

**ATTACHMENT 1**

A Resolution of the Board of Supervisors of the County of Humboldt  
Making Findings Pursuant to CEQA and Findings for Adopting a Safe Parking-Safe Shelter Pilot  
Program to the Inland Zoning Ordinance

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; meeting on June 7, 2022

RESOLUTION NO. 22-67 of the Board of Supervisors of the County of Humboldt CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING FINDINGS OF FACT, AND FINDINGS FOR ADOPTING THE INLAND SAFE PARKING-SAFE SHELTER PILOT PROGRAM ORDINANCE.

**WHEREAS**, the 2019 Point in Time Count (PIT) identified 1470 unsheltered persons in the County, about one third of whom were located in unincorporated areas. The same PIT estimated that 454 of the total persons counted slept in vehicles, RVs or vans, and 147 in tents or makeshift shelters; and

**WHEREAS**, a 2019 Grand Jury found that a need exists for both permanent affordable housing and short-term sheltering needs like safe parking, and recommended implementing supervised safe parking programs; and

**WHEREAS**, there continues to be a homelessness crisis in the County and an urgent need for housing types that meet the immediate as well as long-term needs of people experiencing homelessness; and

**WHEREAS**, even with the Legislature's recognition of this crisis and the accelerated funding available to address homelessness, the construction of traditional shelters, transitional housing, and supportive housing is not adequate to keep up with the immediate needs of the homeless population; and

**WHEREAS**, shelters, transitional housing and supportive housing do not address the challenge for people living in their vehicles, therefore strategies for vehicle living are also critical to providing safe, temporary spaces; and

**WHEREAS**, the County adopted its Housing Element Update in 2019, including Implementation Measure H-IM56, providing in part that the County will fund and implement a safe parking pilot program, and adopt an enabling ordinance or resolution for the pilot program; and

**WHEREAS**, the proposed Pilot Program, with a duration of 18 months, would provide places to sleep at no charge at ten sites, with up to 20 operating vehicles, vans, or RVs at each Safe Parking site, or up to 20 tents, huts, or cabins that meet California Building Code Emergency Housing standards at each Safe Shelter site, in order to address the immediate health and safety needs of homeless individuals and families who are not able to access traditional shelters; and

**WHEREAS**, the proposed Safe Parking-Safe Shelter sites would be classified as emergency shelters under Government Code Section 65583(a)(4), and would be principally permitted in designated zones; and

**WHEREAS**, the Planning Division prepared the draft ordinances and associated materials with input and collaboration from other agencies, homeless shelters, and homeless service providers; and

**WHEREAS**, the proposed Pilot Program sets development standards, Model Management Plans, and best practices guidance for safe parking and safe shelter providers; and

**WHEREAS**, the Inland Safe Parking-Safe Shelter Pilot Program is exempt from the requirements of the California Environmental Quality Act (CEQA) on one or more of the following separate and independent bases: (1) the proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt from CEQA pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines; (2) the proposed actions are categorically exempt pursuant to CEQA guidelines Sections 15301 as additions to existing facilities, and 15304(e) as minor temporary use of land having no permanent effect on the environment, and no exceptions to the exemptions as set forth in CEQA Guidelines Section 15300.2 would apply; and (3) CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the proposed actions will have the potential for causing a significant effect on the environment, and are not subject to CEQA review; and

**WHEREAS**, the Planning Division prepared and made available to the public the draft Safe Parking-Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance for the Inland area, through its website at <https://humboldt.gov.org/3200/SAFE-PARKING-SAFE-SHELTER-PILOT-PROGRAM>, and by text notifications and emails; and

**WHEREAS**, on January 19, 2022, 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 on the proposed Safe Parking-Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance; and

**WHEREAS**, the Humboldt County Planning Commission held a public hearing on the proposed Safe Parking-Safe Shelter Pilot Ordinance and the Shelter Crisis Ordinance on March 17, 2022, received a report on the draft Ordinances, received evidence and testimony, and considered said report and the Required Findings of Approval incorporated herein; and

**WHEREAS**, the Planning Commission, in response to public comments and as a result of its review, adopted Resolution 22-040 making all the required findings and recommending that the Board of Supervisors of the County of Humboldt:

1. Hold a public hearing in the manner prescribed by law.
2. Adopt the necessary findings prepared by Planning Division staff.
3. Adopt the Safe Parking-Safe Shelter Pilot Program Ordinance amending the Inland Zoning Regulations (Section 314 of Title III, Division 1, Chapter 4 of Humboldt County Code) as shown in Attachment 2 of this staff report with the following changes:
  - a. A requirement is added to Section 61.05.1 for the Provider to show that the Department of Environmental Health has approved suitability of the site as to sanitary facilities and water source.
  - b. Alternative 1 is incorporated in Section 61.05.5, which reads as flows: *“This ordinance and all Zoning Clearance Certificates issued pursuant to this ordinance shall expire and be automatically repealed eighteen months from the effective date unless the term of the ordinance and specified Zoning Clearance Certificates are extended by the Board of Supervisors.”*

- c. Alternative 2 is incorporated in Section 61.05.2 with the following conditions, and which read as follows: *“Safe Parking and Safe Shelter programs that meet all of the following requirements are principally permitted in the C-1, C-2, C-3, ML, R-3, MU1 and MU2 zoning districts with a Zoning Clearance Certificate. Safe Parking and Safe Shelter programs on the site of a church in other zones may be permitted with a Use Permit, except that church sites on TPZ or prime agricultural land are not eligible.”*
4. Direct the Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

**WHEREAS**, on June 7, 2022 the Board of Supervisors held a public hearing on the proposed ordinances, and received public comments, reviewed and considered all public testimony and evidence presented at the hearing;

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

**A. Findings for Amendments to the Zoning Regulations Regarding a Safe Parking–Safe Shelter Pilot Program:**

The following evidence supports finding that the proposed zoning ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA), and that the project is in the public interest, is consistent with the General Plan, and does not reduce the residential density to below the requirements set by the Department of Housing and Community Development.

1. **CEQA.** The proposed Ordinance Creating an Inland Safe Parking-Safe Shelter Pilot Program is exempt from environmental review on the following separate and independent bases.
  - a. Non-sanctioned camps and gathering sites of individuals experiencing homelessness, without access to sanitary facilities and without shelter from weather pose a health and safety threat to the individuals as well as a threat to the environment from improper waste disposal. The proposed specific actions are necessary to prevent or mitigate an emergency and therefore are statutorily exempt from CEQA pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines.
  - b. The proposed actions are categorically exempt pursuant to CEQA guidelines Sections 15301 as additions to existing facilities, and 15304(e) as minor temporary use of land having no permanent effect on the environment, and no exceptions to the exemptions as set forth in CEQA Guidelines Section 15300.2 would apply.
  - c. Pursuant to CEQA Guidelines Section 15061(b)(3), it can be seen with certainty that there is no possibility that the proposed actions will have the potential for causing a significant effect on the environment, and they are therefore not subject to CEQA review.
2. **PUBLIC INTEREST.** The proposed Ordinance Creating an Inland Safe Parking-Safe Shelter Pilot Program is in the Public Interest.
  - a. State housing law tasks the County with designating adequate sites suitable, feasible, and available for the development of housing for all income levels. Under the Housing Accountability

Act, the County is obligated to actively facilitate housing development, including emergency shelters. Because of the time and expense associated with developing traditional shelters, safe parking is a proven short-term measure that could mitigate the health, safety, and environmental concerns related to homelessness. According to the 2019 Grand Jury, safe parking programs would address an immediate need for the hundreds of people living in their vehicles in Humboldt County. The proposed ordinance advances these goals, and is therefore in the public interest.

3. **CONSISTENCY WITH GENERAL PLAN.** The proposed Ordinance Creating an Inland Safe Parking-Safe Shelter Pilot Program is consistent with the General Plan because it carries out the following policies and measures of the 2019 Housing Element, Chapter 8 of the General Plan.
  - a. The Safe Parking-Safe Shelter Pilot Program is one piece of the overall strategy of the Housing Element, as expressed in Goals H-G2 and H-G4 of the General Plan, to provide sufficient sites to accommodate residents of all income levels.
  - b. Housing Element H-P38 sets a policy to allow for safe parking as emergency shelter to provide capacity for those experiencing homelessness.
  - c. Housing Element Implementation Measure H-IM56 directs Planning and Building to implement a safe parking pilot program. The proposed ordinance does that.
  - d. Housing Element Implementation Measure H-IM55 directs Planning and Building to support emergency shelters by coordinating site funding, services and operation, and through outreach to non-profits, religious organizations, and multijurisdictional partnerships. The proposed ordinance was developed in coordination with local agency partners and service providers. It includes development standards, Model Management Plans to facilitate Pilot site development.
4. **CONSISTENCY WITH HOUSING ELEMENT DENSITIES.** The proposed amendments 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 (the midpoint of the density range specified in the plan designation). The Inland Safe Parking-Safe Shelter Pilot Program would not reduce the residential density for any parcel below that used by the Department of Housing and Community Development, and is therefore consistent with the Housing Element.
  - a. The Pilot Program allows vacant land or parking areas to be used as temporary shelter sites. Parcels potentially affected include multifamily sites and sites with existing churches, which could be included in the residential land inventory. Safe parking and safe shelter sites are expected to increase rather than decrease density for those parcels.

**BE IT FURTHER RESOLVED** that the Humboldt County Board of Supervisors:

1. Directs Planning Department staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.
2. Directs the Clerk of the Board to give notice of the decision to any interested party; and
3. Directs the Clerk of the Board to publish the Post-Adoption Summary of the Ordinance within fifteen (15) days after its passage.

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on June 7, 2022 by the following vote:

Adopted on motion by Supervisor Bushnell, seconded by Supervisor Madrone and the following vote:

AYES: Supervisors: Bohn, Bass, Bushnell, Madrone  
NAYS: Supervisors:  
ABSENT: Supervisors: Wilson  
ABSTAIN: Supervisors:

Virginia Bass  
VIRGINA BASS, CHAIRPERSON,  
HUMBOLDT COUNTY BOARD OF SUPERVISORS

(SEAL)  
ATTEST:  
Kathy Hayes, Clerk of the Board of Supervisors  
of the County of Humboldt, State of California

By: Nicole Turner  
Nicole Turner, Deputy Clerk

Date: 6-7-22