Industrial, and Residential land use categories where zoning is designated for emergency shelters.

**Present Zoning:** In inland areas: C-1, C-2, C-3, ML, and R-3. In the coastal zone: no zones are currently designated.

**Environmental Review:** the proposed Inland Emergency Shelter Ordinance and General Plan Amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15269(c), and Section 15061(b)(3) of the CEQA Guidelines. The Coastal Emergency Shelter Ordinance is exempt from the requirements of CEQA pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251, and 15265 of the CEQA Guidelines.

**State Appeal Status:** The LCP Amendment applies within the Coastal Zone and is therefore appealable to the California Coastal Commission. Changes proposed to the Local Coastal Program (Coastal Zoning Regulations) must receive final certification from the California Coastal Commission before they may become effective.

**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.

## RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT

### Resolution No. 22-099

#### EMERGENCY SHELTER ORDINANCE AND RELATED GENERAL PLAN AMENDMENTS

**Makes the required findings to certify compliance with the California Environmental Quality Act; and recommends adoption by the Board of Supervisors of the Emergency Shelter Ordinance and General Plan Amendments Related to Emergency Shelters.**

**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 65583(a)(4)(A) et seq. set forth in California Senate Bill 2 (2008) address barriers to emergency shelter development by providing an inclusive definition, and requiring that cities and counties must have at least one zone that permits emergency shelters without discretionary approval; and

**WHEREAS**, Humboldt County's General Plan 2019 Housing Element Update includes Implementation Measure H-IM54, directing the County to amend the Zoning Regulations for emergency shelters to be consistent with Government Code Section 65583(a)(4)(A) et seq., to allow emergency shelters as a principally permitted use in Inland areas in the Limited Industrial (ML), Community Commercial Zone (C-2), Industrial Commercial (C-3), and Residential Multiple Family (R-3) zoning districts, and to eliminate the limitation to specific mapped areas; and

**WHEREAS**, the proposed Emergency Shelter Ordinance and related General Plan Amendments have been reviewed by appropriate county departments, state agencies and local tribes and their input has been collected and considered; and

**WHEREAS**, the Inland Emergency Shelter Ordinance and General Plan Amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269(c), specific actions necessary to prevent or mitigate an emergency; and pursuant to the common-sense exemption Section 15061(b)(3) of the CEQA Guidelines as it can be seen with certainty that there is no possibility that the proposed modifications to Emergency Shelter regulations may have a significant effect on the environment; and

**WHEREAS**, the Coastal Emergency Shelter Ordinance is exempt from the requirements of CEQA pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251, and 15265 of the CEQA Guidelines. CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program. 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 Resources as being the functional equivalent of the process required by CEQA; and

**WHEREAS**, the Planning Division prepared and made available to the public the draft Emergency Shelter Ordinance and related General Plan Amendments on the County's webpage at <https://humboldt.gov/2448/2019-Housing-Element>; and

**WHEREAS**, Exhibit A to this resolution includes substantial evidence in support of making all the required findings for approving the proposed zoning ordinance amendments, Coastal Plan amendments, and General Plan amendments; and

**WHEREAS**, on or before August 8, 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 and General Plan Amendments regarding Emergency Shelters; and

**WHEREAS**, the Humboldt County Planning Commission held a public hearing on the Emergency Shelter Ordinance and General Plan Amendments on **September 15, 2022**, during which the Planning Commission reviewed, took public comments, considered a report, supplements, evidence and testimony; and

**WHEREAS**, the Planning Commission considered said report, the Required Findings of Approval, incorporated herein as Exhibit A, which contains evidence, findings, and conclusions in support of the Emergency Shelter Ordinance and General Plan Amendments, as well as any supplements thereto, together with any other written evidence and testimony presented.

**NOW, THEREFORE**, the Humboldt County Planning Commission resolves, determines, and orders that the following findings are made regarding the Emergency Shelter Ordinance, Coastal Plan Amendments, and General Plan Amendments:

1. The proposed Emergency Shelter Ordinances, Coastal Plan Amendments, and General Plan Amendments are in the public interest; and
2. The proposed Emergency Shelter Ordinance and General Plan Amendments are consistent with the General Plan; and
3. The proposed Coastal Emergency Shelter Ordinance and coastal plan amendments are consistent with the Local Coastal Program and the Coastal Act; and
4. The proposed ordinances and amendments to the General Plan and coastal plans do 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; and
5. The Planning Commission makes all the required findings described in Exhibit A of this Resolution, Required Findings of Approval, which is incorporated fully herein, based on the evidence provided.

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law.
2. Adopt findings 1 through 5 in Exhibit A of this Resolution prepared by Planning Division staff.
3. Adopt the Inland Emergency Shelter Ordinance amending the Inland Zoning Regulations (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) as shown in Attachment 1 of the staff report.
4. Adopt and transmit to the Coastal Commission for certification the Coastal Emergency Shelter Ordinance amending the Coastal Zoning Regulations (Section 313 of Title III, Division 1, Chapter 3 of Humboldt County Code), and the related Local Coastal Plan Amendments as shown in Attachment 2 of the staff report.
5. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

**DECISION**

Adopted after review and consideration of all the evidence on **September 15, 2022**.

The motion was made by Commissioner Brian Mitchell and seconded by Commissioner Peggy O'Neill.

AYES: Commissioners: Alan Bongio, Noah Levy, Brian Mitchell, Peggy O'Neill, Melanie McCavour

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners: Mike Newman, Thomas Mulder

DECISION: Motion carries 5/0/2

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



\_\_\_\_\_  
John H. Ford, Director  
Planning and Building Department



## Exhibit A – Required Findings of Approval

### A. Required Findings for General Plan Amendments

In accordance with State Planning and Zoning Law (Government Code Section 65000 et seq.) and the General Plan of Humboldt County, a general plan amendment may be approved upon making the following findings:

- (1) The amendment is in the public interest, and one or more of the following applies:
  - a. Base information or physical conditions have changed; or
  - b. Community values and assumptions have changed; or
  - c. There is an error in the plan; or
  - d. To maintain established uses otherwise consistent with a comprehensive view of the plan.

### B. Required Findings for Amendments to the Zoning Regulations

State Planning and Zoning Law (Government Code Section 65000 et seq.), and Section 312-50 of the Humboldt County Code (HCC) state the following findings must be made to approve changes in the Zoning Maps and Regulations:

- (2) The proposed amendment is in the public interest;
- (3) The proposed amendment is consistent with the General Plan;
- (4) The proposed amendment is consistent with the Coastal Act;
- (5) The proposed amendment does 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.

### C. California Environmental Quality Act (CEQA)

The proposed Inland and Coastal Ordinances are exempt from environmental review under in Section 15282 of the California Environmental Quality Act (Ordinances regarding second units), as detailed in the Evidence section below.

#### Evidence Supporting the Required Findings

##### A. Findings for General Plan Amendment:

The following table identifies the evidence which supports finding that the proposed General Plan amendments are in the public interest, and based on changed conditions.

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<b>1. Public Interest</b> §312-50 of Humboldt County Code	The proposed General Plan Amendment is in the public interest.
<b>Evidence Supporting Finding 1.</b> State housing law tasks the County with designating adequate sites for, and facilitating development of emergency shelters. Under the Housing Accountability Act, the County is obligated to actively facilitate housing development, including emergency shelters. The proposed ordinance advances these goals, and is therefore in the public interest.	

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<b>1a. Changed conditions</b> Humboldt County General Plan G-P8. Base information or physical conditions have changed	The proposed General Plan Amendment responds to a change in state law and terminology usage.
<b>Evidence Supporting Finding 1a.</b> Changes to State housing law, Gov. Code Secs. 65582 and 65853 define and regulate zoning and development of emergency shelters, supportive housing, and transitional housing. The proposed General Plan Amendment harmonizes language and standards in accordance with that change. Housing Element Implementation Measures H-IM51 and H-IM71 direct that the General Plan be amended to reflect current Government Code Section 65582 and 65583.	

**B. Required Findings for Amendments to the Zoning Regulations**

The following table identifies evidence which supports finding that the proposed zoning ordinance is in the public interest, is consistent with the General Plan, and does not reduce the residential density to below the requirements set by the Department of Housing and Community Development.

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<b>1. Public Interest</b> §312-50 of Humboldt County Code	The proposed zoning ordinance amendments are in the public interest.
<b>Evidence Supporting Finding 1.</b> State housing law tasks the County with designating adequate sites for, and facilitating development of emergency shelters. Under the Housing Accountability Act, the County is obligated to actively facilitate housing development, including emergency shelters. The proposed ordinance advances these goals, and is therefore in the public interest.	
Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<b>2. General Plan Consistency</b> §312-50 of Humboldt County Code	The proposed zoning amendments are consistent with the General Plan.
<b>Evidence Supporting Finding 2.</b> The 2019 Housing Element, Chapter 8 of the General Plan, includes implementation measure H-IM54: amend the Zoning Regulations for emergency shelters consistent with Government Code Section 65583(a)(4)(A) et seq. The proposed amendments allow emergency shelters as a principally permitted use in the Limited Industrial (ML), Community Commercial Zone (C-2), Industrial Commercial (C-3), and Residential Multiple Family (R-3) zoning districts and eliminate the "where specifically mapped" qualifying language, thereby meeting the requirement in state law that management standards are objective.	

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<p><b>3. Consistency with the Coastal Act</b>  §312-50 of Humboldt County Code</p>	<p>That the proposed Pilot Program is consistent with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Chapter 3 of the Coastal Act sets forth policies regarding the following issues:</p> <ul style="list-style-type: none"> <li>a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)</li> <li>b) Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aquacultural uses, and priority of development purposes)</li> <li>c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)</li> <li>d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)</li> <li>e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)</li> <li>f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants).</li> </ul>

**Evidence Supporting Finding 3.**

a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)

The proposed ordinance is necessary to prevent or mitigate an emergency. Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast. The new ordinance may facilitate development of emergency shelters, involving minor temporary use of land having no permanent effect on the environment. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal access facilities.

b) Recreation (including protection of water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, and priority of development purposes)

Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast. The new ordinance may facilitate development of emergency shelters, involving minor temporary use of land having no permanent effect on the environment, and compared to the unauthorized, unregulated use of coastal lands for emergency shelter occurring presently, the proposed regulated emergency shelter use is expected to reduce impacts to coastal recreation facilities.

c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)

Persons experiencing homelessness are presently seeking shelter in undeveloped areas along the coast that impacts marine resources. Persons camping illegally have sometimes left their shelter sites with discarded material and human waste. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal marine resources.

**Evidence Supporting Finding 3.**

d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)

Emergency shelters developed in the coastal zone under the ordinance would be restricted to certain commercial and light industrial zones, minimizing impacts to other uses. Persons camping illegally sometimes leave their shelter sites with discarded material and human waste that reduces the value of sensitive habitats, agricultural lands, timberlands, and archaeological resources that occur in the area. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal land resources.

e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments)

Under the proposed zoning changes, restricting emergency shelters to certain commercial and light industrial zones maintains priority of coastal dependent developments. By offering adequate facilities for unhoused people in appropriate locations, impacts to scenic resources, public works facilities, safety, and priority of coastal dependent developments is limited. Compared to the unauthorized, unregulated use of coastal lands for emergency shelter at present, the proposed regulated use is expected to reduce impacts to coastal scenic resources.

f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants).

Under the proposed zoning changes, emergency shelters are not allowed in heavy industrial or coastal dependent zoning districts; therefore, they are not expected to displace or otherwise affect industrial uses on the coast.

Finding and Section(s)	Summary of Applicable Goal, Policy or Standard
<b>4. Consistency with Housing Element Densities</b> §312-50 of Humboldt County Code	That 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)
<b>Evidence Supporting Finding 4.</b> The Pilot Program allows vacant land or parking areas to be used as temporary shelter sites. Parcels potentially affected include multifamily sites that could be included in the residential land inventory. Emergency shelters area temporary use that 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.	

**C. California Environmental Quality Act (CEQA)**

The Inland Emergency Shelter Ordinance and General Plan Amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269(c), specific actions necessary to prevent or mitigate an emergency; and pursuant to the common-sense exemption Section 15061(b)(3) of the CEQA Guidelines as it can be seen with certainty that there is no possibility that the proposed modifications to Emergency Shelter regulations may have a significant effect on the environment.

Illegal camps and gathering sites of individuals experiencing homelessness, without access to sanitary facilities and without shelter from weather, pose a health and safety threat to the individuals as well as a threat to the environment from improper waste disposal. The proposed specific actions are necessary to

prevent or mitigate an emergency and therefore are statutorily exempt from CEQA pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines. In addition, the ordinance and amendments are exempt under CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the proposed actions will have the potential for causing a significant effect on the environment, and are not subject to CEQA review. Emergency shelters relocate currently existing activities to more appropriate locations, and offer sanitation and trash services, among other services to people experiencing homelessness. Development of emergency shelters would represent a net decrease in significant effects on the environment.

The Coastal Emergency Shelter Ordinance is exempt from the requirements of CEQA pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and Sections 15250, 15251, and 15265 of the CEQA Guidelines. CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program. 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 Resources as being the functional equivalent of the process required by CEQA.

**ATTACHMENT 1**

**Inland Emergency Shelter Ordinance and  
Associated General Plan Amendments**

**ATTACHEMNT 1A**

**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 Zone (C-2), Industrial Commercial (C-3), and Residential Multiple Family (R-3) zoning districts; and to make other changes in the code to be 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

46.1.4.1 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.

46.1.4.2 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 ~~striketrough~~):

#### 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 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, is 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 Section 65660-63 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 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 \_\_\_\_\_ 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 ~~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 \_\_\_\_\_ 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 Shelter 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 \_\_\_\_\_, 2022, on the following vote, to wit:

- AYES: Supervisors:
- NAYS: Supervisors:
- ABSENT: Supervisors:
- ABSTAIN: Supervisors:

\_\_\_\_\_  
VIRGINA BASS, 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:

**ATTACHMENT 1B**  
**General Plan Amendments**

Humboldt County General Plan (Adopted October 23, 2017)

Add the following to Appendix B. Glossary and Definitions, page B-42 Residential Use Types:

**Emergency Shelter.** 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 the Zoning Code. Emergency shelter is provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing.

**Supportive Housing.** Housing with no limit on length of stay, that is occupied by a target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**Transitional housing.** 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. Generally, the housing is integrated with other social services and counseling programs to assist in the transition to income and permanent housing.

**ATTACHMENT 2A**

**Coastal Emergency Shelter Ordinance**



**ORDINANCE NO. \_\_\_\_ - \_\_\_\_ AMENDING THE COASTAL ZONING REGULATIONS BY ADDING EMERGENCY SHELTERS TO SECTIONS 313-47.1 OF CHAPTER 3 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 certain zones. This ordinance allows emergency shelters as principally permitted in Commercial General (CG), Limited Industrial (ML), and Neighborhood Commercial Zones (CN) in the Coastal Zone by adding section 313-47.1, and amending associated definitions and zoning tables in Chapter 3 of Division 1 of Title III of the County Code.

SECTION 2. EMERGENCY SHELTERS

Add Section 313-47.1 Emergency Shelters to Title III, Division 1, Chapter 3 of the Humboldt County Code as follows (additions are shown in underline text; deletions are shown in ~~striketrough~~. Changes made pursuant to Coastal Commission recommendations show deletions in double ~~striketrough~~, and additions in double underline, and are **highlighted in yellow**):

47.1 EMERGENCY SHELTERS

47.1.1 Purpose.

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.

47.1.2 Applicability and General Provisions.

These regulations apply to emergency shelters as defined in 313-140. Emergency shelters that meet all of the following requirements are principally permitted in **the CN, CG, and ML 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 47.1.3.

47.1.3 Development Standards

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

47.1.3.2 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 low barrier practices.

47.1.3.3 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.

47.1.3.4 Security. The Provider must provide security for residents, visitors and employees during hours that the emergency shelter is in operation.

47.1.3.5 Emergency Shelter Provider. The agency or organization operating the shelter must comply with the following requirements:

47.1.3.5.1 The provider must have a written management plan that specifies the hours of operation and the number of beds up to a maximum of fifty beds.

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

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

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

47.2.4.8 Services. The applicant shall provide evidence of adequate services to serve the emergency shelter including water supply and sewage disposal.

47.1.3.9 Exceptions. Exceptions to each of the development standards 47.2.3.1-47.2.3.7 may be allowed with a Special Permit.

### SECTION 3. RESIDENTIAL USE TYPES

Section 313-1717, ~~Residential Civic Use Types~~, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text. Changes made pursuant to Coastal Commission recommendations are highlighted in blue):

#### 313-171 CIVIC USE TYPES

##### 171.5 ESSENTIAL SERVICES

The Essential Services Use Type includes uses which are necessary to support principal development. Typical Essential Services uses include: Former Section CZ#A313-6(B))

171.5.1 Fire and police stations; (Former Section CZ#A313-6(B)(1))

171.5.2 Ambulance services; (Former Section CZ#A313-6(B)(2))

171.5.3 Post offices, excluding major processing centers; (Former Section CZ#A313-6(B)(3))

171.5.4 Dumpster sites, solid waste transfer stations, and road maintenance yards; (Former Section CZ#A313-6(B)(4))

171.5.5 Community wells, water storage tanks, and associated water treatment facilities. (Former Section CZ#A313-6(B)(5))

171.5.6 Public, parochial and private day-care centers, family day care centers, nursery schools, elementary, junior high, and high schools. (Former Section CZ#A313-6(B)(6); (Ord. 1842, Sec. 18, 8/16/1988)

171.5.7 Public and parochial parks, playgrounds and playing fields. (Former Section CZ#A313-6(B)(7)), Safe Parking and Safe Shelter Sites

**171.5.8 Emergency Shelters, Safe Parking Programs and Safe Shelter Programs**

**313-177.2.05 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 if those uses are allowed in this Code. 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 in addition to food, showers and sleeping accommodations.

**SECTION 4. COMMERCIAL ZONE REGULATIONS**

Amend Tables 313-2.1 and 313-2.2 as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text.):

**313-2 Commercial Zone Regulations**

<u>313-2.1</u>	<b>CN: Neighborhood Commercial</b>
	<b>Principal Permitted Use</b>
	Neighborhood Commercial Principal Permitted Use (See Section <u>313-163.1.9</u> for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Caretaker's Residence <del>Emergency Shelter</del>
Civic Use Types	Administrative Community Assembly Essential Services Minor Generation and Distribution Facilities Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations
Commercial Use Types	Retail Sales Retail Services Office and Professional Service
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations.

<a href="#"><u>313-2.1</u></a>	<b>CN: Neighborhood Commercial</b>
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 CN zone.

\* See, Industrial Performance Standards, Section [313-103.1](#).

\*\* See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

<a href="#"><u>313-2.2</u></a>	<b>CG: Commercial General</b>
<b>Use Type</b>	<b>Principal Permitted Use</b>
Civic Use Types	Minor Utilities Essential Services Administrative Non-Assembly Cultural
Commercial Use Types	Retail Sales Retail Services Automotive, Sales, Service and Repair Office and Professional Service
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Caretaker's Residence <del>Emergency Shelter</del>
Civic Use Types	Community Assembly Health Care Services Extensive Impact Civic Use Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Heavy Commercial Warehousing Storage and Distribution Transient Habitation
Industrial Use Type*	Research/Light Industrial

<u>313-2.2</u>	<b>CG: Commercial General</b>
Natural Resource Use Type	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 CG zone.

**SECTION 5. INDUSTRIAL USE REGULATIONS**

Amend Table 313-3.2 as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text.):

<u>313-3.2</u>	<b>ML: Light Industrial</b>
<b>Use Type</b>	<b>Principal Permitted Use</b>
Civic Use Types	Minor Utilities
Commercial Use Types	Warehousing, Storage and Distribution
	Heavy Commercial
Industrial Use Types*	Research/Light Industrial Aquaculture; subject to the Coastal-Dependent Industrial Development Regulations
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Caretaker's Residence <del>Emergency Shelter</del>
Civic Use Types	Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Major Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities Extensive Impact Civic Uses
Commercial Use Types	Retail Service Retail Sales
Industrial Use Types*	Coastal-Dependent; subject to the Coastal-Dependent Industrial Development Regulations Coastal-Related; subject to the Coastal-Dependent Industrial Development Regulations Timber Product Processing
Agricultural Use Type	General Agriculture
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Coastal Access Facilities

<a href="#">313-3.2</a>	<b>ML: Light Industrial</b>
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 ML zone.

SECTION 6. EFFECTIVE DATE.

This ordinance shall become effective upon certification by the California Coastal Commission.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022, on the following vote,  
to wit:

AYES: Supervisors:  
 NAYS: Supervisors:  
 ABSENT: Supervisors:  
 ABSTAIN: Supervisors:

\_\_\_\_\_  
 VIRGINIA BASS, 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:

**ATTACHMENT 2B**

**Local Coastal Plan Amendments – Emergency Shelters**

**DRAFT AMENDMENTS TO THE LOCAL AREA PLANS OF THE HUMBOLDT COUNTY  
LOCAL COASTAL PROGRAM**

**HUMBOLDT BAY AREA PLAN, CHAPTER 4 STANDARDS FOR PLAN DESIGNATIONS  
AND CHAPTER 5 DEFINITIONS.**

Chapter 4 and 5 of the Humboldt Bay Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

4.10 A. URBAN LAND USE DESIGNATIONS

CG: COMMERCIAL GENERAL

PURPOSE: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well being and convenience of the community.

PRINCIPAL USE: retail sales, retail services, office and professional uses, and emergency shelters.

CONDITIONAL USES: hotels, motels.

CHAPTER 5, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

**NORTH COAST AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND  
CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the North Coast Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

CHAPTER 6, DEFINITIONS



### EMERGENCY SHELTERS

The Emergency Shelters are 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, 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

### **MCKINLEYVILLE AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the McKinleyville Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

#### 5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

#### CHAPTER 6, DEFINITIONS

### EMERGENCY SHELTERS

The Emergency Shelters are 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, 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

### **EEL RIVER AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the Eel River Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

#### 5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

## CHAPTER 6, DEFINITIONS

### EMERGENCY SHELTERS

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

## **SOUTH COAST AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the South Coast Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

### 5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

## CHAPTER 6, DEFINITIONS

### EMERGENCY SHELTERS

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

## TRINIDAD AREA PLAN, CHAPTER 4 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 5 DEFINITIONS.

Chapters 4 and 5 of the Trinidad Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

4.20 URBAN PLAN DESIGNATIONS

CG COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

### CHAPTER 5, DEFINITIONS

#### EMERGENCY SHELTERS

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

**ATTACHMENT 1**

**Inland Emergency Shelter Ordinance and  
Associated General Plan Amendments**

## **1A - 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 Zone (C-2), Industrial Commercial (C-3), and Residential Multiple Family (R-3) zoning districts; and to make other changes in the code to be 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**

46.1.4.1 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.

46.1.4.2 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 ~~striketrough~~):

### 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 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.~~

~~47.1.2.4.4 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, is 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 Section 65660-63 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 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 Shelter 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 \_\_\_\_\_, 2022, on the following vote, to wit:

AYES: Supervisors:  
NAYS: Supervisors:  
ABSENT: Supervisors:  
ABSTAIN: Supervisors:

\_\_\_\_\_  
VIRGINA BASS, 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:

## ATTACHMENT 1B – General Plan Amendments

Humboldt County General Plan (Adopted October 23, 2017)

Add the following to Appendix B. Glossary and Definitions, page B-42 Residential Use Types:

**Emergency Shelter.** 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 the Zoning Code. Emergency shelter is provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing.

**Supportive Housing.** Housing with no limit on length of stay, that is occupied by a target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**Transitional housing.** 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. Generally, the housing is integrated with other social services and counseling programs to assist in the transition to income and permanent housing.

**ATTACHMENT 2A**

**Coastal Emergency Shelter Ordinance**

**ORDINANCE NO. \_\_\_\_-\_\_\_\_ AMENDING THE COASTAL ZONING REGULATIONS BY ADDING EMERGENCY SHELTERS TO SECTIONS 313-47.1 OF CHAPTER 3 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 certain zones. This ordinance allows emergency shelters as principally permitted in Commercial General (CG), Limited Industrial (ML), and Neighborhood Commercial Zones (CN) in the Coastal Zone by adding section 313-47.1, and amending associated definitions and zoning tables in Chapter 3 of Division 1 of Title III of the County Code.

SECTION 2. EMERGENCY SHELTERS

Add Section 313-47.1 Emergency Shelters to Title III, Division 1, Chapter 3 of the Humboldt County Code as follows (additions are shown in underline text; deletions are shown in ~~striketrough~~. Changes made pursuant to Coastal Commission recommendations show deletions in double ~~striketrough~~, and additions in double underline, and are **highlighted in yellow**):

47.1 EMERGENCY SHELTERS

47.1.1 Purpose.

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.

47.1.2 Applicability and General Provisions.

These regulations apply to emergency shelters as defined in 313-140. Emergency shelters that meet all of the following requirements are principally permitted in **the CN, CG, and ML 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 47.1.3.

47.1.3 Development Standards

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

47.1.3.2 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 low barrier practices.

47.1.3.3 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.

47.1.3.4 Security. The Provider must provide security for residents, visitors and employees during hours that the emergency shelter is in operation.

47.1.3.5 Emergency Shelter Provider. The agency or organization operating the shelter must comply with the following requirements:

47.1.3.5.1 The provider must have a written management plan that specifies the hours of operation and the number of beds up to a maximum of fifty beds.

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

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

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

47.1.3.8 Exceptions. Exceptions to each of the development standards 47.2.3.1-47.2.3.7 may be allowed with a Special Permit.

### SECTION 3. RESIDENTIAL USE TYPES

Section 313-1717, ~~Residential~~ Civic Use Types, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text. Changes made pursuant to Coastal Commission recommendations are highlighted in blue):

#### 313-171 CIVIC USE TYPES

##### 171.5 ESSENTIAL SERVICES

The Essential Services Use Type includes uses which are necessary to support principal development. Typical Essential Services uses include: Former Section CZ#A313-6(B))

171.5.1 Fire and police stations; (Former Section CZ#A313-6(B)(1))

171.5.2 Ambulance services; (Former Section CZ#A313-6(B)(2))

171.5.3 Post offices, excluding major processing centers; (Former Section CZ#A313-6(B)(3))

171.5.4 Dumpster sites, solid waste transfer stations, and road maintenance yards; (Former Section CZ#A313-6(B)(4))

171.5.5 Community wells, water storage tanks, and associated water treatment facilities. (Former Section CZ#A313-6(B)(5))

171.5.6 Public, parochial and private day-care centers, family day care centers, nursery schools, elementary, junior high, and high schools. (Former Section CZ#A313-6(B)(6); (Ord. 1842, Sec. 18, 8/16/1988)

171.5.7 Public and parochial parks, playgrounds and playing fields. (Former Section CZ#A313-6(B)(7)), Safe Parking and Safe Shelter Sites

171.5.8 Emergency Shelters, Safe Parking Programs and Safe Shelter Programs

**313-177.2.05 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 if those uses are allowed in this Code. 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 in addition to food, showers and sleeping accommodations.~~

**SECTION 4. COMMERCIAL ZONE REGULATIONS**

Amend Tables 313-2.1 and 313-2.2 as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text.):

**313-2 Commercial Zone Regulations**

<a href="#"><u>313-2.1</u></a>	<b>CN: Neighborhood Commercial</b>
	<b>Principal Permitted Use</b>
	Neighborhood Commercial Principal Permitted Use (See Section <a href="#"><u>313-163.1.9</u></a> for description)
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Caretaker's Residence <del>Emergency Shelter</del>
Civic Use Types	Administrative Community Assembly Essential Services Minor Generation and Distribution Facilities Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations
Commercial Use Types	Retail Sales Retail Services Office and Professional Service
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations.



<a href="#">313-2.1</a>	<b>CN: Neighborhood Commercial</b>
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 CN zone.

\* See, Industrial Performance Standards, Section [313-103.1](#).

\*\* See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

<a href="#">313-2.2</a>	<b>CG: Commercial General</b>
<b>Use Type</b>	<b>Principal Permitted Use</b>
Civic Use Types	Minor Utilities Essential Services Administrative Non-Assembly Cultural
Commercial Use Types	Retail Sales Retail Services Automotive, Sales, Service and Repair Office and Professional Service
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Caretaker's Residence <del>Emergency Shelter</del>
Civic Use Types	Community Assembly Health Care Services Extensive Impact Civic Use Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Heavy Commercial Warehousing Storage and Distribution Transient Habitation
Industrial Use Type*	Research/Light Industrial

<a href="#"><u>313-2.2</u></a>	<b>CG: Commercial General</b>
Natural Resource Use Type	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 CG zone.

**SECTION 5. INDUSTRIAL USE REGULATIONS**

Amend Table 313-3.2 as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text.):

<a href="#"><u>313-3.2</u></a>	<b>ML: Light Industrial</b>
<b>Use Type</b>	<b>Principal Permitted Use</b>
Civic Use Types	Minor Utilities
Commercial Use Types	Warehousing, Storage and Distribution
	Heavy Commercial
Industrial Use Types*	Research/Light Industrial Aquaculture; subject to the Coastal-Dependent Industrial Development Regulations
<b>Use Type</b>	<b>Conditionally Permitted Use</b>
Residential Use Types	Caretaker's Residence <del>Emergency Shelter</del>
Civic Use Types	Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Major Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities Extensive Impact Civic Uses
Commercial Use Types	Retail Service Retail Sales
Industrial Use Types*	Coastal-Dependent; subject to the Coastal-Dependent Industrial Development Regulations Coastal-Related; subject to the Coastal-Dependent Industrial Development Regulations Timber Product Processing
Agricultural Use Type	General Agriculture
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Coastal Access Facilities

<a href="#">313-3.2</a>	<b>ML: Light Industrial</b>
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 ML zone.

**SECTION 6. EFFECTIVE DATE.**

This ordinance shall become effective upon certification by the California Coastal Commission.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022, on the following vote, to wit:

AYES: Supervisors:  
 NAYS: Supervisors:  
 ABSENT: Supervisors:  
 ABSTAIN: Supervisors:

\_\_\_\_\_  
 VIRGINIA BASS, 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:

**ATTACHMENT 2B**

**Local Coastal Plan Amendments – Emergency Shelters**

**DRAFT AMENDMENTS TO THE LOCAL AREA PLANS OF THE HUMBOLDT COUNTY  
LOCAL COASTAL PROGRAM**

**HUMBOLDT BAY AREA PLAN, CHAPTER 4 STANDARDS FOR PLAN DESIGNATIONS  
AND CHAPTER 5 DEFINITIONS.**

Chapter 4 and 5 of the Humboldt Bay Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

**4.10 A. URBAN LAND USE DESIGNATIONS**

**CG: COMMERCIAL GENERAL**

**PURPOSE:** to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well being and convenience of the community.

**PRINCIPAL USE:** retail sales, retail services, office and professional uses, and emergency shelters.

**CONDITIONAL USES:** hotels, motels.

**CHAPTER 5, DEFINITIONS**

**EMERGENCY SHELTERS**

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

**NORTH COAST AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND  
CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the North Coast Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

**5.20 URBAN PLAN DESIGNATIONS**

**CG: COMMERCIAL GENERAL**

**Purpose:** To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

**Principal Use:** Retail sales, retail services, office and professional uses, and emergency shelters.

**Conditional Uses:** Hotels, motels.

**CHAPTER 6, DEFINITIONS**

## EMERGENCY SHELTERS

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

### **MCKINLEYVILLE AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the McKinleyville Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

#### 5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

#### CHAPTER 6, DEFINITIONS

## EMERGENCY SHELTERS

The Emergency Shelters are 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. 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

### **EEL RIVER AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the Eel River Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

#### 5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

## CHAPTER 6, DEFINITIONS

### EMERGENCY SHELTERS

The Emergency Shelters are 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, 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

## **SOUTH COAST AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.**

Chapters 5 and 6 of the South Coast Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

### 5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

## CHAPTER 6, DEFINITIONS

### EMERGENCY SHELTERS

The Emergency Shelters are 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, 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

**TRINIDAD AREA PLAN, CHAPTER 4 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 5 DEFINITIONS.**

Chapters 4 and 5 of the Trinidad Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

4.20 URBAN PLAN DESIGNATIONS

CG COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

**CHAPTER 5, DEFINITIONS**

**EMERGENCY SHELTERS**

The Emergency Shelters are 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, 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, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.



ATTACHMENT 3

Amendments to the Inland Zoning Regulations, General Plan,  
and Coastal Zoning Regulations Pertaining to Emergency Shelters

PUBLIC COMMENTS RECEIVED

For Planning Commission Agenda of: September 15, 2022

**17866 Emergency Shelter Amendments**

**Comments received**

**9-Aug-22**

<b>Commenter</b>	<b>Comment</b>	<b>Response</b>	<b>Method</b>
D. Hosapple, Blue Lake Rancheria	No comment at this time	N/A	email
D. Spoor, Arcata House Partnership	Read and reviewed the drafts and is pleased with the language.	N/A	email, phone

## RE: Amendments to Zoning Regulations Pertaining to Emergency Shelters, Day Shelters, and Low Barrier Navigation Centers

Daniel Holsapple <dholsapple@bluelakerancheria-nsn.gov>

Wed 7/27/2022 2:54 PM

To: Milner, Mary <MMilner1@co.humboldt.ca.us>; padilladc@hvha.us <padilladc@hvha.us>

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hello Mary,

Thank you for notifying us about these proposed amendments. I have no comments at this time. Just to let you know, I have taken on the position of THPO for Blue Lake Rancheria as Janet Eidsness has retired. Please feel free to send any future notices directly to this email address and I will reply as quickly as possible.

Thank you,

Daniel Holsapple

Tribal Historic Preservation Officer

Blue Lake Rancheria

dholsapple@bluelakerancheria-nsn.gov

Office: (707) 668-5101 ext.1062

CONFIDENTIALITY NOTICE: This e-mail and attachment(s), if any, is for the sole use of the intended recipient(s) and may contain confidential business information protected by the trade secret privilege, the Electronic Communications Privacy Act (ECPA), and/or other legal bases as may apply. If you are not an intended recipient, please take notice that disclosure of the information contained herein is inadvertent, expressly lacks the consent of the sender, and your receipt of this e-mail does not constitute a waiver of any applicable privilege(s). In this event, please notify the sender immediately, do not disseminate any of the information contained herein to any third party, and cause all electronic and/or paper copies of this e-mail to be promptly destroyed. Thank you.



I acknowledge my residence in Goudi'ni (Arcata), part of the ancestral territory of the Wiyot peoples. I offer my reconciliation and respect to their elders past and present. <https://www.wiyot.us/162/Wiyot-Placename-Video>

---

**From:** Milner, Mary [mailto:MMilner1@co.humboldt.ca.us]

**Sent:** Tuesday, July 26, 2022 11:41 AM

**To:** padilladc@hvha.us; Daniel Holsapple <dholsapple@bluelakerancheria-nsn.gov>

**Subject:** Amendments to Zoning Regulations Pertaining to Emergency Shelters, Day Shelters, and Low Barrier

## Comments on the Emergency Shelter Amendments

Darlene Spoor <dspoor@arcatahouse.org>

Tue 8/2/2022 1:23 PM

To: Planningclerk@co.humboldt.ca <Planningclerk@co.humboldt.ca>;Darlene Spoor  
<dspoor@arcatahouse.org>

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Planning commission

I am Darlene Spoor from Arcata House Partnership. We are a homeless service provider and do manage shelters - some of which are in the county. I have read and reviewed the Emergency Shelter amendment as edited and am pleased with the language.

I want to thank you for your thoughtful consideration and understanding of what it takes for agencies like ours to successfully manage shelter programs to serve our most vulnerable citizens.

If you have any questions I would be happy to answer them.

Darlene

**Darlene A. Spoor**, Ed.D.  
Executive Director  
Arcata House Partnership  
1005 Eleventh St  
Arcata, CA 95521  
707-822-4528 x 111