



COUNTY OF HUMBOLDT

For the meeting of: 1/13/2026

File #: 25-1213

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Time Certain Matter

Vote Requirement: Majority

SUBJECT:

12:00 PM - 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 Board of Supervisors:

1. Adopt the resolutions (Attachments 1 and 2) which do the following:
 - a. Find the Amendments to the Zoning Regulations are exempt from CEQA pursuant to Sections 15061(b)(3) and 15265 (Coastal version) of the State CEQA Guidelines; and
 - b. Find the Employee Housing Ordinance complies with the General Plan, local coastal program, and Coastal Act; and
 - c. Find the Employee Housing Ordinance is in the public interest; and
 - d. Find the Employee Housing Ordinance is consistent with the purpose of the ordinance.
2. Adopt the Ordinance Amending Title III, Division 1, Chapter 3 of Humboldt County Code, Sections 313-47.3, 313-7, 313-170, 313-177 Relating to Employee Housing; and
3. Adopt the Ordinance Amending Title III, Division 1, Chapter 4 of Humboldt County Code, Sections 314-47.3, 314-5, 314-7, 314-170, 314-177, 314-136, and 314-147 Relating to Employee Housing and transmit to the Coastal Commission for certification; and
4. Direct the Clerk of the Board to publish a post-adoption summary of the inland version of the Employee Housing Ordinance within 15 days after adoption by the Board, and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those supervisors voting for and against the ordinance.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Housing for All

Strategic Plan Category: 4002 - Increase and prioritize housing development

DISCUSSION:

The requested action is to adopt the Employee Housing Ordinance amending the County Zoning Regulations. Adopting the ordinance will ensure compliance with applicable state laws. The Planning Commission recommended approval of this action with a 5-0 vote.

Employee Housing is any living accommodations provided to five or more employees by an employer, regardless of whether 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 State 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 the 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 of the Health and Safety Code. The intent of the Employee Housing Ordinance is to encourage the development of employee housing in the county, in accordance with applicable state law. The changes incorporated into the County Code implement this intent and are fully consistent with California State 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 clearly 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 a 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 Board of Supervisors 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.

Planning Commission Meeting - Oct. 16, 2025

The Planning Commission Meeting on Oct. 16, 2025 included a public hearing to discuss and recommend approval of the inland and coastal versions of the Employee Housing Ordinance. No public comments were received. The Planning Commission discussed alternatives regarding some of the development standards for eligible agricultural employee housing developments in the Inland area and modified the proposed ordinance to increase the minimum water availability established by subsection 47.3.14.3.2 to be 42 gallons per person per day, in compliance with 2030 California water use objectives, instead of 35 gallons per person per day, which was derived by example from Occupational Safety and Health Administration (OSHA) Section 1910.142(c)(2). OSHA Section 1910.142(c)(2) applies to a separate and distinct type of employee living situation. The Planning Commission also proposed to reduce the minimum square footage established by subsection 47.3.14.3.7, which had initially been 500 square feet for one person, with an additional 250 square feet for each additional person, to be within their recommended range. Planning staff recommends the minimum square footage to be 350 square feet per unit for one person, with an additional 175 square feet for each additional person, which is within the ranges that the commission recommended: 350 to 400 square feet per unit for one person and 150 to 200 square feet for each additional person, with the caveat that the minimum in the ordinance should not be less than the minimum from the Tiny House Ordinance. The Tiny House Ordinance features a minimum square footage of 120 square feet; Planning Staff does not recommend considering allowance for the units to be as small as the smallest Tiny Houses, as the eligible agricultural employee housing developments are a high-density exception to both typical use standards and employee housing standards. As discussed within Section C, the Board may still consider adjustments to the development standards as deemed appropriate. With a 5-0 vote, the Planning Commission recommended adoption of the proposed amendments (Attachment 5).

Effect of Ordinance:

The results of the changes are intended to provide state-compliant standards for permitting Employee Housing.

Environmental Review: The proposed ordinance 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. Further, the Coastal version of the ordinance is exempt from CEQA pursuant to Guidelines Section 15265, certification of a local coastal program.

SOURCE OF FUNDING:

The salary funding for research, staff tasks, and preparing the draft ordinance and staff report is included in the General Fund contribution to the Long-Range Planning unit (1100-282).

FINANCIAL IMPACT:

Staff costs and other expenses related to research, staff tasks, and preparing the draft ordinance and staff report total approximately \$15,900.

STAFFING IMPACT:

Staff time required for reviewing applicable state laws will be reduced via implementation. Communication of the existence of Employee Housing Regulations may increase staff interaction at the front counter and processing of proposals, regardless of decision.

OTHER AGENCY INVOLVEMENT:

The action item 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. Comments and recommendations have been incorporated into the draft ordinances as appropriate.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board of Supervisors could choose to amend the language of the ordinance for clarity or add or remove requirements from Section 314-47.3.14.3, provided that any proposed requirements are in accordance with Health and Safety Code Section 17021.8(e). This alternative should be implemented if the Board is unable to make all the required findings. Staff believes that the required findings can be made and does not recommend further consideration of this alternative.

ATTACHMENTS:

1. Inland Resolution
2. Coastal Resolution
3. Draft Ordinances
 - A. Inland Ordinance No. ____
 - B. Coastal Ordinance No. ____
4. Inland Post-Adoption Summary
5. PC Resolution 25-067

PREVIOUS ACTION/REFERRAL:

Planning Commission Meeting of: October 16, 2025
File No.: 25-1235