

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 – 94

**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 EMERGENCY HOUSING
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, California Government Code Chapter 7.8, Shelter Crisis Section 8698 allows the use of Emergency Housing building standards to be applied under this ordinance during an active shelter crisis declaration: California Building Code (CBC), Appendix P and California Residential Code (CRC), Appendix AZ; and

WHEREAS, on February 27, 2018, the Humboldt County Board of Supervisors declared a local shelter crisis; and

WHEREAS, the Humboldt County Planning Commission held a Public Workshop on the Emergency Housing 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 Emergency Housing 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 Emergency Housing Village Ordinance on July 18, 2024, and with a 7:0 vote recommended the Board of Supervisors adopt the proposed draft Coastal Emergency Housing Village Ordinance; and

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 Emergency Housing Village Ordinance by the Board of Supervisors at their meeting of August 20, 2024; and

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

WHEREAS, the Humboldt County Board of Supervisors held a public hearing on the Emergency Housing 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 emergency housing as allowed by the Zoning and General Plan.
 - b) The ordinance allows these residential uses in commercial zones, in locations compatible with the zone and for development allowed in the Zone, General Plan or Local Coastal Plan.
 - c) The location of Emergency Housing Villages is limited to areas where there is connection to public water and wastewater systems, adequate roads and zone districts that will be within developed areas.
 - d) All Emergency Housing 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.
 - e) 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 Emergency Housing Village Ordinance is in the public interest. The intent of the ordinance is to increase housing diversity and encourage emergency housing for persons experiencing homelessness and is therefore in the public interest.

EVIDENCE:

- a) The Humboldt County Housing Element recognizes there is a need for housing diversity and identifies Alternative Lodge Parks as a means to address this need for alternative housing styles.
- b) Emergency housing can currently be permitted under the existing Zoning Ordinance provisions. The adoption of this ordinance will create provisions and standards for Emergency Housing Villages, including Alternative Lodge Parks, and make it clear where and how these units can be developed.
- c) The ordinance includes provisions to protect the public health, safety, and welfare.

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 Emergency Housing Village Ordinance is consistent with the General Plan.

EVIDENCE:

- a) The Emergency Housing Village Ordinance implements the Housing Element. The proposed ordinance incorporates the Humboldt County General Plan's goals, policies and standards as directed in H-P31 and H-IM40. 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.

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-IM58 directs the County to amend the Zoning Regulations to include provisions for Alternative Lodging Park as an enumerated use subject to a Conditional Use Permit. An Alternative Lodge Park would provide spaces for occupancy that are flexible allowing a broad range of housing types, and specify development and performance standards to protect public health and safety.
- c) The ordinance will allow for Dependent Unit Villages in residential zones that allow for multi-family dwellings, and with a Conditional Use Permit in other zones that allow for similar housing types. Alternative Lodge Parks will require a Conditional Use Permit. 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, 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

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

transport (both onshore and off), and power plants)

- EVIDENCE:**
- a) **Access:** The proposed ordinance allows Emergency Housing 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 Emergency Housing 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 Emergency Housing 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. The purpose of these revisions is to protect scenic resources, public health, safety, and welfare.
 - e) **Development:** The Emergency Housing Village Ordinance will encourage more development in coastal lands since more emergency housing would be anticipated with the allowance of this use. Principally permitted Dependent Unit Village sites would require connection to public water and sewer and sites with no

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

connection to water and sewer would require discretionary review. All Alternative Lodge Parks require a Conditional Use Permit. 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. Emergency Housing 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 Emergency Housing Villages is not anticipated to be more than that which public roadways already support and have a capacity to serve.

Emergency Housing Villages are not permissible within coastal dependent zones and therefore will not impact coastal dependent development.

- f) **Industrial Development:** Emergency Housing 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.

- EVIDENCE:** a) The Emergency Housing 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

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

welfare.

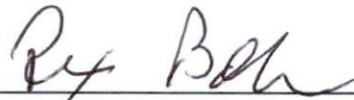
The allowance of this use will not alter residential density of parcels within Humboldt County.

- b) California Government Code Chapter 7.8, Shelter Crisis Section 8698 allows the use of Emergency Housing building standards to be applied under this ordinance during an active shelter crisis declaration: California Building Code (CBC), Appendix P and California Residential Code (CRC), Appendix AZ.

On February 27, 2018, the Humboldt County Board of Supervisors declared a local shelter crisis. Further, the Board of Supervisors has adopted the Emergency Housing building standards for use during an active shelter crisis declaration.

- c) All Emergency Housing Villages are required to meet the minimum standards of California Building Code (CBC), Appendix P and California Residential Code (CRC), Appendix AZ.

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, Madrone, Arroyo
NAYES: Supervisors: --
ABSENT: Supervisors: --
ABSTAIN: Supervisors: --


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

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