

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of **October 1, 2024**
Direction Amended for California Coastal Commission Acted on **November 4, 2025**

RESOLUTION NUMBER 25-_____

Record Number PLN-2023-18805

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS TO ADOPT THE COASTAL VERSION OF THE COMMERCIAL RESIDENTIAL 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 changes herein to allow residential dwellings or the combination of residential dwellings and commercial uses, referred to as Commercial Residential, on certain commercial and industrial zoned parcels in response to Senate Bill 6 (SB 6); and

WHEREAS, the Humboldt County Planning Commission held a Public Workshop on the Commercial Residential Ordinance on April 18, 2024, recommending that Staff incorporate revisions to the draft ordinance on a basis of deliberations of the Commission and public comment received; and

WHEREAS, on Wednesday, July 3, 2024, 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 zoning amendments regarding Commercial Residential; and

WHEREAS, on July 18, 2024, the Humboldt County Planning Commission continued the public hearing on the Commercial Residential Ordinance to August 15, 2024; and

WHEREAS, on August 15, 2024, the Humboldt County Planning Commission held a public hearing on the Commercial Residential Ordinance, and with a 6-0 vote recommended the Board of Supervisors adopt the proposed draft Inland Commercial Residential Ordinance; and

WHEREAS, On Tuesday, September 17, 2024, a notice was published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, for adoption of the Commercial Residential Ordinance by the Board of Supervisors at their meeting of October 1, 2024; and

WHEREAS, the Humboldt County Board of Supervisors held a public hearing and approved the Commercial Residential Ordinance on October 1, 2024; and

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WHEREAS, The Humboldt County Board of Supervisors will consider the Program Environmental Impact Report (PEIR) prepared for Humboldt County General Plan, and a project specific Addendum to the previously adopted PEIR that has been prepared for consideration per section 15164 of the State CEQA Guidelines. The proposed ordinance affects all coastal unincorporated areas of Humboldt County and;

WHEREAS, the proposed LCP Amendment was developed to achieve consistency with the requirements of Government Code Section 65852.2, to meet the needs of County residents as determined through workshops and comments, and to incorporate recommendations of the California Coastal Commission through the upcoming LCP Amendment application process; and

WHEREAS, the Humboldt County Board of Supervisors amended the resolution for the Coastal Commercial Residential Ordinance on November 4, 2025, and directed staff to transmit the ordinance to the California Coastal Commission for certification.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Supervisors makes all the following findings:

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1. FINDING: The requirements of the California Environmental Quality Act have been met. The Humboldt County Board of Supervisors has considered the Program Environmental Impact Report (PEIR) adopted for the General Plan on September 25, 2017, and adopted an Addendum to the PEIR that has been prepared for this ordinance.

EVIDENCE: a) A project specific Addendum to the previously adopted Program Environmental Impact Report (PEIR) that has been prepared for consideration per section 15164 of the State CEQA Guidelines.

b) The proposed project does not present substantial changes that would require major revisions to the previous PEIR. No new information of substantial importance that was not known and could not be known at the time was presented as described in Section 15162(c) of the CEQA Guidelines.

c) This ordinance creates a new residential use type that allows for residential units or a combination of residential and commercial

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uses within certain commercial and industrial zoned areas in conformance with California Senate Bill 6 (SB6) which already allows this use type. The proposed ordinance will not cause a substantial increase in the severity of the identified countywide cumulative impacts. No physical changes to the environment will occur with adoption of the proposed ordinance, beyond those that were previously considered. Therefore, the adoption of the proposed ordinance will not have new significant environmental effects or substantially increase the severity of previously identified significant effects.

d) No new information of substantial importance has been introduced that would lead to new or different impacts compared with those discussed in the GP PEIR. Project components continue to build on, clarify, and modify policies, standards and implementation measures in the current General Plan and Zoning Code. The types of development and resulting impacts would be the same as those evaluated in the GP PEIR. Therefore, there is no evidence that the proposed ordinances will result in one or more significant new effects not discussed in the GP PEIR.

e) The ordinance will not change the density requirements within the General Plan or Local Coastal Plan and will allow residential dwellings in zones that already allow for residential dwellings through Senate Bill 6. All commercial residential projects are required to meet all other existing provisions within the Humboldt County Code protecting local resources and would therefore have no possibility of causing a significant effect on the environment.

PUBLIC INTEREST

2. FINDING: Humboldt County Code Section 312-50.3.1, the Humboldt County General Plan, and state General Plan Law stipulate that amendments to the zoning code must be in the public interest. The proposed amendment is in the public interest.

EVIDENCE: a) The proposed ordinance would set development and performance standards for commercial residential. The proposed ordinance will add provisions to the Zoning Code to be consistent with California State Law including SB 6 and allow for more flexibility for housing and is therefore in the public interest. The Commercial Residential

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Ordinance is consistent with SB 6 by allowing residential dwelling units within commercial and industrial zones. By removing the SB 6 requirement of being within an urban cluster, more areas are able to promote infill on underutilized commercial areas.

- b) Humboldt County General Plan 2019 Housing Element Policy H-P17 promotes infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas and Housing Opportunity Zones as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment. The intent of the ordinance is to increase housing diversity and encourage infill by encouraging the development of underutilized commercial and industrial zoned parcels with housing and meets Humboldt County General Plan 2019 Housing Element Policy H-P17 and is therefore in the public interest.

CONSISTENCY WITH THE GENERAL PLAN

- 3. FINDING:** Humboldt County Code Section 312-50.3.2 states that amendments to the Zoning Code must be consistent with the General Plan. The proposed Commercial Residential Ordinance is consistent with the General Plan.

- EVIDENCE:**
- a) The Coastal Commercial Residential Ordinance is consistent with the Housing Element. The proposed ordinance incorporates the Humboldt County General Plan's goals as it will continue to provide an adequate supply of land for housing. The proposed ordinance will allow for housing to be available in more zones and, thus, more land will be available for housing.

CONSISTENCY WITH THE COASTAL ACT

- 4. FINDING:** If the proposed changes to the Zoning Ordinance include a Local Coastal Plan Amendment, Section 312-50.3.3 requires that the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Chapter 3 of the Coastal Act sets forth policies regarding the following issues:
- a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access).

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- b) Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aquacultural uses, and priority of development purposes).
- c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control).
- d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources).
- e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments).
- f) Industrial Development (including location and expansion, use o transport (both onshore and off), and power plants).

- EVIDENCE:**
- a) **Access:** The proposed ordinance allows commercial residential to be located within the Coastal Zone and will likely encourage the use of and exploration of our local coastline because there will be more options for people to lodge within our local coastal jurisdiction. No impact to coastal access is anticipated because projects will be located within existing commercial areas and will require review and site-specific analysis.
 - b) **Recreation:** Proposed commercial residential will be allowed within certain commercial and industrial zones that allow for commercial use types, or within other zones that allow for similar use types, and sites must meet the requirements of the current zoning district and the land use designation. This amendment and its allowances will not impact water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, or priority of development. The proposed amendment will not negatively impact coastal recreation.
 - c) **Marine Resources:** Proposed commercial residential will be located within areas designated for development. The proposed development will be reviewed and may require a Coastal Development Permit in accordance with an associated Local Coastal Plan for consistency with the California Coastal Act. This review would ensure that the proposed work has been assessed and is not expected to cause any significant impacts to marine resources.

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- d) **Land Resources:** The amendment protects agricultural land and timberland because it does not allow additional residential development within natural resource lands such as Agriculture Exclusive (AE), Commercial Timberland (TC), and Timberland Production Zone (TPZ).

Impacts to cultural and tribal cultural resources and impacts to environmentally sensitive habitat areas are not anticipated and remain protected.

- e) **Development:** The Commercial Residential Ordinance will encourage more development in coastal lands since more housing would be anticipated with the allowance of this use. No impact to coastal lands is anticipated because the project will be within areas designated for development and commercial uses.

Commercial Residential is not permissible within coastal dependent zones and therefore will not impact coastal dependent development.

- f) **Industrial Development:** Commercial residential is not permissible within industrial coastal dependent zones. This precludes areas with industrial development including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants. Therefore, the proposed amendment will not negatively impact coastal industrial development.

CONSISTENCY WITH STATE PLANNING LAW

5. **FINDING:** Humboldt County Code Section 312-50.3.4 requires 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 amendment does not limit the number of housing units which may be constructed on an annual basis.

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EVIDENCE: a) The Commercial Residential Ordinance does not reduce residential density for any parcel utilized by the Department of Housing and Community Development in determining compliance with housing element law. The allowance of this use will not reduce residential density of parcels within Humboldt County.

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby:

1. Find that the proposed amendments to the Coastal Zoning Regulations conform to and appropriately carry out the policies of each of Humboldt County's six Coastal Plans and Chapter 3 of the Coastal Act, and further finds that the proposed Zoning Regulations will be carried out in accordance with the Coastal Act; and
2. Find that the changes to the Coastal Zoning Regulations will become effective only upon certification by the California Coastal Commission; and
3. Certify that this amendment is intended to carry out the provisions of the local coastal program adopted by the County and certified by the California Coastal Commission per public resources code 30510.
4. Direct Planning and Building Department staff to transmit the Coastal Commercial Residential Ordinance (25-), including all necessary supporting documentation, to the California Coastal Commission as an amendment to the certified Local Coastal Program for their review and certification in accordance with Public Resources Code Section 30514.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on ~~October 1, 2024~~ November 4, 2025.

Dated: _____

Supervisor ~~Rex Bohn~~ 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.

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