

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of October 21, 2025

RESOLUTION NO. _____

RESOLUTION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT, MAKING FINDINGS IN SUPPORT OF ADOPTING THE AMENDMENTS TO THE RESIDENTIAL ACCESSIBILITY CODE ORDINANCE.

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 amendments herein to implement its General Plan Housing Element, which through H-IM67 directs the County to amend the Zoning Regulations such that they are consistent with the California Fair Employment and Housing Act, California Government Code Section 11135, the Federal Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act, (referred to in this resolution and the proposed code as the “Acts”), which establish required accessibility standards, specifically those related to nondiscrimination and equity for individuals with disabilities requiring accommodations for their dwellings; and

WHEREAS, on September 4, 2025, the Humboldt County Planning Commission recommended the Board of Supervisors adopt the proposed draft Amendments to the Residential Accessibility Code Ordinance via approval of the consent agenda; and

WHEREAS, on October 7, 2025, 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 with the Board of Supervisors on the proposed amendments regarding Residential Accessibility; and

WHEREAS, the Board of Supervisors held a public hearing on the Amendments to the Residential Accessibility Code ordinance and text amendment on October 21, 2025.

Now, THEREFORE BE IT RESOLVED, that the Board of Supervisors makes all the following findings:

- 1. FINDING:** **Record Description:** Amendments to the Zoning Regulations to amend Section 312-42 to update the regulations managing Residential Accessibility such that they are consistent with the California Fair Employment and Housing Act, California Government Code Section 11135, the Federal Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (referred

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to in this resolution and the proposed code as the "Acts").

EVIDENCE: a) Record File: PLN-2025-18374

FINDINGS FOR CALIFORNIA ENVIRONMENTAL QUALITY ACT

- 2. FINDING:** The proposed amendments to the Zoning Ordinance are exempt from environmental review under the common sense exemption (Section 15061(b)(3) of the State CEQA Guidelines) where it can be seen with certainty that a project will not have an adverse effect on the environment and the definition of project under Section 15378 of the State CEQA Guidelines (per Section 15378(b)(2)), continuing administrative activities such as general policy and procedure making are excluded from the definition of project.

EVIDENCE: a) The proposed ordinance will not allow any new development that the County would not otherwise be required to approve per State Law. The proposed ordinance merely describes the policy and procedure to follow in order to be consistent with State Law requirements.

PUBLIC INTEREST

- 3. FINDING:** The amendments are in the public interest. Updating the Reasonable Accommodation policies to match the terms of the Acts by amending Section 312-42 is consistent with the purpose of the Adopted Ordinance.

EVIDENCE: a) The intent of the ordinance is to clarify how the County should comply with the current standards within the Acts, which should improve the accessibility of residences and is therefore in the public interest.

CONSISTENCY WITH THE GENERAL PLAN

- 4. FINDING:** The proposed Zoning Regulation Ordinance is consistent with the General Plan.

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- EVIDENCE:** a) The amendments to the Zoning Ordinance implement the Housing Element. The proposed ordinance incorporates the Humboldt County General Plan's goals, policies and standards as directed in Implementation Measure H IM67. H-IM67 directs the County to amend the Zoning Regulations such that they are consistent with the Acts, specifically to remove the Special Permit procedure requirements, identify that the Planning Director is the appropriate reviewing authority and the Board of Supervisors is the appropriate appeal authority, and specify that decisions must be rendered in writing within 30 days, all in relation to requests for Reasonable Accommodations for Residential Accessibility.

CONSISTENCY WITH THE COASTAL ACT

- 5. FINDING:** The proposed Zoning Regulations Amendments will not adversely affect Coastal Access, Recreation, Marine, Land Resources, cause new development that may affect scenic resources, public works facilities, safety, and priority of coastal dependent developments or interfere with or allow industrial development.

- EVIDENCE:** a) Any new development within the Coastal Zone initiated in relation to this code will still require a Coastal Development Permit (CDP) unless the development is authorized without a CDP per Section 30610 of the Coastal Act. The findings required to approve any requested accommodations must identify that they would not have any significant adverse impacts on coastal resources.

CONSISTENCY WITH STATE PLANNING LAW

- 6. FINDING:** Humboldt County Code Section 312-50.3.4 requires that 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 amendments do not limit the number of housing units which may be constructed on an annual basis.

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EVIDENCE: a) The amendments do not impact residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law. The amendments will not alter residential density of parcels within Humboldt County, as there is no disability for which the accommodation would be increasing or reducing the residential density of a property, nor would such an accommodation be reasonable.

PURPOSE OF ORDINANCE

7. FINDING: The primary purpose of the ordinance is to amend local laws and regulations to ensure compliance with the Acts.

EVIDENCE: a) The Amendments to the Residential Accessibility Code ordinance and text amendment will functionally improve the ability of the Planning and Building Department to appropriately implement the requirements of the Acts by clarifying procedures, removing inappropriate requirements, and streamlining the process of approving requests for reasonable accommodations.

NOW, THEREFORE, based upon the above findings and evidence, the Humboldt County Board of Supervisors does hereby:

1. Adopt the above findings.
2. Adopt the Amendments to the Residential Accessibility Code.
3. Direct the Clerk of the Board to publish the Post-Adoption Summary of the Ordinance within fifteen (15) days after its passage.

Dated: _____

Supervisor Michelle Bushnell, Chair
Humboldt County Board of Supervisors

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

AYES: Supervisors: --

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.

By Kaleigh Maffei
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California