

ATTACHMENT 4

Coastal Emergency Shelter Ordinance

ORDINANCE NO. ____ - ____ AMENDING THE COASTAL ZONING REGULATIONS BY ADDING EMERGENCY SHELTERS TO SECTION 313-47.1 OF CHAPTER 3 OF DIVISION 1 OF TITLE III OF THE HUMBOLDT COUNTY CODE.

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. PURPOSE OF ADDITION TO THE ZONING REGULATION

The Humboldt County 2019 Housing Element included Implementation Measures H-IM54 and H-IM71, providing that the County amend the Zoning Regulations and the General Plan to allow emergency shelters as a principally permitted use in certain zones. This ordinance allows emergency shelters as principally permitted in the Commercial General (CG), and Public Facility (PF-1 and PF-2) zoning districts in the Coastal Zone by adding Section 313-47.1, and amending associated definitions and zoning tables in Chapter 3 of Division 1 of Title III of the County Code.

SECTION 2. EMERGENCY SHELTERS

Add Section 313-47.1 Emergency Shelters to Title III, Division 1, Chapter 3 of the Humboldt County Code as follows (additions are shown in underline text; deletions are shown in ~~striketrough~~. Changes made pursuant to Coastal Commission recommendations are included):

47.1 EMERGENCY SHELTERS

47.1.1 Purpose.

The purpose of these regulations is to increase development of emergency shelters and services for people who are experiencing homelessness and to establish development standards. No individual or household may be denied housing and shelter because of inability to pay.

47.1.2 Applicability and General Provisions.

These regulations apply to emergency shelters as defined in 313-140. Emergency shelters that meet all of the following requirements are principally permitted in the CG, PF-1 and PF-2 zoning districts. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except as follows in Section 47.1.3.

47.1.3 Development Standards

47.1.3.1 Lighting. Adequate external lighting must be provided. The lighting must be stationary, and directed away from adjacent properties and public rights-of-way.

47.1.3.2 Common Facilities. Common Facilities may be provided for cooking and dining, recreation, counseling, child care, and other support services, for use of the residents and staff. Laundry facilities, electricity, wi-fi, and pet shelter and exercise areas are recommended in accordance with low barrier practices.

47.1.3.3 Waiting and Intake Area. If client intake occurs on-site, an enclosed or screened waiting and intake area must be provided on the property to prevent queuing in the public right-of-way. The area must be at least ten percent of the total square footage of the shelter, and must be located outside of the yard setbacks.

47.1.3.4 Security. The agency or organization operating the shelter (Provider) must provide security for residents, visitors and employees during hours that the emergency shelter is in operation.

47.1.3.5 Emergency Shelter Provider. The agency or organization operating the shelter must comply with the following requirements:

47.1.3.5.1 The provider must have a written management plan that specifies the hours of operation and the number of beds up to a maximum of fifty beds.

47.1.3.5.2 Temporary shelter must be available to residents for no more than six months, with review and renewal as specified in the Provider's management plan.

47.1.3.6 Maximum Unit Density. Homeless shelters located in residential districts, when not developed in an individual dwelling unit format, is not be subject to the density standard of the General Plan, but the number of beds must be limited to 50. In no case may occupancy of the facility exceed the limit set forth in the adopted Airport Land Use Plan.

47.1.3.7 Proximity to Other Emergency Shelters. Principally permitted emergency shelters may not be located within 300 feet of each other.

47.2.4.8 Services. The applicant shall provide evidence of adequate services to serve the emergency shelter including water supply and sewage disposal.

47.1.3.9 Exceptions. Exceptions to each of the development standards 47.2.3.1-47.2.3.7 may be allowed with a Special Permit.

SECTION 3. DEFINITIONS

Sections 313-140 and 313-154 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

313-140 DEFINITIONS (E)

Add as follows:

Emergency Shelter means housing with or without supportive services for persons experiencing homelessness that is limited to occupancy of six months or less, as defined in Section 50801(e) of the California Health and Safety Code. An emergency shelter may be the principal or an ancillary use on the lot. No individual or household may be denied emergency shelter because of an inability to pay. Emergency shelter operations may be seasonal or year-round, and must be operated by a government agency, religious institution, non-profit charitable organization, or private non-profit organization.

SECTION 4. CIVIC USE TYPES

Section 313-171, Civic Use Types, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text. Changes made pursuant to Coastal Commission recommendations are included):

313-171 CIVIC USE TYPES

171.5 ESSENTIAL SERVICES

The Essential Services Use Type includes uses which are necessary to support principal development. Typical Essential Services uses include:

171.5.8 Emergency Shelters

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective upon certification by the California Coastal Commission.

PASSED AND ADOPTED this _____ day of _____, 2023, on the following vote, to wit:

AYES: Supervisors:
NAYS: Supervisors:
ABSENT: Supervisors:
ABSTAIN: Supervisors:

STEVE MADRONE, 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, Deputy Clerk

Date:

EXHIBIT A

Local Coastal Plan Amendments – Emergency Shelters

AMENDMENTS TO THE LOCAL AREA PLANS OF THE HUMBOLDT COUNTY LOCAL COASTAL PROGRAM

HUMBOLDT BAY AREA PLAN, CHAPTER 4 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 5 DEFINITIONS.

Chapter 4 and 5 of the Humboldt Bay Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

4.10 A. URBAN LAND USE DESIGNATIONS

CG: COMMERCIAL GENERAL

PURPOSE: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well being and convenience of the community.

PRINCIPAL USE: retail sales, retail services, office and professional uses, and emergency shelters.

CONDITIONAL USES: hotels, motels.

CHAPTER 5, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters, provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services may be offered, including but not limited to, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

NORTH COAST AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.

Chapters 5 and 6 of the North Coast Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

CHAPTER 6, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters, provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services may be offered, including but not limited to, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

MCKINLEYVILLE AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.

Chapters 5 and 6 of the McKinleyville Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

CHAPTER 6, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters, provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services may be offered, including but not limited to, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

EEL RIVER AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.

Chapters 5 and 6 of the Eel River Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

CHAPTER 6, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters. provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services may be offered, including but not limited to, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

SOUTH COAST AREA PLAN, CHAPTER 5 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 6 DEFINITIONS.

Chapters 5 and 6 of the South Coast Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

5.20 URBAN PLAN DESIGNATIONS

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

CHAPTER 6, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters. provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services may be offered, including but not limited to, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.

TRINIDAD AREA PLAN, CHAPTER 4 STANDARDS FOR PLAN DESIGNATIONS AND CHAPTER 5 DEFINITIONS.

Chapters 4 and 5 of the Trinidad Area Plan are hereby amended as follows (text deletions and additions are shown in strike out and as underlined text):

4.20 URBAN PLAN DESIGNATIONS

CG COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses, and emergency shelters.

Conditional Uses: Hotels, motels.

CHAPTER 5, DEFINITIONS

EMERGENCY SHELTERS

The Emergency Shelters are temporary housing with or without supportive services for persons experiencing homelessness which may be in the form of dormitory or congregate housing, or individual shelters. provided by a public agency, religious organization, or non-profit organization at no cost to persons without permanent housing. Operations may be seasonal or year-round and client services may be offered, including but not limited to, counseling, medical evaluation and job/life skills training in addition to food, showers and sleeping accommodations.