

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024
RESOLUTION NO. 24 – 92

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
FINDING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND
MAKING THE REQUIRED FINDINGS TO ADOPT THE COASTAL TINY HOUSE VILLAGE
ORDINANCE. RECORD NUMBER PLN-2021-17304.**

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, Humboldt County initiated the zoning ordinance changes to implement its General Plan Housing Element, which through H-P31 and H-IM40 directs the County to amend the Zoning Regulations to improve housing diversity and encourage development of new low-cost housing to allow for tiny house villages as a type of multi-family dwelling in zoning districts that allow other residential dwellings of the same type; and

WHEREAS, Humboldt County initiated the zoning ordinance changes to implement its General Plan Housing Element, which directs the County to amend the Zoning Regulations to allow a grouping or clustering of three (3) or more detached bedrooms with central sanitary, laundry, cooking and dining facilities to be permitted in all zones that allow multi-family dwellings as specified in H-IM40; and

WHEREAS, the Humboldt County Planning Commission held a Public Workshop on the Tiny House Village Ordinance on April 18, 2024. The outcome of that workshop was for staff to incorporate revisions to the draft ordinance, and to hold a second Public Workshop. On May 13, 2023, staff conducted a Public Workshop to take public feedback and adjust the ordinance appropriately. The Humboldt County Planning Commission held a public hearing on the Tiny House Village Ordinance on June 27, 2024, recommending that Staff incorporate specific alternatives and revisions to the draft ordinance, and continued the public hearing to July 18, 2024; and

WHEREAS, the Humboldt County Planning Commission held a public hearing on the Tiny House Village Ordinance on July 18, 2024, and with a 7-0 vote recommended the Board of Supervisors adopt the proposed draft Coastal Tiny House Village Ordinance; and

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

WHEREAS, On Tuesday, August 6, 2024, a notice was published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, for adoption of the Tiny House Village Ordinance by the Board of Supervisors at their meeting of August 20, 2024; and

WHEREAS, the Humboldt County Board of Supervisors held a public hearing on the Tiny House Village Ordinance on August 20, 2024.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that the Board of Supervisors makes all the following findings:

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- 1. FINDING:** The proposed zoning amendment is exempt from environmental review under §15061(b)(3), activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.
- EVIDENCE:**
- a) The ordinance allows for multi-family residential at a density already allowed by the Zoning and General Plan.
 - b) The ordinance will not change the density requirements within the General Plan or Local Coastal Plans. All Tiny House Villages are required to meet all other existing provisions within the Humboldt County Code and California Coastal Act protecting local resources and would therefore have no possibility for causing a significant effect on the environment.
 - c) Public Resources Code Section 21080.5 and 21080.9 and Sections 15250, 15251(f) and 15265 of the CEQA Guidelines identify that CEQA does not apply to the activities of a local government for the preparation and adoption of a Local Coastal Program, and therefore the County adoption of the LCP Amendment is statutorily exempt from environmental review. Approval of the LCP Amendment by the California Coastal Commission is the functional equivalent of the environmental review process required by CEQA and is still pending for PLN-2021-17304.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

PUBLIC INTEREST

2. FINDING:

Humboldt County Code Section 312-50.3.1, the Humboldt County General Plan, and state General Plan Law stipulate that amendments to the zoning code must be in the public interest. Adopting the Tiny Home Village Ordinance is in the public interest. The intent of the ordinance is to increase housing diversity and encourage the development of low-cost housing and is therefore in the public interest.

EVIDENCE:

- a) The Humboldt County Housing Element recognizes there is a need for different types of housing available to different income groups and identifies a Tiny Home Village ordinance as a means to address this need to alternative housing styles.
- b) Tiny Home Villages can currently be permitted under the existing Zoning Ordinance provisions. The adoption of this ordinance will create provisions and standards to make it clear where and how these units can be developed.
- c) The ordinance includes provisions to protect the public health, safety and welfare. When water and sewer are not available, a discretionary permit is required to use a well and septic system.

CONSISTENCY WITH THE GENERAL PLAN

3. FINDING:

Humboldt County Code Section 312-50.3.2 states that amendments to the Zoning Code must be consistent with the General Plan. The proposed Tiny House Village Ordinance is consistent with the General Plan.

EVIDENCE:

- a) The Tiny House Village Ordinance implements the Housing Element. The proposed ordinance incorporates the Humboldt County General Plan's goals, policies and standards as directed in Policy H-P31. Policy H-P31 directs the County to improve housing diversity and encourage development of new low-cost housing by amending the Zoning Regulations to allow tiny house villages as a type of multi-family dwelling allowed in zoning districts that allow other residential dwellings of the same type and specify development and performance standards to protect public health and safety.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

- b) Implementation Measure H-IM40 directs the County to amend the Zoning Regulations to allow a grouping or clustering of three or more tiny houses or moveable tiny houses as multi-family dwellings to be permitted by right in all zones that allow multi-family dwellings. A grouping or clustering of three or more detached bedrooms with central sanitary, laundry, cooking and dining facilities shall also constitute a tiny house village, and shall be permitted by right in all zones that allow multi-family dwellings. Tiny house villages shall meet objective development and performance standards to protect public health and safety, including density of occupation, setbacks, buffers and screening, lighting, and off-street parking.
- c) The ordinance will allow for principally permitted tiny house villages in residential zones that allow for multi-family dwellings and commercial zones in line with state allowances for residential development, and with a Conditional Use Permit in other zones that allow for similar housing types. This ordinance will not change the density requirements of the General Plan.

CONSISTENCY WITH THE COASTAL ACT

4. **FINDING:** If the proposed changes to the Zoning Ordinance include a Local Coastal Plan Amendment, Section 312-50.3.3 requires that the amendment is in conformity 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:
- a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access).
 - b) Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aquacultural uses, and priority of development purposes).
 - 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).
 - d) Land Resources (including environmentally sensitive habitats,

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

agricultural lands, timberlands, and archaeological resources).

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

f) Industrial Development (including location and expansion, use transport (both onshore and off), and power plants).

EVIDENCE:

a) **Access:** The proposed ordinance allows Tiny House Villages to be located within the Coastal Zone and will likely encourage the use of and exploration of our local coastline because there will be more options for people to lodge within our local coastal jurisdiction. The proposed ordinance will not impact coastal access.

b) **Recreation:** Proposed Tiny House Villages will be allowed within residential zones that allow for multi-family dwellings, or within other zones that allow for similar use types, and sites must meet the requirements of the current zoning district and the land use designation. This amendment and its allowances will not impact water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, or priority of development. The proposed amendment will not negatively impact coastal recreation.

c) **Marine Resources:** Proposed Tiny House Villages will be reviewed and may require a Coastal Development Permit in accordance with an associated Local Coastal Plan for consistency with the California Coastal Act. This review would ensure that the proposed work has been assessed and is not expected to cause any significant impacts to marine resources.

d) **Land Resources:** The amendment protects agricultural land and timberland because it does not encourage additional residential development within natural resource lands such as Agriculture Exclusive (AE), Agriculture general Zone (AG), Forestry Recreation Zone (FR) and Timberland Production Zone (TPZ).

Impacts to cultural and tribal cultural resources and impacts to environmentally sensitive habitat areas are not anticipated and are protected.

e) **Development:** The Tiny House Village Ordinance will encourage more development in coastal lands since more housing would be anticipated with the allowance of this use. Principally permitted

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

sites would require connection to public water and sewer and sites with no connection to water and sewer would require discretionary review. No impact to coastal lands is anticipated because projects will still require a Coastal Development Permit and site-specific analysis.

There are no impacts associated with public works facilities. Tiny House Villages are only permitted on roadways meeting a minimum of Category 4 standard and a Category 2 driveway, with a minimum of 20 feet in width, as determined by the Planning Commission. Traffic as a result of the use of Tiny House Villages is not anticipated to be more than that which public roadways already support and have a capacity to serve.

Tiny House Villages are not permissible within coastal dependent zones and therefore will not impact coastal dependent development.

- f) **Industrial Development:** Tiny House Villages are not permissible within industrial coastal dependent zones. This precludes areas with industrial development including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants. Therefore, the proposed amendment will not negatively impact coastal industrial development.

CONSISTENCY WITH STATE PLANNING LAW

- 4. **FINDING:** Humboldt County Code Section 312-50.3.4 requires any proposed amendment must 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 unless specific findings are made. The proposed amendment does not limit the number of housing units which may be constructed on an annual basis.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of August 20, 2024

EVIDENCE: a) The Tiny House Village Ordinance does not propose any regulations that affect the residential density for any parcel. The ordinance would implement the goals, policies, and standards of the Humboldt County Code to protect the public health, safety, and welfare.

The allowance of this use will not alter residential density of parcels within Humboldt County.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **August 20, 2024**.



Supervisor Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Wilson, Seconded by Supervisor Arroyo, and the following vote:

AYES: Supervisors: -- Bohn, Bushnell, Wilson, Arroyo, Madrone

NAYES: Supervisors: --

ABSENT: Supervisors: --


ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



NIKKI TURNER

Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California