



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 24-1124 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 7/12/2024 **In control:** Planning Commission
On agenda: 7/18/2024 **Final action:**
Title: Draft Tiny House Village Ordinance and Draft Emergency Housing Village Ordinance
Assessor Parcel Numbers (APN) 000-000-000
Record No.: LRP-2021-17304
Unincorporated Humboldt County.

The Tiny House Village Ordinance will amend the zoning code to allow a grouping or clustering of three or more tiny houses or moveable tiny houses as a type of multifamily dwelling. Tiny house villages can also include Dependent Unit Villages defined as a grouping or clustering of three or more sleeping units with central sanitary, cooking, and dining facilities.

The Emergency Housing Village Ordinance will address the need for emergency housing by allowing a broad range of housing types for occupancy during an active shelter crisis declaration. This ordinance amends the zoning regulations and creates provisions to allow for new housing configurations (Emergency Housing Villages including Alternative Lodge Parks and Emergency Dependent Unit Villages) as permitted housing types.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 17304 Draft Tiny House Village & Emergency Housing Ordinance Staff Report 6.27.24, 2. Attachment 1 - THV Draft Resolution (Inland Coastal), 3. Attachment 2 - Inland Tiny House Village Ord. Draft, 4. Attachment 3 - Coastal Tiny House Village Ord. Draft, 5. Attachment 4 - EHV Draft Resolution (Inland & Coastal), 6. Attachment 5 - Inland Emergency Housing Village Ord. Draft, 7. Attachment 6 - Coastal Emergency Housing Village Ord. Draft, 8. Attachment 7 - CA Building Appendix P Emergency Housing, 9. Attachment 8 - Public Comments, 10. PC Resolution 24-037 and 24-038_Tiny House Village Inland and Coastal_17304, 11. PC Resolution 24-039 and 24-040_Emergency Housing Village Inland and Coastal_17304

Date	Ver.	Action By	Action	Result
7/18/2024	1	Planning Commission	recommended for approval	Pass
7/18/2024	1	Planning Commission	recommended for approval	Pass

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Draft Tiny House Village Ordinance and Draft Emergency Housing Village Ordinance
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The Emergency Housing Village Ordinance will address the need for emergency housing by allowing a broad range of housing types for occupancy during an active shelter crisis declaration. This ordinance amends the zoning regulations and creates provisions to allow for new housing configurations (Emergency Housing Villages including Alternative Lodge Parks and Emergency Dependent Unit Villages) as permitted housing types.

RECOMMENDATION(S):

That the Planning Commission take the following actions:

1. Adopt resolutions (Resolution 24-__) [Attachment 1] recommending that the Humboldt County Board of Supervisors take the following actions:
 - a) Find that the proposed Inland and Coastal Tiny House Village Ordinance is exempt from CEQA pursuant to §15061(b)(3) of CEQA Guidelines; and
 - b) Find that the proposed Inland and Coastal Tiny House Village Ordinance is consistent with the General Plan or Local Coastal Plan.
 - c) Adopt the Inland Tiny House Village Ordinance adding sections 314-62.3 and 314-62.4, amends the tables in sections 314-2.1, 314-2.2, 314-2.3, 314-2.4, 314-6.1, 314-6.3, 314-6.4, 314-6.5, 314-8.1, 314-9.1, 314-9.2, and amends sections 314-139 and 314-155 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County. [Attachment 2]
 - d) Adopt the Coastal Tiny House Village Ordinance adding sections 313-62.3, 313-62.4, amends the tables in sections 313-2.1, 313-2.2, 313-3.1, 313-6.2, 313-6.3 and amends sections 313-139 and 313-155 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County. [Attachment 3]
2. Adopt resolutions (Resolution 24-__) [Attachment 4] recommending that the Humboldt County Board of Supervisors take the following actions;
 - a) Find that the proposed Inland and Coastal Emergency Housing Village Ordinance is exempt from CEQA pursuant to §15061(b)(3) of CEQA Guidelines; and
 - b) Find that the proposed Inland and Coastal Emergency Housing Village Ordinance is consistent with the General Plan or Local Coastal Plan, and state law.
 - c) Adopt the Inland Emergency Housing Village Ordinance adding section 314-62.5, amends the tables in sections 314-2.1, 314-2.2, 314-2.3, 314-2.4, 314-3.2, 314-3.3, 314-6.4, 314-6.5, 314-8.1, 314-9.1, 314-9.2, and amends sections 314-136 and 314-140 in

Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County. [Attachment 5]

- d) Adopt the Coastal Emergency Housing Village Ordinance adding sections 313-62.5 amends the tables in sections 313-2.1, 313-2.2, 313-3.1, 313-6.2, 313-6.3, and amends sections 313-136 and 313-140 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County. [Attachment 6]

DISCUSSION:

Executive Summary:

The proposed Tiny House Village Ordinance amends the zoning regulations to allow for new housing configurations, Tiny House Villages (including tiny homes or moveable tiny homes) and Dependent Unit Villages, within areas that are zoned for multi-family dwellings as principally permitted, and in other zones that may be appropriate with a Use Permit. The intent of the Tiny House Village Ordinance is to encourage housing diversity and the expansion of lower cost housing developments in Humboldt County.

The proposed Emergency Housing Village Ordinance amends the zoning regulations to allow for new housing configurations, Emergency Dependent Unit Villages and Alternative Lodge Parks. The intent of the Emergency Housing Village Ordinance is to allow for the use or creation of emergency housing with less stringent building standards and to be specifically used for persons experiencing homelessness.

After deliberation on the Tiny House Village Ordinance and the Emergency Housing Village Ordinance at the June 27, 2024, Planning Commission hearing, requested changes have been incorporated into the draft ordinances.

Changes Incorporated into the Tiny House Village Ordinance

During the Planning Commission (PC) hearing on June 27, 2024, several topics were discussed in relation to the provisions of the draft Tiny House Village Ordinance. Several changes have been made to the draft ordinance to incorporate the comments and recommendations from the PC.

There was discussion regarding the density requirements of the previous draft ordinance, which included a proposed density limit of twenty (20) units per acre. The density limit of 20 units per acre was originally decided on because it is between the maximum allowed density within the General Plan for Residential-Low Density (RL, with a maximum density of 8 units per acre) and Residential-Medium Density (RM, with a maximum density if 30 units per acre), it was in line with other tiny house village developments, and this could incentivize developers to obtain a Density Bonus under Humboldt County Code (HCC) Section 314-112 by allocating a percentage of the units to for persons or families of very low income, low income, senior citizen housing or moderate income. The ordinance has been modified to allow the density as specified in the General Plan be the allowed density in residential zones and set a limit of 20 units per acre in non-residential areas where Tiny

Home Villages are allowed. An alternative (**Alternative 1**) has been included in the draft ordinance to increase the density limit to 30 units per acre for non-residential zones, which is in line with the density limit for RM in the General Plan and still provides incentives for a Density Bonus.

An alternative was included in the previous draft ordinance which removed the density limit from the ordinance. This was, however, not recommended, as it is important for CEQA compliance to not exceed the residential density allowances in the General Plan. This alternative has been removed from the draft ordinance, and the language of the draft ordinance has been updated to ensure consistency with the General Plan for residential zones.

There was also discussion on the density bonus section of the previous draft ordinance, which referenced the HCC Section 313-112 Residential Density Bonus Ordinance. The state updated the density bonus provisions. In order to allow density bonus provisions to change over time and not have this ordinance become inconsistent, Section 62.3.1.1 of this draft ordinance has been updated to refer to HCC Section 314-112 and Government Code Section 65915 Density Bonuses and Other Incentives. As HCC Section 314-112 is now outdated, that ordinance will need to be updated at a later time.

In the previous draft of the ordinance the allowance for principally permitted commercial zones was not included, but Neighborhood Commercial (C-1), Community Commercial (C-2) and Highway Service Commercial (CH) were included as allowed with a Conditional Use Permit (CUP). The Planning Commission requested that C-1 and C-2 be allowed as principally permitted zones for Tiny House Villages and Dependent Unit Villages, and to include Industrial Commercial (C-3) as permitted with a CUP. The draft ordinance has been updated to include these changes, and alternatives (**Alternative 2 & Alternative 5**) have been included to also allow Tiny House Villages and Dependent Unit Villages as principally permitted in C-3 and CH. This is in line with the proposal of the Commercial Residential Ordinance.

At the previous PC hearing there was discussion regarding limiting the number of pets per unit in Tiny House Villages and Dependent Unit Villages. **Alternative 3** has been included in the draft ordinance to suggest limiting household pets to two (2) per unit. As stated in HCC Section 314-43.3.4 Animal Density, a household pet would consist of a dog or a cat, and the limit of two (2) pets per unit is in line with the limitations that exist within residential zones of Residential Multiple Family (R-3) and Apartment Professional (R-4).

A request was made by the Planning Commission to combine sections in the previous draft ordinance related to water and wastewater requirements for Tiny House Villages and Dependent Unit Villages. This language has been updated in Section 62.3.3.1 to combine the language for provisions associated to water and wastewater.

Section 62.3.3.5 Parking for Tiny House Villages and Dependent Unit Villages in the draft ordinance has been updated to include a tiered approach for reducing the required parking of one (1) car parking space per unit. This included reduced parking allowances for sites that have additional on-

street parking, 5% reduction for providing bike racks for every unit, a 10% reduction for providing bike racks surrounded by a fence for security, a 25% reduction for providing bike lockers or racks within an enclosed secure space for every unit, and a 25 % reduction for being within one-half (1/2) mile of a public transit stop. These reduced parking standards could potentially be stacked to get a higher reduction. The Planning Commission should consider that the provision of off-street parking is for more than the resident. There will be visitors to the site and many may drive.

There was additional discussion at the previous PC hearing about extending the one-half (1/2) mile of a public transit stop distance. After some research it was found that most people are only willing to walk up to a half mile in order to use public transit, and the distance cited in the draft ordinance was not changed. **Alternative 4** was included to give the option of having a parking requirement of a minimum of one (1) space for every two (2) units and not more than one (1) car parking space per unit.

The language in Section 62.3.3.6 Waste Removal has been updated to remove composting provisions, and Section 62.3.3.6.3 has been included to address the necessary management of green waste in Tiny House Villages and Dependent Unit Villages.

Section 62.3.3.7 for Common Areas and Open Space has been updated to reflect the requests made at the previous PC hearing. These changes included updating the title, replacing net with contiguous square feet, specifying a minimum dimension of 30 feet required, providing more specific language for the areas allowed for Common Areas and Open Space (not to include required setbacks or patio areas).

Requested changes have been made to Section 62.3.4 Development Standards for Moveable Tiny Houses, removing the requirement for skirting and not allowing mechanical equipment on the roof, retitling Paving to Alternative Pad, and using the term pad instead of parking for the placement area of a Moveable Tiny House.

Other discussions were had at the last PC hearing around the provisions for Common Facilities for Dependent Unit Villages and whether those facilities are required by the California Building Code (CBC) or needed to be specified in this ordinance. After further research it was found that CBC does in fact have specific requirements for bathroom facilities of Residential Occupancy R-2 (long-term or permanent) and R-3 (one- and two-family dwellings). (The definitions for R-2 and R-3 under building code are different than that of the zoning code and should not be confused.) The provisions associated to bathroom facilities were therefore removed from the draft ordinance and the requirements of the CBC are shown in the table below. As kitchen appliances, countertop space and storage area requirements are not specified in the CBC, these have been included as **Alternative 6** in draft ordinance, which specify requirements for Common Kitchens (to be shared for personal use) and Service Kitchens (to provide food service for the residents).

TYPE OF OCCUPANCY ²		WATER CLOSETS (FIXTURES PER PERSON) ³		URINALS (FIXTURES PER PERSON) ⁴	LAVATORIES (FIXTURES PER PERSON) ⁵		BATHTUBS OR SHOWERS (FIXTURES PER PERSON)	DRINKING FOUNTAINS/ FACILITIES (FIXTURES PER PERSON)	OTHER
R-2 Residential occupancy (long-term or permanent)	Dormitories	Male 1 per 10	Female 1 per 8	Male 1 per 25	Male 1 per 12	Female 1 per 12	1 per 8	1 per 150	1 service sink or laundry tray
		Add 1 fixture for each additional 25 males and 1 fixture for each additional 20 females.		Over 150, add 1 fixture for each additional 50 males.	Add 1 fixture for each additional 20 males and 1 fixture for each additional 15 females.				
	Male	Female							
R-3 Residential occupancy (one and two family dwellings)		1 per one and two family dwelling		—	1 per one and two family dwelling		1 per one and two family dwelling	—	1 kitchen sink and 1 automatic clothes washer connection per one and two family dwelling

Changes Incorporated into the Emergency Housing Village Ordinance

During the Planning Commission (PC) hearing on June 28, 2024, several topics were discussed in relation to the provisions of the draft Emergency Housing Village Ordinance. Several changes have been made to the draft ordinance to incorporate the comments and recommendations from the PC.

As the Emergency Housing Village Ordinance is under Emergency Housing provisions of the Shelter Crisis Declaration, there is no limit on the density allowed for Emergency Dependent Unit Villages and Alternative Lodge Parks. However, the zones that have been included for these developments are in line with what would be allowed in RM of the General Plan and what is already allowed by the state for emergency housing.

In the previous draft of the ordinance the allowance for principally permitted commercial zones was not included for Emergency Dependent Unit Villages, but Neighborhood Commercial (C-1), Community Commercial (C-2) and Highway Service Commercial (CH) were included as allowed with a Conditional Use Permit (CUP) for Emergency Dependent Unit Villages and Alternative Lodge Parks. The Planning Commission requested that C-1 and C-2 be allowed as principally permitted zones for Emergency Dependent Unit Villages and Alternative Lodge Parks, and to include Industrial Commercial (C-3) as permitted with a CUP. The draft ordinance has been updated to include these changes, and alternative (**Alternative 1**) has been included to also allow Emergency Dependent Unit Villages as principally permitted in C-3 and CH. This is in line with the proposal of the Commercial Residential Ordinance.

After continued discussion with the Department of Environmental Health and the potential issues with allowing Emergency Dependent Unit Villages and Alternative Lodge Parks in areas not connected to public water and sewer, it was decided that the provision for an approved Special Permit for projects requiring onsite water and wastewater treatment systems was not appropriate. This language has been removed from the draft ordinance and all Emergency Housing Villages require connection to public water and sewer.

Provisions have been added to require a Special Permit when a generator is proposed to power an Emergency Dependent Unit Village and Alternative Lodge Park, and storage and noise standards have been included.

The language in Section 62.5.3.7 Waste Removal has been updated to remove composting provisions, and Section 62.5.3.7.3 has been included to address the necessary management of green waste in Emergency Dependent Unit Villages and Alternative Lodge Parks.

The provision for Open Space and Recreation has been removed from the draft ordinance as requested by the Planning Commission. As well all references in the previous draft ordinance related to the California Building Code (CBC), Appendix P *Emergency Housing* and California Residential Code (CRC), Appendix AZ *Emergency Housing* have been removed from the ordinance.

The provisions of the Building Code cannot be modified through actions taken on an amendment to the Zoning Ordinance so provisions contained in Appendix P and Appendix AZ have been removed. If the commission desires to establish different standards for the use of cars, tents, yurts and membrane structures it would be appropriate to make this recommendation to the Board of Supervisors. The appropriate action would then be to modify the provisions of the Building Code where it is adopted in County Code and make any changes that are needed to this ordinance. It should be recognized this is already allowed through the Safe Parking, Safe Shelter provisions in County Code.

Project Location: All unincorporated areas of Humboldt County, including the Coastal Zone.

Present General Plan Land Use Designation: All land use designations.

Present Zoning: All zoning districts.

Environmental Review: The proposed ordinances are exempt from environmental review under §15061(b)(3) of CEQA Guidelines, activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

State Appeal: Changes proposed to the Local Coastal Program (zoning ordinance provisions 313-62.3, 313-62.4, 313-62.5 and other sections of Chapter 3) must receive final certification from the California Coastal Commission before they become effective.

OTHER AGENCY INVOLVEMENT:

The project was referred to the following responsible agencies: Department of Public Works, Building Division, Department of Health & Human Services, CalFire, County Counsel and Department of Environmental Health. All responding agencies have either responded with no comment or have made recommended changes to the proposed ordinances. All comments have been incorporated into the draft ordinances.

ATTACHMENTS:

1. Resolution No. 24-___ for the Inland and Coastal Tiny House Village Ordinance
2. Draft Inland Tiny House Village Ordinance

3. Draft Coastal Tiny House Village Ordinance
4. Resolution No. 24-___ for the Inland and Coastal Emergency Housing Village Ordinance
5. Draft Inland Emergency Housing Village Ordinance
6. Draft Coastal Emergency Housing Village Ordinance
7. California Building Code, Appendix P and California Residential Code, Appendix AZ

Please contact Megan Acevedo, Associate Planner, at Macevedo@co.humboldt.ca.us or 707-441-2634 if you have questions about this item.