



COUNTY OF HUMBOLDT

For the meeting of: 4/18/2024

File #: 24-752

To: Planning Commission

From: Planning and Building Department

Agenda Section: Departmental Report

SUBJECT:

Public Workshop on the Draft Tiny House Village & Emergency Housing Village Ordinance. This ordinance amends the zoning regulations to allow new housing configurations (Tiny House Villages, and Emergency Housing Villages including Dependent Unit Villages and Alternative Lodge Parks) as permitted housing types and specifies objective performance standards.

Assessor Parcel Numbers (APN) 000-000-000

Record No.: LRP-2021-17304

Unincorporated areas of Humboldt County.

The new ordinance proposes the following:

1. Adds sections 314-62.3, 314-62.4, amends the tables in sections 314-2.1, 314-2.2, 314-2.4, 314-3.2, 314-3.3, 314-6.1, 314-6.3, 314-6.4, 314-6.5, 314-8.1, 314-9.1, 314-9.2, and amends sections 314-136, 314-139, 314-140, 314-155, in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Adds sections 313-62.3, 313-62.4, amends the tables in sections 313-2.1, 313-2.2, 313-2.4, 313-3.2, 313-3.3, 313-6.1, 313-6.3, 313-6.4, 313-6.5, 313-8.1, 313-9.1, 313-9.2, and amends sections 313-136, 313-139, 313-140, 313-155, in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

RECOMMENDATION(S):

That the Planning Commission:

1. Request that staff present the staff report.
2. Receive public comment.
3. Deliberate and comment on the Draft Tiny House Village & Emergency Housing Village Ordinance.
4. Provide guidance to Planning & Building Staff on any desired amendments to the draft

ordinance prior to a public hearing.

DISCUSSION:

Project Location: All of the unincorporated areas of Humboldt County.

Present General Plan Land Use Designation: All land use designations.

Present Zoning: All zoning districts.

Environmental Review: N/A for workshop.

State Appeal: N/A for workshop.

Executive Summary: The Tiny House Village & Emergency Housing Village Ordinance proposes to allow new types of multi-family developments on properties that allow multi-family dwellings and proposes to allow for a broad range of housing types for temporary or permanent occupancy as emergency housing. The work has been funded by a Local Early Action Planning (LEAP) grant from the California Department of Housing and Community Development (HCD) was granted to the County. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents and process improvements that accelerate housing production, including increasing the mix of housing types and housing supply.

A survey was conducted between September and November of 2022, in order to get an understanding of the communities' views on tiny house villages (Attachment 1). There were 655 respondents to the survey, and the survey results were posted to the County's webpage in January 2023. The survey results were considered while drafting the proposed ordinance. The Planning & Building Department has developed a draft Tiny House Village & Emergency Housing Village Ordinance (Attachment 2) in accordance with the goals of implementation measures H-IM40 and H-IM58 in the 2019 Housing Element. The draft ordinance has been submitted to relevant parties and agencies for review and comments, and any comments received have been incorporated into the draft document.

The 2019 Housing Element includes Policy H-P31: allowing for Tiny House Villages as a form of multi-family housing in zoning districts that allow other residential dwellings of the same type in order to improve housing diversity and encourage development of low-cost housing; and Implementation Measure H-IM40: allowing for a grouping or clustering of three or more tiny houses or moveable tiny houses as multi-family dwellings that shall be permitted by right in all zones that allow multi-family dwellings.

The proposed ordinance amends the zoning regulations to allow for new housing configurations, Tiny House Villages, within areas that are zoned for multi-family dwellings as principally permitted, and in other commercial and industrial zones that may be appropriate with a Use Permit. All principally permitted Tiny House Villages require connection to public water and sewer. In areas where no public

water and sewer is available, a Special Permit is required, and on-site sanitation and water supply systems that meet County Code requirements shall serve the Tiny House Village.

The proposed ordinance does not include a minimum requirement for parcel size in order to reduce the limitations for available development sites. However, a density requirement of twenty units per acre was included for Tiny House Villages and Dependent Unit Villages, which limits the development of dwelling units on a single parcel. The concept around only allowing twenty units per acre was decided on because these developments would be allowed in areas that already have a land use designation of Residential-Medium and Residential-Low, which currently allow a maximum of 8 - 30 units per acre. When looking at other existing tiny house villages, this was in line with the density that existed, and allows for some area to be designated to recreational use and parking. Additionally, it was decided that requiring access to the site on a Category 4 road with a Category 2 driveway would be needed to allow for firetruck access, and one parking space per unit would be required.

Implementation Measure H-IM40 also includes that 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. When looking into the existing state regulations regarding dwelling units, California Residential Code defines a dwelling unit as “including permanent provisions for living, sleeping, eating, **cooking and sanitation.**” The only viable route of permitting a detached unit that is dependent on common use facilities for cooking and sanitation is through state provisions for emergency housing. The Section for Emergency Housing Villages in the draft ordinance was developed in order to allow for detached dependent dwelling units in a Dependent Unit Village under state emergency housing standards.

The County’s Shelter Crisis Declaration declared pursuant to Government Code Section 8698 allows the use of Emergency Housing Standards, 2019 California Residential Code, Appendix X Emergency Housing (Attachment 3), to be applied to emergency housing under this ordinance. Dependent Units are defined in Appendix X as “emergency housing not equipped with a kitchen area, toilet, and sewage disposal system. Tiny house villages that consist of detached dependent units are called Dependent Unit Villages in this Draft Ordinance, and are required to provide common use facilities including, but not limited to, kitchen areas, toilets, showers and bathrooms with running water. Dependent Dwelling Units in a Dependent Unit Village are required to adhere to Appendix X Section AX104 minimum standards for Emergency Sleeping Cabins.

Implementation Measure H-IM58 proposes the allowance of Alternative Lodge Parks, which would provide spaces for temporary or permanent occupancy that are flexible allowing a broad range of housing types. The range of allowable housing types include manufactured and mobile homes, recreational vehicles, travel trailers, tiny houses, moveable tiny houses and temporary camping facilities (tents and membrane structures). The allowance for an Alternative Lodge Park would also require state emergency housing standards in order to allow recreational vehicles, travel trailers and temporary camping facilities (tents and membrane structures) as permanent dwellings. The Section

for Emergency Housing Villages in the draft ordinance was developed to allow Alternative Lodge Parks, which are required to adhere to the minimum standards of Appendix X for Emergency Housing. All Alternative Lodge Parks require a Conditional Use Permit, connection to public water and sewer, and common use facilities including, but not limited to, kitchen areas, toilets, showers and bathrooms with running water.

One standard of the 2019 California Residential Code, Appendix X Emergency Housing, was not included as a provision within the draft ordinance. Section AX106 for *Tents and Membrane Structures* states that “a tent shall not be considered a suitable sleeping place when it is found necessary to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit within such tent during the period of occupancy.” As many of the urban areas within Humboldt County are located near the coast, minimum temperatures of 50 degrees Fahrenheit are not fully present during much of the year. The County has declared a Shelter Crisis due to the many people that are homeless and living on the streets, and many of which already sleep in tents. Because of this, it has been considered that making an exception to this provision of Appendix X would still protect public health and safety by providing sanitary bathroom and kitchen facilities to individuals already sleeping in tents without those facilities.

OTHER AGENCY INVOLVEMENT:

The project was referred to the following responsible agencies: Department of Public Works, Building Division, Department of Health & Human Services, CalFire, and Department of Environmental Health. All responding agencies have either responded with no comment or recommended approval or conditional approval.

ATTACHMENTS:

1. 2022 Tiny House Village Survey Results
2. Draft Inland Tiny House Village & Emergency Housing Village Ordinance
3. CBC 2019 California Residential Code Appendix X - Emergency Housing
4. Public Comments

Please contact Megan Acevedo, Associate Planner, at Macevedo@co.humboldt.ca.us or 707-441-2634 if you have questions about this item.