



COUNTY OF HUMBOLDT

For the meeting of: 10/16/2025

File #: 25-1235

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Draft Employee Housing Ordinance - Updating Zoning Ordinance to Match State Code that Regulates and Allows Employee Housing Developments
Assessor Parcel Numbers (APN) 000-000-000
Record No.: LRP-2023-18353
Countywide

An amendment to the Inland and Coastal Zoning Regulations to add Sections 313-47.3 and 314-47.3 to implement Employee Housing regulations in a manner consistent with the current State requirements as established within California Health and Safety Code Sections 17008, 17021, 17021.5, 17021.6, and 17021.8. Additional changes are made to amend the Regulations for Zoning Districts in Sections 313-7, 314-5, and 314-7, the Glossary of Use Types in Sections 313-170, 313-177, 314-170, and 314-177, and the Definitions in Sections 314-136 and 314-147 in order to maintain consistency both externally with California Health and Safety Code and internally with the proposed Employee Housing Regulations.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution, which does the following:
 - a) Finds that the proposed adoption of the Inland and Coastal Employee Housing ordinances is exempt from environmental review; and
 - b) Finds that the proposed project complies with the General Plan, Local Coastal Program, and Zoning Ordinance; and
 - c) Recommends that the Board of Supervisors adopt the Inland and Coastal Employee Housing ordinances.

DISCUSSION:

Employee Housing is any living accommodations provided to five or more employees by an employer, whether or not rent is involved, but may also refer to living accommodations provided to five or more agricultural employees by someone other than an employer. This definition also applies to any instance of labor camp that appears in California Government Code or Humboldt County Code. Living accommodations serving four or fewer employees is referenced in the Coastal Code as Farm Employee Housing, which is only applicable to agricultural employees.

State Code defines agricultural employees in Section 1140.4(b) of the Labor Code based on their participation in agriculture, which is defined in paragraph (a) of that Section as all forms of farming, including but explicitly not limited to: soil cultivation, animal husbandry, harvesting, and any practices performed by a farmer or on a farm, incidental to or in conjunction with such farming operations, such as forestry, lumbering, preparation for market, and transportation of product. The proposed code features sections which apply to housing of all employees and sections which would exclusively apply to housing of agricultural employees, in accordance with the terms of the Employee Housing Act.

The proposed Employee Housing Ordinance amends the zoning regulations to permit employee housing under certain conditions to allow for sufficient quantities of living accommodations for people living and working in Humboldt County. The conditions have been drafted in accordance with the terms of the Employee Housing Act, primarily Sections 17008, 17021, 17021.5, 17021.6, and 17021.8. The intent of the Employee Housing Ordinance is to encourage the development of employee housing in the County, in accordance with State Government Code. The changes incorporated into the County Code implement this intent and are fully consistent with California Government Code. The list below is a summary of the changes:

- A. Employee Housing Definitions: (Section 47.3.6) For ease of communication, Section 47.3.6 identifies employee housing that is maintained in connection with any work or any place where work is being performed as “Linked Employee Housing,” and agricultural employee housing that are not maintained in connection with any work or workplace as “Unlinked Agricultural Employee Housing.” Linked Employee Housing is broad because the key element is the direct association with work. Unlinked Agricultural Employee Housing is more specific to whether it serves agricultural employees, with certain additional requirements for some unit types and for permanent residencies.
- B. Small-scale and Large-scale Employee Housing: (Sections 313-47.3.9, 313-47.3.10, 314-47.3.9, 314-47.3.10, 313-170.3, 313-177.13, 314-5.2, 314-170.1, 314-177.6, and 314-136) In accordance with Section 17021.5 and 17021.6 of California Health and Safety Code, small-scale and large-scale employee housing are principally permitted as single family residences and agricultural uses, respectively, so they have been added to the Single-Family Residential and General Agriculture Use Types in order to cleanly ensure they may be appropriately permitted

in all applicable zones regardless of further changes to the zoning code. Small-scale employee housing is any housing accommodations which serve five to six employees, excluding for-profit businesses such as boarding houses and hotels because such businesses are clearly distinct from single-family residences. Large-scale employee housing is any housing accommodations that provide up to 36 beds in group quarters or 12 units or spaces each designed for use by a single household. Large-scale employee housing also includes eligible agricultural employee housing developments, which may provide up to 36 units or spaces each designed for use by a single household, and are discussed below in Paragraph C. Because large-scale employee housing shares the lower limit of serving 5 employees with small-scale employee housing, Section 313-47.3.10.1 and Section 314-47.3.10.1 clarify that small-scale employee housing is included in the definition of large-scale employee housing and therefore may be considered an agricultural use, as well, if necessary.

- C. Eligible Agricultural Employee Housing: (Sections 314-47.3.14 through 314-47.3.20) In accordance with the requirement to provide a ministerial process in Section 17021.8 of California Health and Safety Code, eligible agricultural employee housing developments may be permitted with a Zoning Clearance Certificate. To be 'eligible,' such agricultural housing developments are required to meet more stringent conditions which enable the County to permit them at a higher density than would otherwise be permissible for other employee housing. Importantly, eligible agricultural employee housing must be maintained and operated by a qualified affordable housing organization and shall be subject to a recorded affordability covenant for at least 55 years. In addition to the eligibility requirements, eligible agricultural employee housing shall not be permitted in areas of known hazards or in mapped conservation lands, with the exception of lands associated with Williamson Act conservation contracts. Section 17021.8(e) provides to the County the ability to establish objective development standards, within certain parameters. Section 314-47.3.14.3 provides recommended development standards within those parameters, but the Planning Commission may consider adjustments to those development standards, if deemed appropriate. Unlike other uses, including typical employee housing, eligible agricultural employee housing developments are not dependent upon zoning, rather they may be permitted on sites with an agricultural land use.
- D. Rehabilitation of Agricultural Employee Housing: (Section 314-47.3.12, 314-47.3.13, 313-47.3.12, and 313-47.3.13) Section 17021(b) of the California Health and Safety Code establishes a required processing timeline applicable to building permits for the rehabilitation of real property improvements and to permits issued by the Department of Health and Human Services for the operation, construction, and repair of water systems or waste disposal systems, when either permit is directly associated with agricultural employee housing. If the 60-day timeline is not met, Section 17021(b)(2) of the California Health and Safety Code allows the California Department of Housing and Community Development (HCD) to claim and process the application from the local agency not meeting the timeline and Section 17021(e)

allows HCD to recoup the associated processing costs. Approval by HCD is equivalent to approval by the County, but the County as the local agency may perform additional review to determine whether defects in the project would have resulted in denial of the original proposal. The County may then communicate those defects to the applicant, who is then required to correct them.

- E. Labor Camps: (Sections 313-47.3.8, 314-47.3.8, 313-7.1 through 313-7.3, 314-7.1, 314-7.2, 313-177.8, and 314-147) Section 17008(e) of the California Health and Safety Code establishes that “employee housing” means the same as “labor camp,” so the definitions for labor camp in Humboldt County Code are proposed to be changed to include employee housing. Labor camps in the Inland Zoning Code are presently specific to camping sites maintained for employees and in the Coastal Zoning Code are agriculture or timber-specific. Because labor camps are a conditionally permitted use, but not all employee housing qualifies as potentially principally permitted small-scale or large-scale employee housing, instances of “labor camp” in the Principal Zones codes have been modified to clarify that they only require conditional use permits if they are unable to be principally permitted as small-scale or large-scale employee housing.

Environmental Review: This is covered by the commonsense exemption which specifies that CEQA applies only to projects which have the potential for causing a significant effect on the environment (Section 15061(b)(3) of the State CEQA Guidelines). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendment only implements existing State Law which the County is already beholden to, so approval of the amendment does not have the potential to have a significant effect on the environment.

State Appeal: Changes proposed to the Local Coastal Program (zoning ordinance provisions 313-43, 313-7, and 313-170 through 313-177) must receive final certification from the California Coastal Commission before they become effective.

OTHER AGENCY INVOLVEMENT:

The project was referred to County Counsel, the Housing and Community Development Department North Coast Unified Air Quality Management District, the Department of Environmental Health, the Department of Health and Human Services, the Agricultural Commissioner, the Cattlemen’s Association, Humboldt County Farm Bureau, the Resource Conservation District, and the North Coast Growers Association.

ATTACHMENTS:

1. Draft Resolution
2. Draft Ordinance
 - A. Draft Ordinance No. ____ (Inland)

B. Draft Ordinance No. ____ (Coastal)

3. Existing Regulations

A. Inland Code

B. Coastal Code

Please contact Augustus Grochau, Associate Planner, at agrochau@co.humboldt.ca.us or 707-441-2626 if you have questions about this item.