



COMMUNITY DEVELOPMENT SERVICES  
PLANNING DIVISION  
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

DATE: October 20, 2011  
TO: Humboldt County Planning Commission  
FROM: Kirk Girard, Director of Community Development Services  
*Michael Richardson*  
SUBJECT: 2010 Housing Element Implementing Ordinances, General Plan Changes and Local Coastal Program Amendments

The attached staff report has been prepared for your consideration of the implementing ordinances, General Plan (GP) changes and Local Coastal Program (LCP) Amendments of the 2010 Housing Element update at the public hearing on October 27, 2011. The staff report includes the following:

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Please contact Michael Richardson, Senior Planner at 268-3723 if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

TO: HUMBOLDT COUNTY PLANNING COMMISSION  
FROM: Kirk A. Girard, Director of Community Development Services

HEARING DATE:  October 27, 2011	SUBJECT: <input checked="" type="checkbox"/> Public Hearing Item 2010 Housing Element Modification, Implementing Ordinances, General Plan Changes and Local Coastal Program Amendments	CONTACT: Michael Richardson 268-3723
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Before you is the following:

**PROJECT:** This item involves consideration of the implementing ordinances, GP changes and LCP Amendments for the 2010 Housing Element Update. The 2010 Housing Element Update was approved by the Board of Supervisors on August, 24 2010. There are ten (10) categories of implementation measures under consideration:

1. Housing Opportunity Zones
2. Relaxed Second Dwelling Unit Standards
3. Incentives for Affordable and Special Needs Housing
4. Protecting Multifamily Uses in the Affordable Multifamily Land Inventory
5. Single Room Occupancy Units
6. Emergency Shelters
7. Supportive and Transitional Housing
8. Retain Legal Non-Conforming Housing
9. Consistent Density for the Residential Multifamily Plan Designation
10. Establishing a Housing Trust Fund

**PROJECT LOCATION:** The implementing ordinances, General Plan Amendments and LCP Amendments apply to all the unincorporated areas of the County.

**PRESENT PLAN DESIGNATIONS:** n/a

**PRESENT ZONING:** n/a

**ASSESSOR PARCEL NUMBERS:** n/a

**APPLICANT**

n/a

**OWNER(S)**

n/a

**AGENT**

n/a

**ENVIRONMENTAL REVIEW:**

- An SEIR for the 2010 Housing Element Update and the ordinances and GP changes was certified on August 31, 2009 (SCH #2009022077). An addendum to the SEIR is presented for environmental review of the portions of the proposed changes not considered previously. The LCP Amendments are statutorily exempt from environmental review per Section 15201 of the California Environmental Quality Act (CEQA) Guidelines; Coastal Commission approval of those amendments is an equivalent form of environmental review.

**STATE APPEAL STATUS:**

- The LCP amendments must be certified by the California Coastal Commission.

**MAJOR ISSUES:**

- None

**STAFF RECOMMENDATIONS AND EXECUTIVE SUMMARY**  
2010 Housing Element Implementing Ordinances, General Plan Changes and  
Local Coastal Program Amendments

**STAFF RECOMMENDATIONS:**

1. Open the public hearing item and receive a staff report.
2. Receive public comment.
3. Close the public comment portion of the meeting and deliberate on the proposed implementing ordinances, GP changes and LCP Amendments;
4. Make the following motion to approve the item:  
"I move to make all of the required findings, based on evidence in the staff report, and to approve the proposed implementing ordinances, GP changes and LCP Amendments (subject to the following modifications...) by adopting the attached Resolution."

**EXECUTIVE SUMMARY:** The item before the Planning Commission is the review of the implementing ordinances, GP changes and LCP Amendments for the 2010 Housing Element Update. The adopted Housing Element contains a number of new policies, standards and implementation measures to address the County's housing needs. The next step is to implement the new policies through changes to the General Plan and development codes; this item considers those proposed changes. It follows another major implementation measure of the Housing Element: the Multifamily Rezoning Program, which increased the development potential for multifamily homes by 980 units countywide several months ago.

There are ten (10) broad categories of implementation measures under consideration, which are summarized in Attachment 3 of this staff report:

1. Housing Opportunity Zones
2. Relaxed Second Dwelling Unit Standards
3. Incentives for Affordable and Special Needs Housing
4. Protecting Multifamily Uses in the Affordable Multifamily Land Inventory
5. Single Room Occupancy Units
6. Emergency Shelters
7. Supportive and Transitional Housing
8. Retain Legal Non-Conforming Housing
9. Consistent Density for the Residential Multifamily Plan Designation
10. Strategies for Securing and Distributing Funds in the HTF Account

Public comments were received at a series of meetings and workshops, and are summarized in Attachment 4. The proposed implementation measures to encourage residential uses in commercial areas and to relax second unit development standards were modified based on these comments. Also, staff received comments on the draft Density Bonus ordinance revisions from David Grabill, an attorney for Housing for All (Attachment 5).

A Program Environmental Impact Report for the proposed changes to the General Plan and development codes (SCH #2009022077) was certified on August 31, 2009, which identified the potential environmental impacts, and proposed mitigation measures to reduce those impacts (Attachment 6). An addendum to the SEIR in this staff report updates the environmental review for the portions of the proposed changes not previously considered, which include the relaxed development standards for second units and the HTF ordinance. It concludes there are no additional impacts from the implementation measures that were not already evaluated in the SEIR.

**ALTERNATIVES:** Staff will present alternatives for allowing multifamily uses in commercial areas at the meeting. The Planning Commission could elect to continue the item to another meeting to allow for consideration of additional alternative language. This alternative should be implemented if the Commission proposes substantial changes that require more thorough review.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 11-\_\_\_\_\_**

**RECOMMENDING ADOPTION BY THE BOARD OF SUPERVISORS OF THE PLANNING COMMISSION APPROVED 2010 HOUSING ELEMENT IMPLEMENTING ORDINANCES, GENERAL PLAN CHANGES AND LOCAL COASTAL PROGRAM AMENDMENTS.**

**WHEREAS**, the Housing Element Appendix describes the public participation effort for the 2010 Housing Element; and

**WHEREAS**, the Housing Element Appendix demonstrates that the County provided considerable opportunities for public input on the policies and implementation measures in the Housing Element, including workshops, housing summits, scoping meetings, and public hearings since 2007; and

**WHEREAS**, a Draft and Final Supplemental Environmental Impact Report (SEIR) was prepared for the 2010 Housing Element, circulated for public review; and certified as required by state law; and

**WHEREAS**, the 2010 Housing Element Update was adopted on August 24, 2010 in compliance with the requirements of state law regarding Housing Elements, and

**WHEREAS**, the 2010 Housing Element Update includes implementation measures to adopt ordinances, General Plan changes and Local Coastal Program Amendments, and

**WHEREAS**, the proposed ordinances, General Plan changes and Local Coastal Program Amendments are necessary to maintain consistency with the 2010 Housing Element Update;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Humboldt County Planning Commission that the following findings be and are hereby made by this Commission based upon the written and verbal testimony presented to the Commission and the evidence established during the hearings:

1. All of the above recitations are true and correct and incorporated herein by reference.
2. The proposed ordinances, General Plan changes, Local Coastal Program Amendments are in the public interest because they are necessary to maintain consistency with the 2010 Housing Element Update.
3. The proposed General Plan changes and Local Coastal Program Amendments are consistent with all the other Elements of the General Plan, including §1452.2 of the General Plan (Findings Required for Plan Amendments).
4. The proposed ordinance changes are consistent with all the proposed changes to the General Plan, all the other Elements of the Plan, and all the other sections of the zoning ordinances, including Humboldt County Code §312-50.3 (Required Findings for All Amendments).
5. The SEIR for the 2010 Housing Element Update certified on August 31, 2009 adequately disclosed the impacts of the proposed implementing ordinances and General Plan changes, and where feasible, mitigation measures were taken to reduce their impacts on the environment, consistent with the requirements of the California Environmental Quality Act (CEQA), prior to making its recommendations.
6. An addendum to the SEIR was prepared to incorporate into the public record the environmental review of the HTF ordinance. The addendum concludes there are no additional impacts from the HTF ordinance that were not already evaluated in the SEIR.

7. The LCP Amendments are statutorily exempt from environmental review per Section 15265 of the California Environmental Quality Act (CEQA) Guidelines; Coastal Commission approval of those amendments is an equivalent form of environmental review.
8. The proposed implementing ordinances, General Plan changes and Local Coastal Program Amendments are hereby approved.

**BE IT FURTHER RESOLVED** that minor changes that 1) do not substantially affect the proposed implementing ordinances, General Plan changes or, Local Coastal Program Amendments; 2) are reasonably based on credible information that is readily accessible to the public, 3) are necessary to respond to requirements of the California Coastal Commission, or comments on the approved Housing Element by HCD, shall not be considered substantial changes requiring further review by the Planning Commission.

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

1. Hold public hearings in the manner prescribed by law;
2. Adopt the Planning Commission's findings;
3. Certify compliance with the requirements of CEQA as required by state law; and
4. Adopt the Planning Commission recommended implementing ordinances, General Plan changes and Local Coastal Program Amendments.

Adopted after review and consideration of all the evidence on \_\_\_\_\_.

\_\_\_\_\_  
Chair, Humboldt County Planning Commission

The motion was made by COMMISSIONER \_\_\_\_\_ and seconded by COMMISSIONER \_\_\_\_\_. by the following ROLL CALL vote:

AYES: Commissioners:  
NOES: Commissioners:  
ABSTAIN: Commissioners:  
ABSENT: Commissioners:

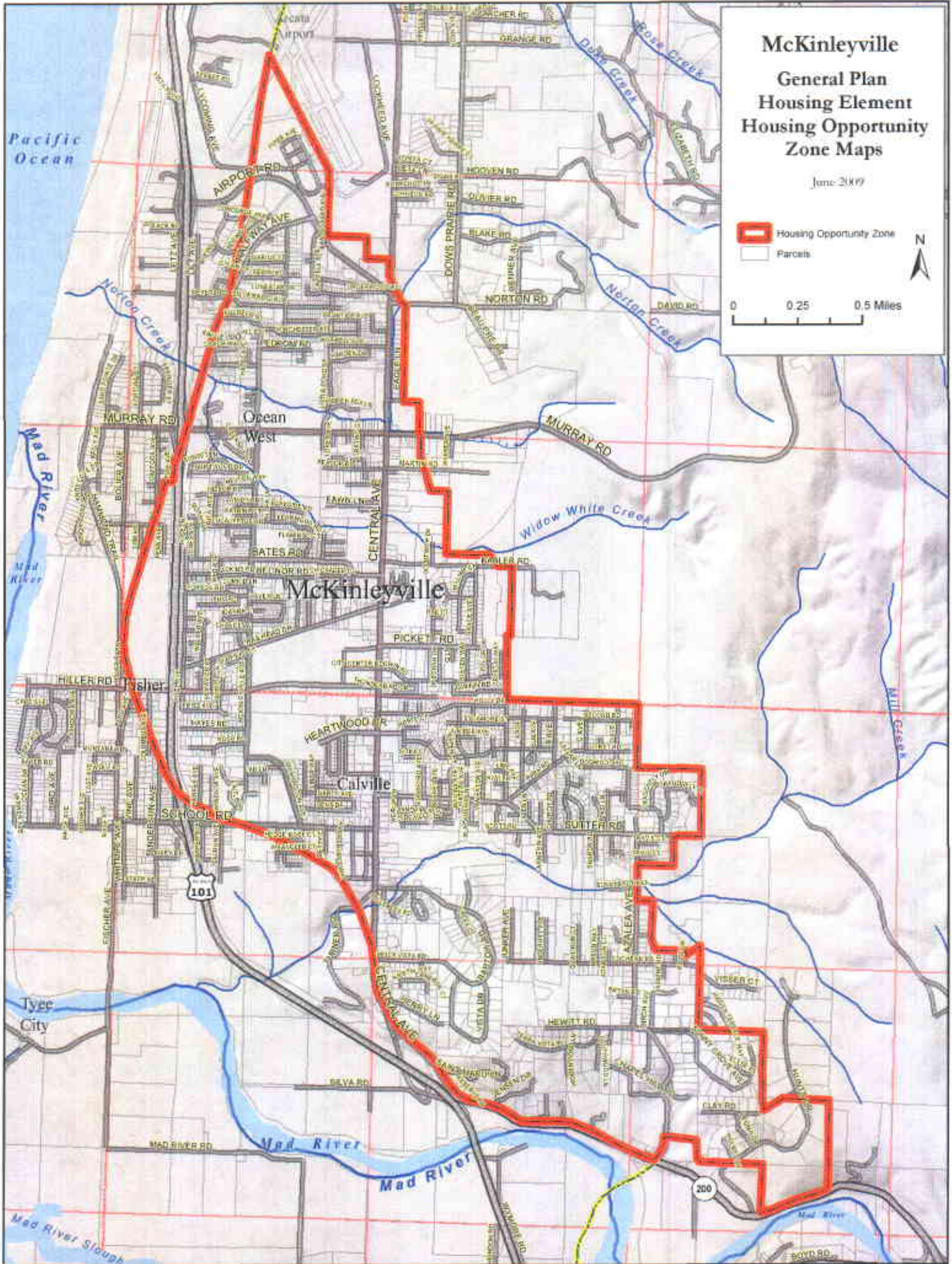
I, \_\_\_\_\_, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

By: \_\_\_\_\_

\_\_\_\_\_, CLERK

# McKinleyville General Plan Housing Element Housing Opportunity Zone Maps

June 2009



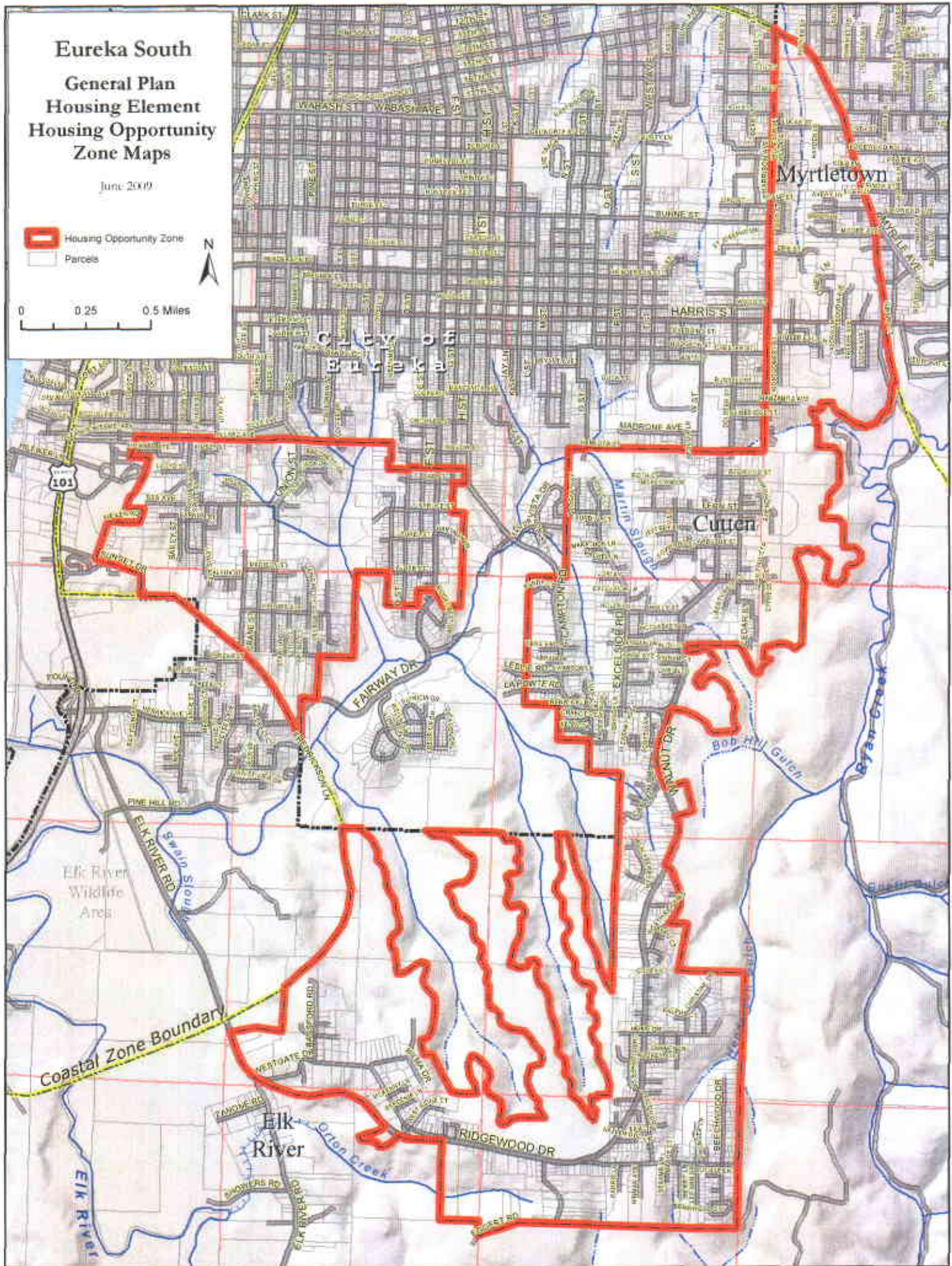
**Eureka South  
General Plan  
Housing Element  
Housing Opportunity  
Zone Maps**

June 2009

-  Housing Opportunity Zone
-  Parcels



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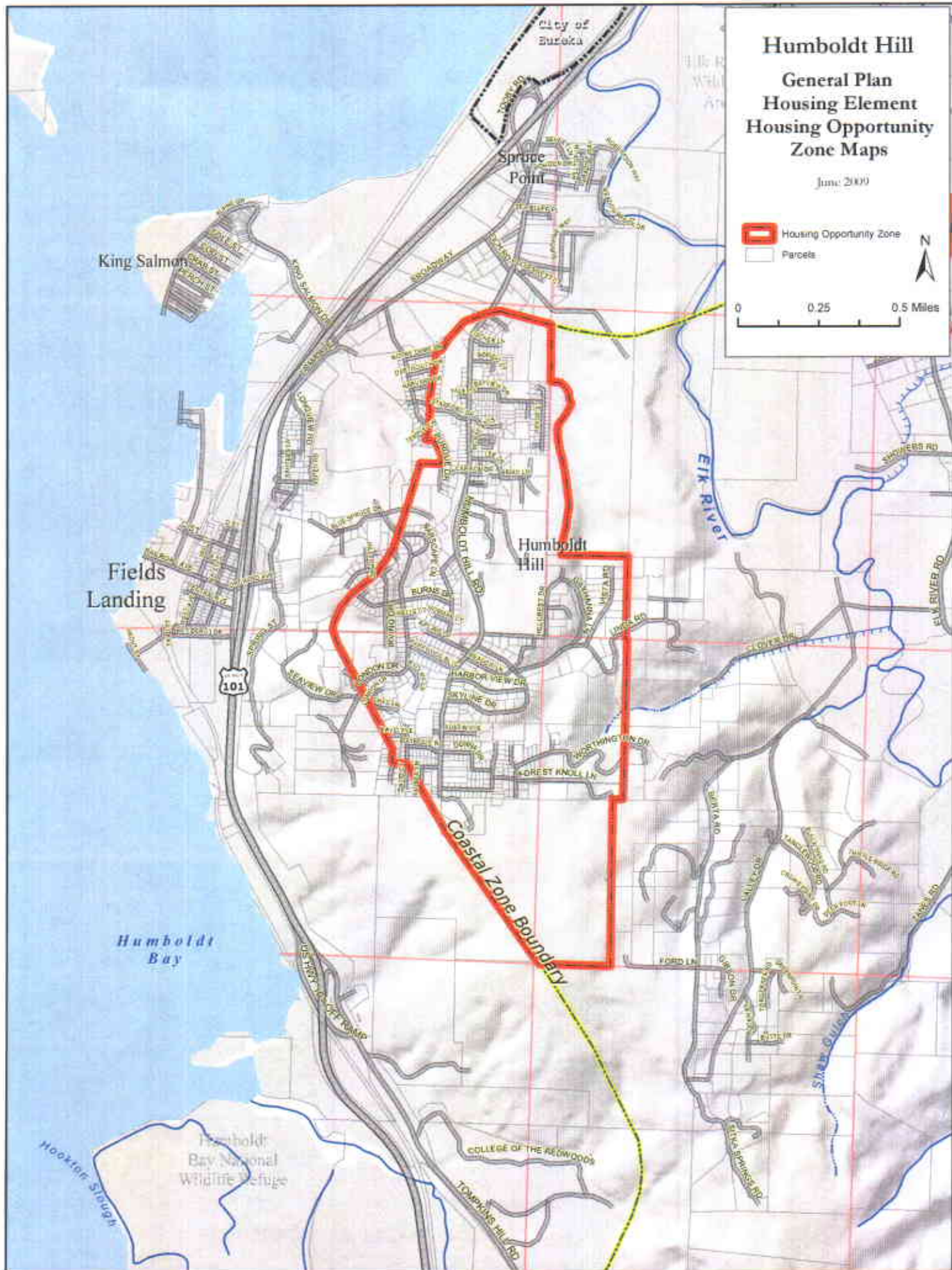
# Humboldt Hill General Plan Housing Element Housing Opportunity Zone Maps

June 2000

 Housing Opportunity Zone  
 Parcels

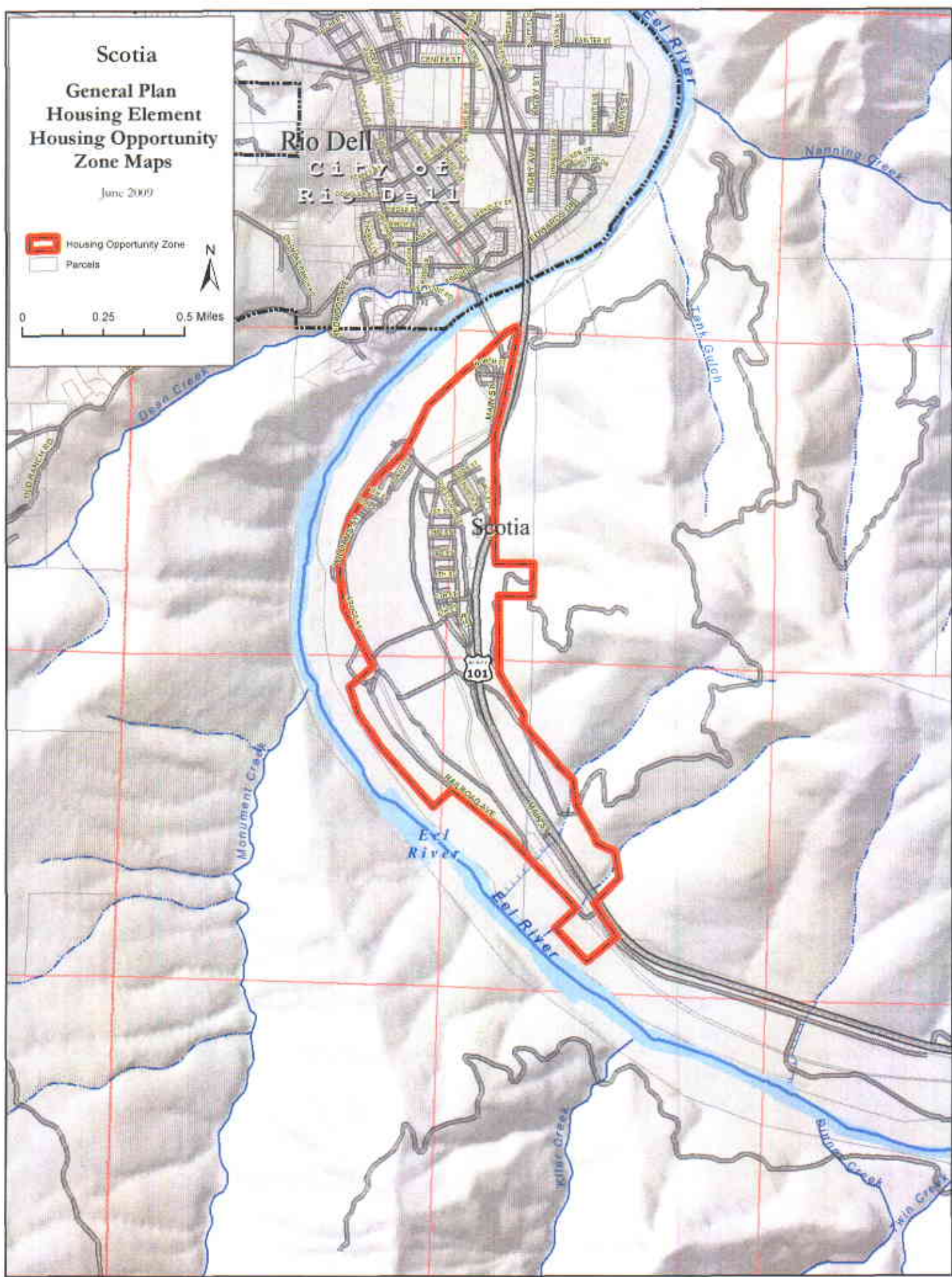
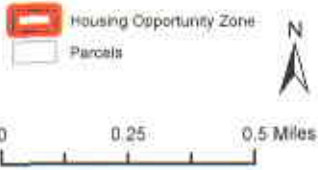


0 0.25 0.5 Miles




**Scotia**  
**General Plan**  
**Housing Element**  
**Housing Opportunity**  
**Zone Maps**

June 2009



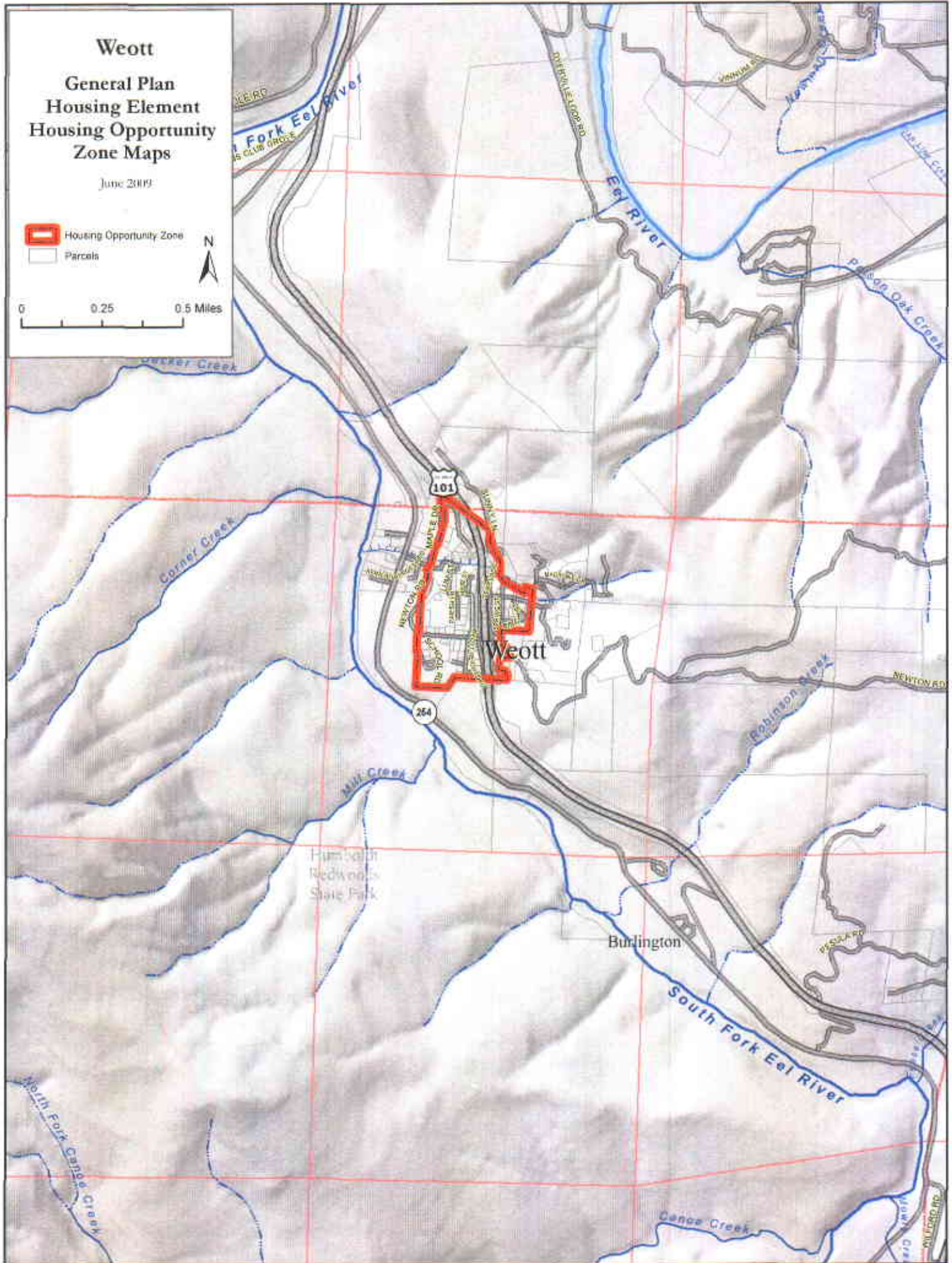
# Weott General Plan Housing Element Housing Opportunity Zone Maps

June 2009

-  Housing Opportunity Zone
-  Parcels



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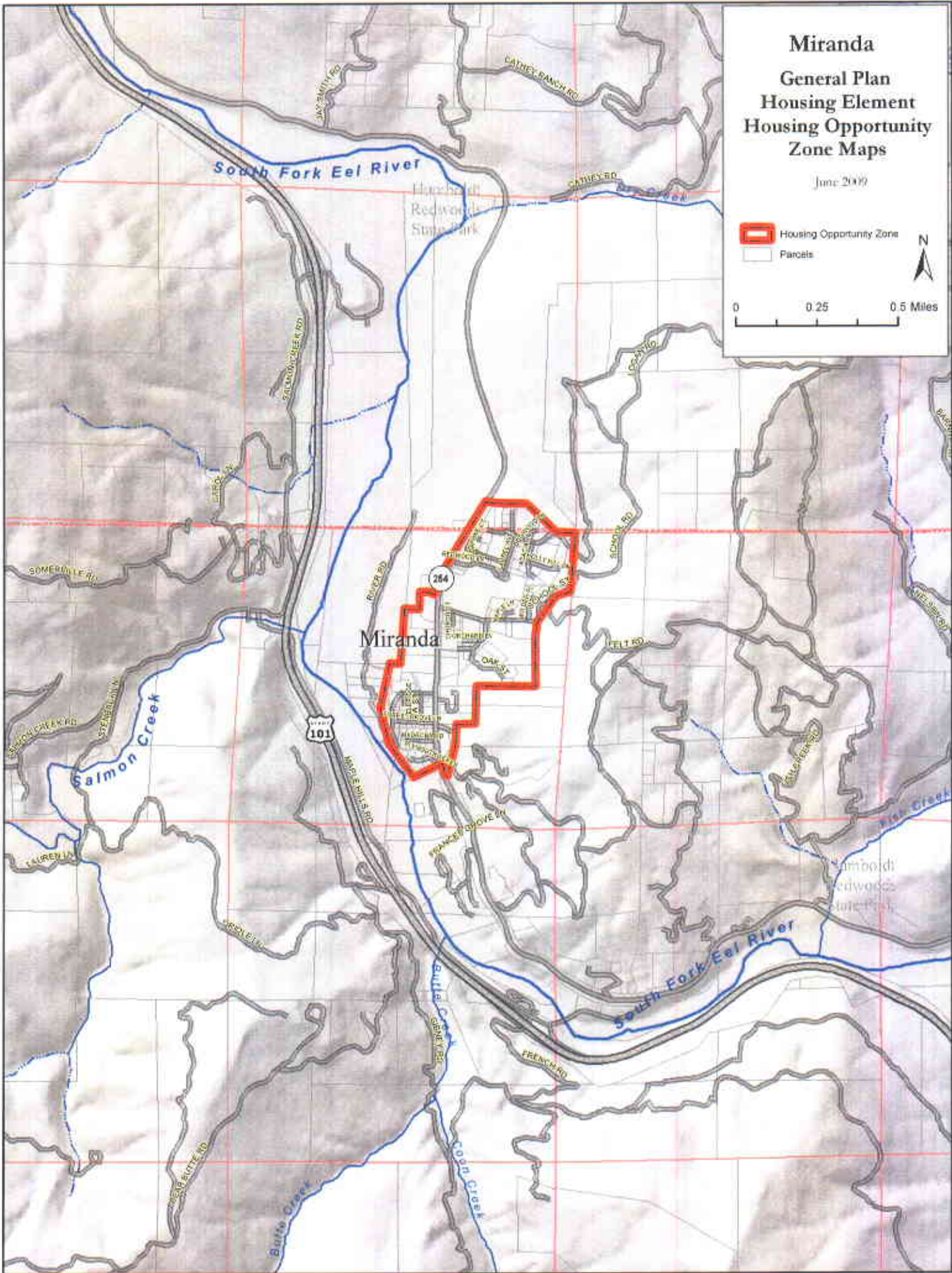
# Miranda General Plan Housing Element Housing Opportunity Zone Maps

June 2009

-  Housing Opportunity Zone
-  Parcels



0 0.25 0.5 Miles








# McKinleyville

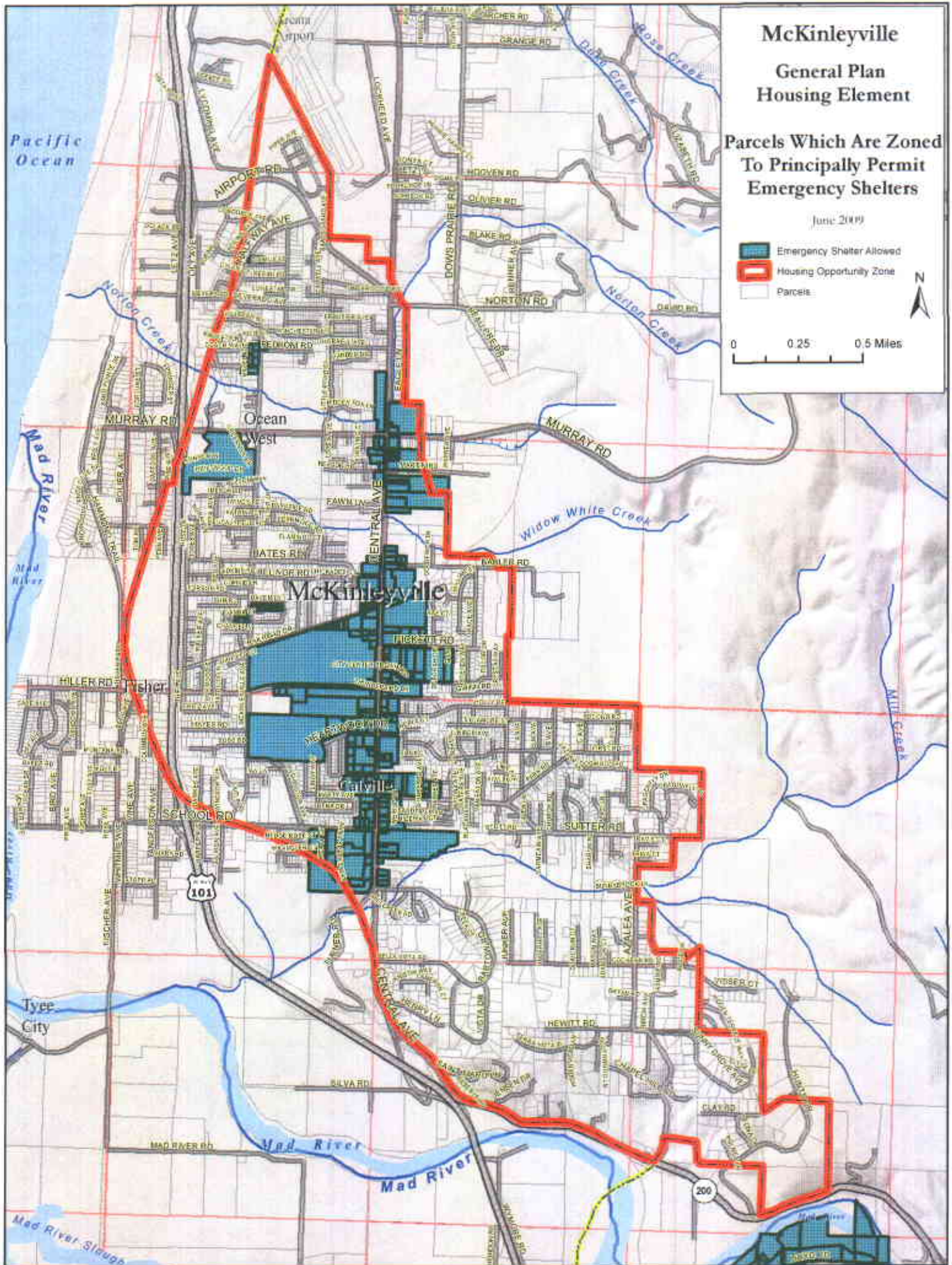
## General Plan Housing Element

### Parcels Which Are Zoned To Principally Permit Emergency Shelters

June 2019

-  Emergency Shelter Allowed
-  Housing Opportunity Zone
-  Parcels

0 0.25 0.5 Miles



# Eureka South General Plan Housing Element

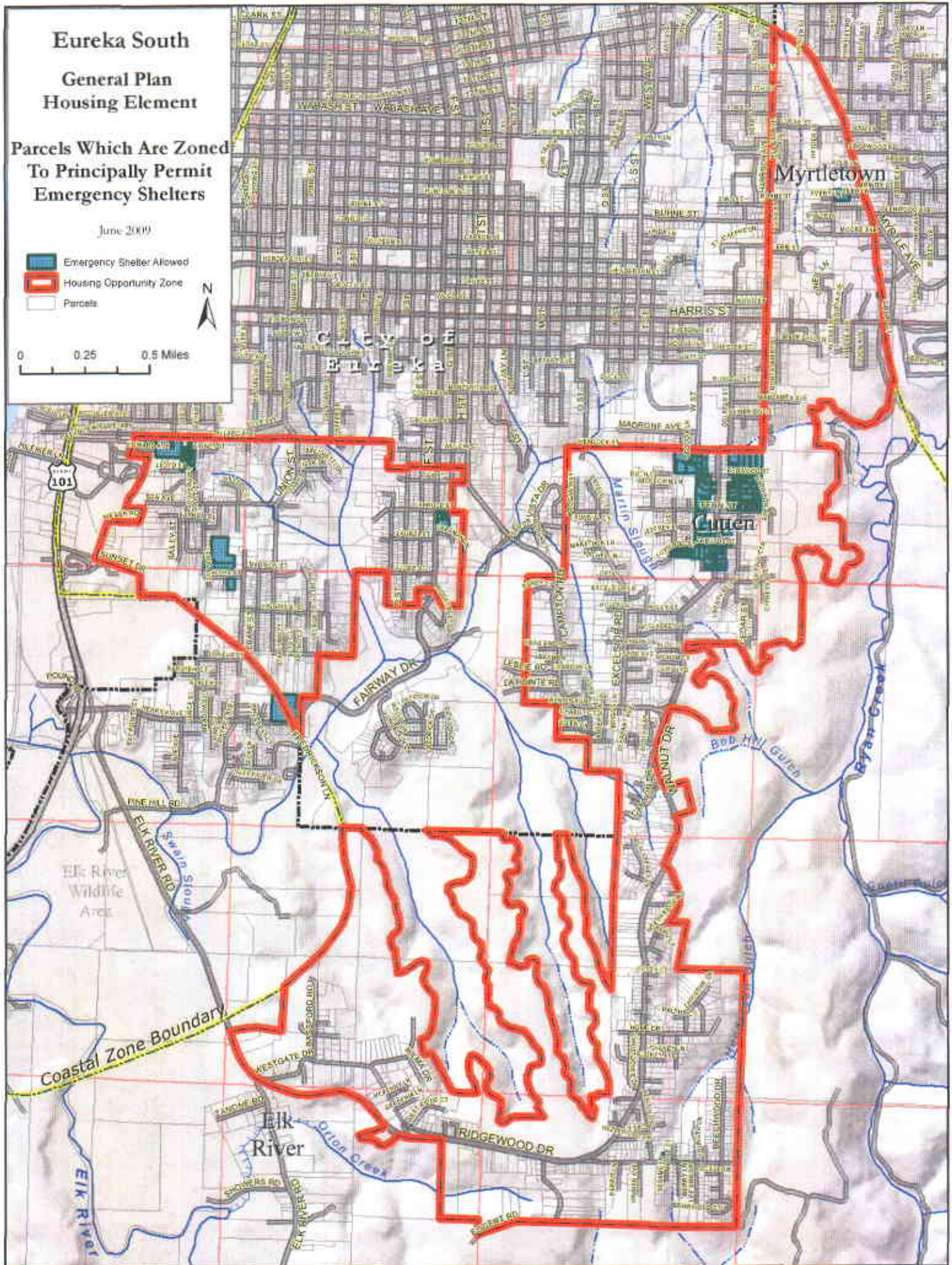
## Parcels Which Are Zoned To Principally Permit Emergency Shelters

June 2009

-  Emergency Shelter Allowed
-  Housing Opportunity Zone
-  Parcels



0 0.25 0.5 Miles






# Humboldt Hill

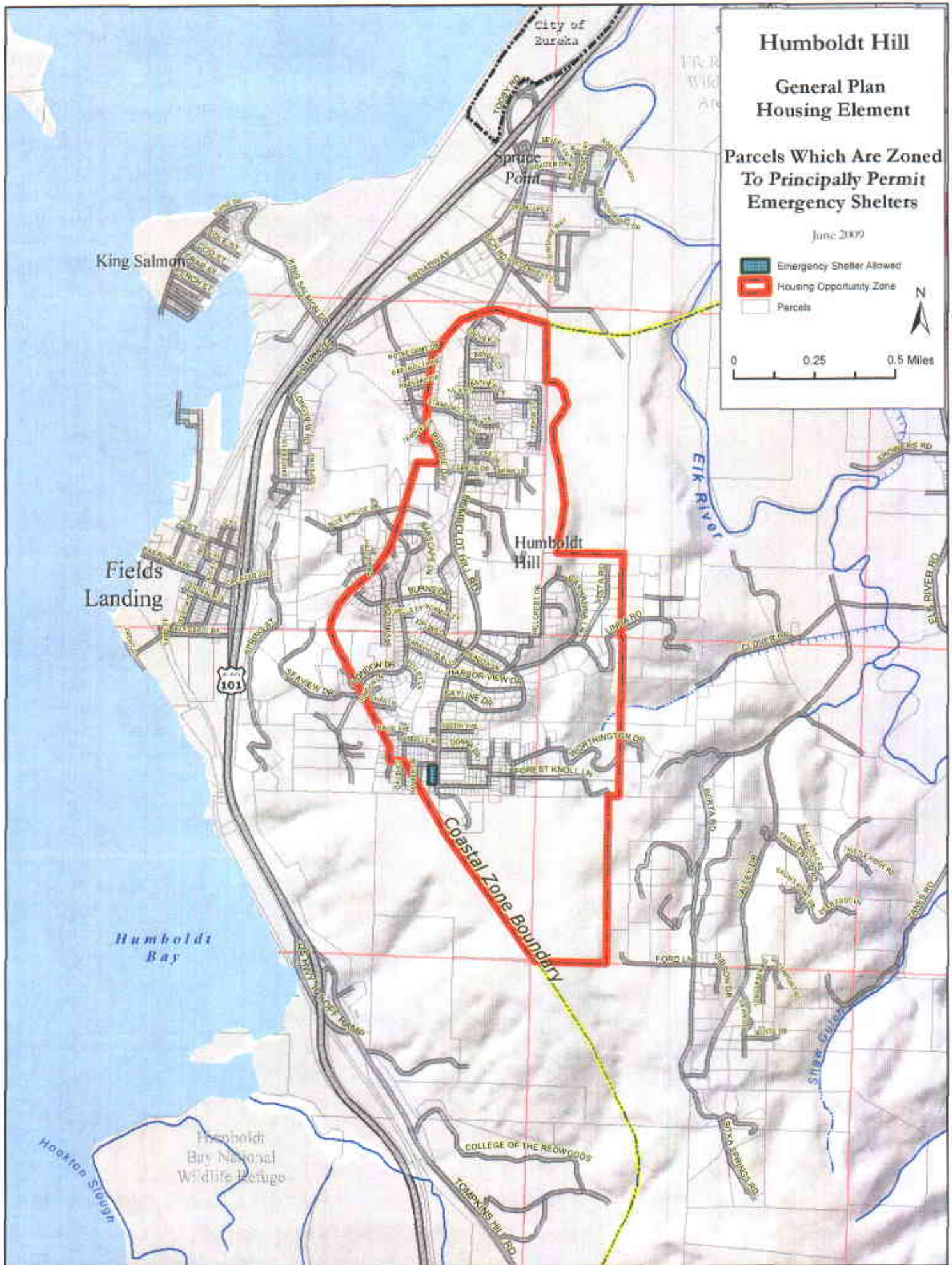
## General Plan Housing Element

Parcels Which Are Zoned  
To Principally Permit  
Emergency Shelters

June 2009

-  Emergency Shelter Allowed
-  Housing Opportunity Zone
-  Parcels

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# Weott

## General Plan Housing Element

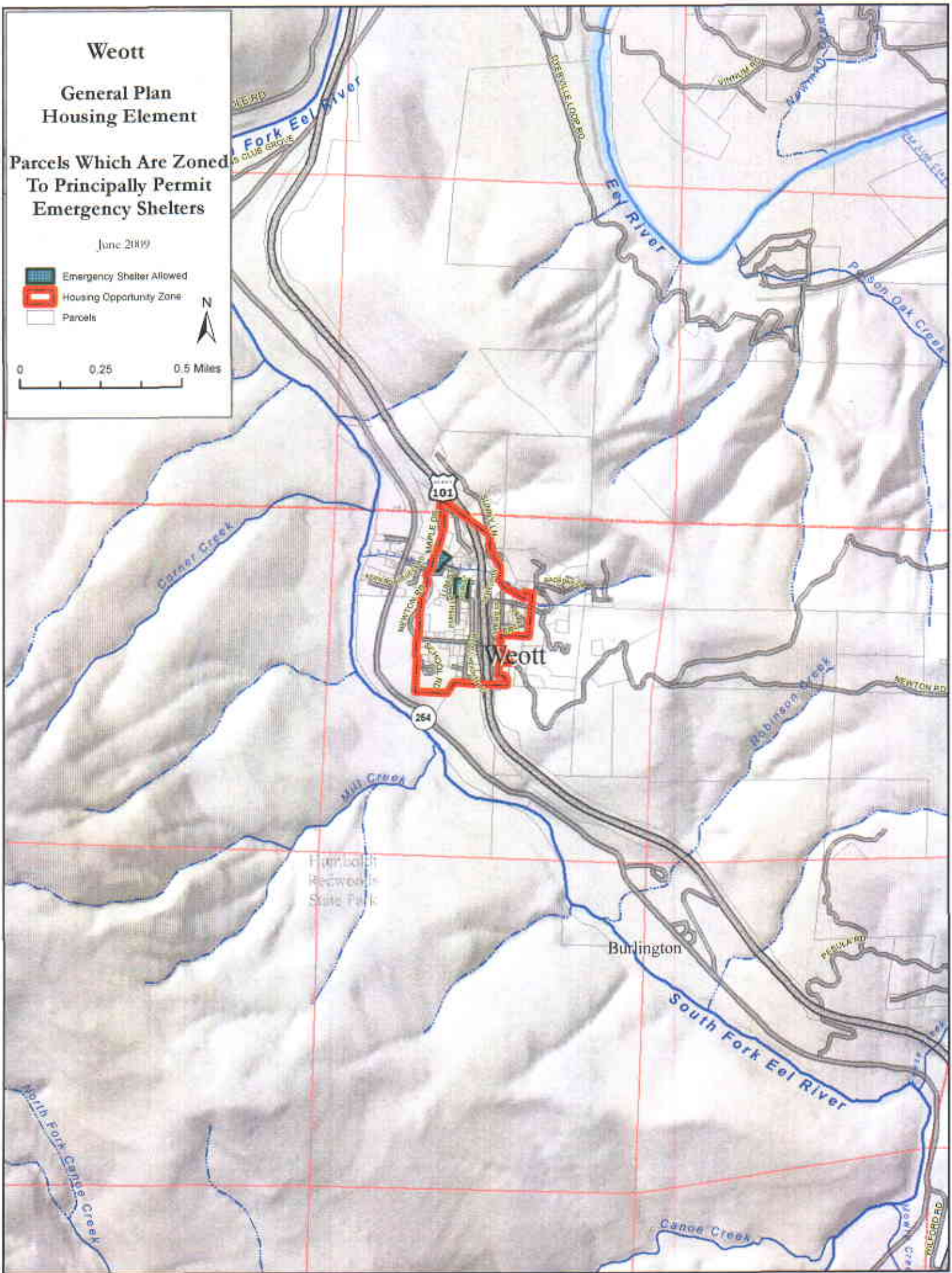
### Parcels Which Are Zoned To Principally Permit Emergency Shelters

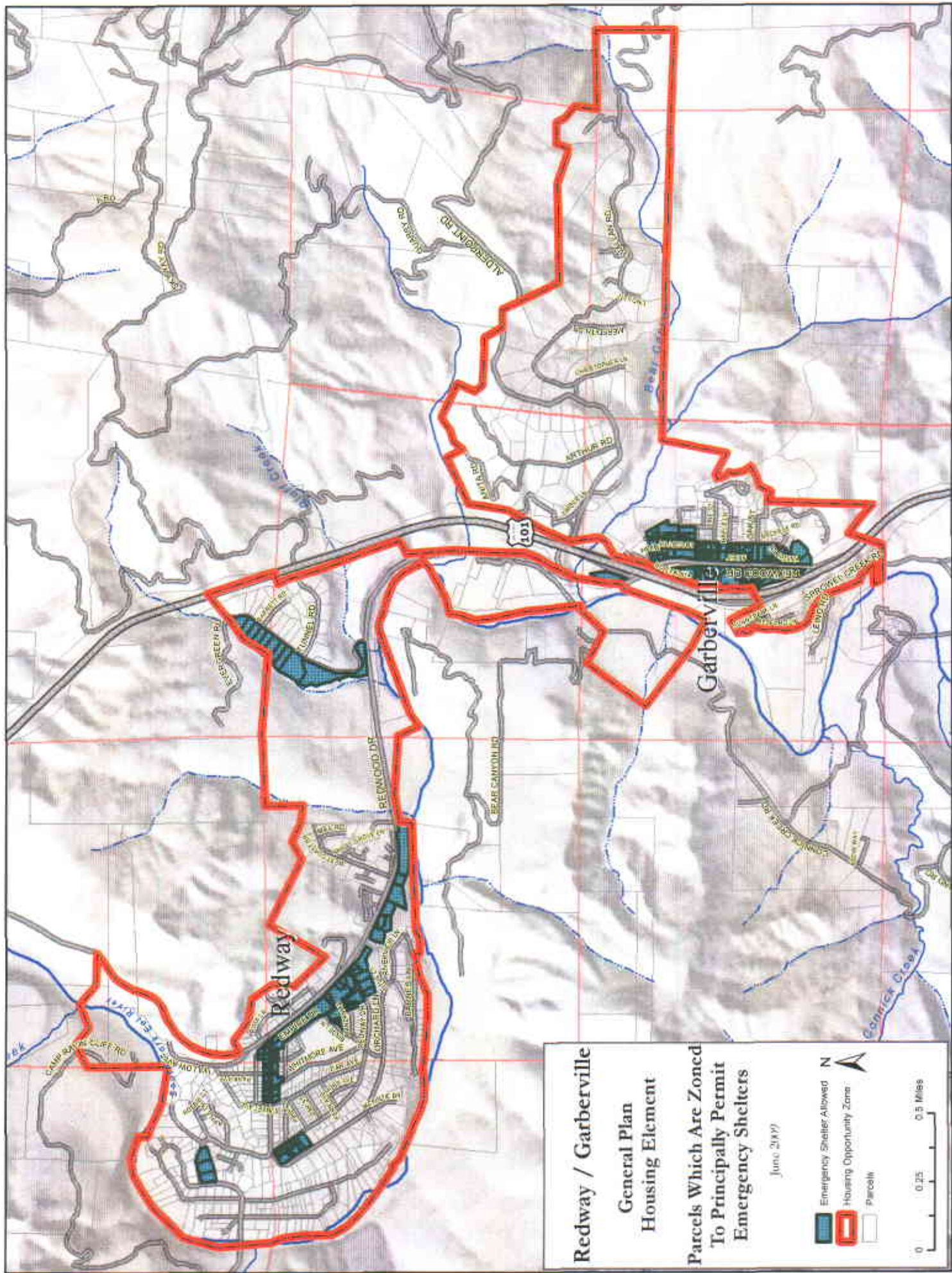
June 2009

-  Emergency Shelter Allowed
-  Housing Opportunity Zone
-  Parcels



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## ATTACHMENT 1

### Summary of Proposed Amendments

#### Summary of Proposed Amendments

##### 1) Housing Opportunity Zones

**Summary:** The adopted 2010 Housing Element has policies to provide incentives for residential development within mapped Housing Opportunity Zones.

These incentives will be available to developers once changes to the existing Framework General Plan, Community and Local Coastal Plans and to the Zoning and Subdivision Ordinances are made.

The Housing Opportunity Zones are located in areas with public water and sewer, and are found in the following plans: Framework General Plan, McKinleyville Community Plan (inland), McKinleyville Area Plan (coastal), Garberville/Redway/Benbow/Alderpoint Community Plan and the Eureka Community Plan. Maps showing the location of Housing Opportunity Zones are available on the County's website:

<http://co.humboldt.ca.us/gpu/docs/2009%20Housing%20Element/Approved/AttachmentHofAppendixGApproved8-28-09withmaps.pdf>

##### **Proposed Incentives:**

Within the mapped Housing Opportunity Zones the zoning and subdivision ordinances would be modified to provide the following incentives to residential development:

- a. **Residential units in commercial zones-** Apartments will be principally permitted if subordinate to a commercial use. Apartments would no longer need to be located on the top floor of commercial structure. Provides development standards for mixing commercial and residential uses on a principally permitted basis. The gross floor area of principally permitted residential units would be no more than 50% of the gross floor area of the commercial establishment. The entrance to the residential units must be subordinate to the commercial use entrance.
- b. **Reduced parking requirements:** Only one parking space is required for a primary residence that is less than 1,000 square feet regardless of the number of bedrooms. Allows ½ the required spaces or 1 space to be located within the front yard setback.
- c. **Density Bonus:** Increases allowances for density bonuses.
- d. **Reduced Minimum parcel size:** Changes the subdivision ordinance to allow for 1,500 square foot lots.
- e. **Prioritize Infrastructure Development:** Prioritizes funding and other resources to public water and sewer facilities within the Housing Opportunity Zones.
- f. **Second Units:** Reduces development standards and permit requirements for second units less than 800 square feet in size. Proposed changes would allow increased lot coverage, and would delete the requirement for a Special Permit for second units that do not share a common driveway with the primary residence. See also the next item, "Relaxed Second Unit Standards"

##### 2) Relaxed Second Dwelling Unit Standards

**Summary:** The adopted 2010 Housing Element has policies to encourage second units. The next step is to amend the Zoning Ordinance in the Coastal and Inland portions of the County to make them consistent with the 2010 Housing Element. The goal of the implementation measures is to encourage second unit construction in Housing Opportunity Zones.

The Housing Opportunity Zones are located in areas with public water and sewer, and are found in the following plans: Framework General Plan, McKinleyville Community Plan (inland), McKinleyville Area Plan (coastal), Garberville/Redway/Benbow/Alderpoint Community Plan and the Eureka Community Plan. Maps showing the location of Housing Opportunity Zones are included earlier in this staff report.

***Proposed Zoning Ordinance and Subdivision Ordinance Changes for Second Units in Housing Opportunity Zones:***

- a. Reduced Number of Parking Spaces: No additional parking space is required for a second unit if it is less than 800 square feet in size. Allows the required parking spaces to be located within the front yard setback. On-site parking requirements do not change on roads less than 40 feet wide.
- b. Parking Dimensions: Required on-site parking spaces can be a standard compact car size (7½' by 16'). Note: this proposal was not reviewed with the 2010 Housing Element.
- c. Waiver of Common Building Site Standard: Second units less than 800 square feet in size do not need to be within 30 feet of primary residence.
- d. Waiver of Common Driveway Requirement: Lots with more than 100 feet of road frontage will not be required to have a common driveway for the primary and secondary unit. If the lot has less than 100 feet of road frontage, a shared driveway with a "fanned" or "flared" design may be used allowing parking for the second unit in the driveway within the front yard setback.
- e. Lot coverage: The maximum lot coverage can be increased to 55% (existing limit in single family residential zones is 35%) to accommodate a second unit less than 800 square feet in size. Note: this proposal was not reviewed with the 2010 Housing Element.
- f. Relaxed Road Improvement Standards: Changes the requirement from a Category 4 road (18-20 feet wide with 2 foot shoulders) to requiring that the road be a width that is consistent with the adopted Fire Safe Regulations. The Fire Safe Regulations identify a range of road widths based on the number of units served by the road.  
  
Also limits road and sidewalk improvement requirements to 30 feet for second units less than 800 square feet in size. Exceptions apply to maintain adequate visibility. Note: these proposals were not reviewed with the 2010 Housing Element.
- g. Subordinate Entrance: There is additional language to clarify that any second unit may use visual screening or other design solutions to become subordinate to the primary residence as required by the zoning ordinance. The entrance to the second unit no longer would need to be located in the back of the unit or parcel. Note: this proposal was not reviewed with the 2010 Housing Element.
- h. Reduced Setback Requirements: Allows rear and side yard setbacks down to 3 feet for second units less than 800 square feet in size. Presently 10' or 5' setbacks are required. No portion of the unit, including architectural features, would be allowed within the modified 3 foot setback. Note: this proposal was not reviewed with the 2010 Housing Element.

***Proposed Community Plan and Zoning Ordinance and Changes for Second Units Outside Housing Opportunity Zones:***

- i. Increase Allowances for Second Units in Community Plan Areas: In the McKinleyville Community Plan Area, allow second units to exceed the maximum density on properties planned and zoned to allow ten acre parcels or smaller. Presently these allowances only apply to properties planned and zoned to allow five (5) acre minimums. Note: this proposal was not reviewed with the 2010 Housing Element.

Special Permits would be required for these second units, and these density waivers would not apply to properties with Agricultural Exclusive or Timber Production Zone designations.

**3) Incentives for Affordable and Special Needs Housing**

**Summary:** The adopted 2010 Housing Element has policies to provide incentives for development of affordable and special needs housing.

This implementation measure provides several incentives meant to encourage development of affordable and special needs housing. These incentives are available in all areas of the County only for developments serving lower income households with covenants and restrictions for long-term affordability.

**Proposed incentives:**

- a. Density Bonus: Aggressive density bonuses are allowed as discussed below in more detail.
- b. Modified Development Standards: Eliminates the need to reduce building heights or increase yard setbacks to place a structure within yard setbacks; Special Permits will no longer be required for these building height exceptions.
- c. Lot Size Modification: Allows lots to be created down to 1,500 square foot in size where presently 5,000 square foot is the minimum.
- d. Fast Track Processing: Priority processing of permits by all county departments.
- e. Subsidized Permit Fees: Provide for subsidy of permit fees.
- f. Deferred improvements: Applicants can defer infrastructure improvements for minor subdivisions until building permit issuance. Public Works will specify which improvements can be deferred
- g. Reduced Solar Shading Requirements: The proposed language allows the Planning Division to approve shading of adjacent buildings in excess of current standards.

**How many incentives do you get?**

Determining how many incentives are available for a particular project is based on the amount of affordable or special needs housing the development provides. In general, projects with the highest percentage of affordability receive the most incentives.

Density bonuses of up to 100% can be granted if the development consists of 100% units affordable to low income households. Projects that include childcare facilities or provide housing for special needs populations are eligible. The goal of all incentives is to contribute significantly to the economic feasibility of providing housing for lower income households and special needs households.

**What are lower income households and special needs populations?**

Low Income Household: A household that earns 50-80% of the Adjusted Median Income when compared with other incomes in Humboldt County.

Very Low Income: 30-50% of the Adjusted Median Income

Extremely Low: below 30% of the Adjusted Median Income

Special Populations: Large Households (over 5 persons), elderly persons, farm workers, disabled persons, women headed households, homeless persons and nomadic households.

**4) Protecting Multifamily Uses in the Affordable Multifamily Land Inventory**

**Summary:** The 2010 Housing Element adopted by the Board of Supervisors included an implementation measure to protect multi-family uses in the affordable multifamily land inventory.

The next step in the Housing Element process for this implementation measure is to adopt a "Qualified Zone" overlay on sites identified in the residential land inventory as being suitable for meeting extremely-low, very-low, and low income housing needs. Areas subject to this "Qualified Zone" will require a Conditional Use Permit for any use that is not multifamily housing.

The R-3 Zone in the inland parts of the County and RM – Residential Multi-Family Zone in coastal areas already require conditional use permits for uses that are not multifamily, so the above Q-Zone will not be applied to sites in these zones. Table 1 shown below contains a listing of properties already protected by zoning, and those that require a Q – Qualified Zone.

**How are these sites chosen?**

At minimum, to be considered a suitable site to meet affordable multifamily needs, the site must contain one or more developable acres planned and zoned for at least 16 dwelling units per acre with access to public water and sewer services.

**Table 1. Proposed Measures to Protect Multifamily Uses in the Affordable Multifamily Land Inventory.**

<b>APN</b>	<b>Street</b>	<b>Community Plan Area</b>	<b>Measures for Protecting Multifamily Uses</b>
015-111-008	Lucas Street	Eureka	Rezone to include a Q – Zone
015-221-002	Myrtle Avenue	Eureka	Rezone to include a Q – Zone
016-112-008 & 016-112-012	Moore Avenue (off Myrtle)	Eureka	Rezone to include a Q – Zone
305-101-045	Sunshine Way	Humboldt Hill	Already zoned RM; no Q – Zone to be applied.
505-161-011	Foster Avenue	Arcata	Rezone to include a Q – Zone
508-252-001	McKinleyville Avenue	McKinleyville	Already zoned R-3; no Q – Zone to be applied.

**5) Single Room Occupancy Units**

**Summary:** The adopted 2010 Housing Element has policies to encourage the development of Single Room Occupancy (SRO) units, which are permanent, affordable housing for small households and for people with special needs. Oftentimes, they are converted hotels or motels.

To fully implement these adopted policies the existing Framework General Plan, Community and Local Coastal Plans and the Zoning Ordinance need to be changed.

**Proposed changes to the Framework General Plan:**

Currently the Framework General Plan does not specify where you can locate Single Room Occupancy (SRO) units. The Framework General Plan and each Community and Local Coastal Plan will be modified to allow these units as a permitted use in Residential High Density (RH), Residential Medium Density (RM), Commercial General (CG), Commercial Recreation (CR), Commercial Services (CS), and Business Park (MB).

**Proposed changes to the Zoning Ordinance:**

Development standards are established for all SRO facilities which describe required common areas, on-site laundry facilities, on-site manager, and common bathroom and kitchen facilities if not provided in individual units.

In the Coastal Zone, SRO's would be allowed in the Commercial Recreation (CR) and Commercial General (CG) zones with a Conditional Use Permit. In inland areas, they would be allowed with a Special Permit in the Neighborhood Commercial (C-1), Community Commercial (C-2), Industrial Commercial (C-3), Highway Service Commercial (CH), Limited Industrial (ML), Heavy Industrial (MH), Apartment Professional (R-4), and Forest Recreation (FR) zones.

**6) Emergency Shelters**

**Summary:** Recent state law (SB2) requires all cities and counties in California to create opportunities for Emergency Shelters by identifying zones where Emergency Shelters are allowed as principally permitted uses. The allowable zones in Humboldt County were chosen when the Housing Element was adopted. The properties where they are allowed are shown in maps earlier in this staff report.

To fully implement these state laws and local policies, the existing Framework General Plan, Community and Local Coastal Plans and the Zoning Ordinance need to be changed.

**Proposed changes to the Zoning Ordinance:**

In the Coastal Zone, Emergency Shelters would be principally allowed within mapped areas of Commercial General (CG), and Residential Multifamily (RM) zones. In inland areas, they would be principally allowed within mapped areas of Community Commercial (C-2), Industrial Commercial (C-3), Limited Industrial (ML), and Residential Multifamily (R-3) zones. Emergency Shelters would be required to obtain a conditional use permit outside these areas.

**Performance Standards Added to the Zoning Ordinance:**

In both the Coastal and Inland areas of the County, a set of Emergency Shelter performance standards must be adopted by ordinance. Principally permitted Emergency Shelters must abide by adopted performance standards.

Proposed performance standards include; a written management plan for staff training, neighborhood outreach, on-site security, screening of residents, prohibition of outdoor activity after 10 PM, no more than 50 beds, stays of less than 6 months and on-site staff and support services. SB2 limits the development standards that may be imposed by local jurisdictions on Emergency Shelters. The proposed development standards are within the limits set by SB2.

**Existing Facilities:**

There are only two operating Emergency Shelters in Humboldt County; the Eureka Rescue Mission and the Arcata Night Shelter on Boyd Road just outside the City of Arcata. At times religious organizations provide emergency shelter and during declared extreme winter conditions temporary emergency shelters can be operated. The Municipal Assistance Center in Eureka is no longer able to provide emergency shelter services due to funding cutbacks. Emergency shelters generally require social service support or other sustainable funding streams in order to cover the costs of lodging, food and support services for residents. Social service funding has been severely curtailed in California, so while SB2 will increase the availability of potential sites throughout California, it is unlikely that the number of emergency shelters will grow because of funding limitations.

**7) Supportive and Transitional Housing**

**Summary:** The adopted 2010 Housing Element has policies to encourage the development of Supportive and Transitional housing. Supportive and Transitional housing is housing for individuals or families to provide a stable housing environment complemented by services to assist the residents in achieving independence. Generally transitional housing has a limited timeframe associated with it, while residents of supportive housing may live there on a permanent basis.

Recent state law (SB2) prevents local jurisdictions from imposing conditions on Supportive and Transitional housing that are not also imposed on multifamily development.

To fully implement these changes to state law, the existing Framework General Plan, Community and Local Coastal Plans and the Zoning Ordinance need to be changed.

**Proposed changes to the Framework General Plan:**

Currently the Framework General Plan does not specify where you can locate Transitional Housing. The Framework General Plan and each Community and Local Coastal Plan will be modified to allow these uses in the same way as multifamily housing is allowed.

**Proposed changes to the Zoning Ordinance:**

The Inland and Coastal Zoning Ordinances will be modified to allow Supportive and Transitional housing just like multifamily housing is allowed.

**8) Retain Legal Non-Conforming Housing**

**Summary:** The adopted 2010 Housing Element has policies to retain legal non-conforming housing. Specifically, it calls for waiver of the General Plan density standards for existing non-conforming housing in new subdivisions.

This implementation measure makes a change to the Subdivision Ordinance.

***Proposed changes to the Subdivision Ordinance:***

With the proposed change, existing non-conforming housing (older homes built before current zoning was in place) will not be counted towards density if they will be located on a remainder parcel. All newly created parcels will need to conform to the density standard.

The effect of the changes will be to protect older homes built on the same property.

The proposed addition to the subdivision ordinance is shown below.

**“325-13. WAIVER OF GENERAL PLAN DENSITY FOR LEGAL NON-CONFORMING UNITS**

At the written request of the developer, existing legal non-conforming housing shall not contribute to the overall general plan density of proposed new subdivisions.

Existing legal non-conforming housing shall not contribute to the overall general plan density of proposed new subdivisions provided that the non-conforming units are located on a remainder parcel, and any new parcels created conform to the density standard under the General Plan.”

**9) Consistent Density Range for the Residential Multifamily Designation**

**Summary:** The 2010 Housing Element adopted by the Board of Supervisors included an implementation to establish a consistent density range for the Residential Multifamily General Plan designation of 7– 30 units per acre. The next step in the Housing Element process for this implementation measure is to modify the Residential Multifamily General Plan land use designation in the Eureka Community Plan (ECP) to specify this density range.

***Proposed General Plan Modifications:***

The following modifications shown in underline and strikeout are proposed to the ECP:

**2620 Policies**

1. Residential Density and Lot Sizes:

- (a) The Eureka Community Plan density for all Residential Single Family (RL) designations shall be from 1 to 6 dwelling units per acre.
- (b) The Eureka Community Plan density for all Residential Multiple Family (RM) designations shall be from 7 to 46 ~~30~~ dwelling units per acre.
- (c) The minimum lot sizes for all Residential zoning districts (R-1, R-2, R-3, R-4,) with the exception of the Residential Suburban (RS) zone, shall be 6,000 square feet, unless otherwise specified on the zoning maps...

**2733 Residential, Multiple Family (RM)**

- 1. Character: The multiple family residential designation is intended to be applied in urban areas of the County, where topography, access, utilities and public services make the area suitable for multiple family home development. Density is to be determined by community character.
- 2. Primary and Compatible Uses: Multiple family housing, professional and business offices, educational and religious activities, mobile home parks, boarding and rooming houses, social halls, fraternal and social organizations, non-commercial recreational facilities.
- 3. Density Range: 7-46 ~~30~~ du/acre.

## 10) Housing Trust Fund

**Summary:** The adopted 2010 Housing Element included an implementation measure to establish a Housing Trust Fund. A Housing Trust Fund helps communities provide affordable housing by dedicating revenue to a specific fund for supporting affordable housing projects.

The next step in the process for this implementation measure is to solidify the details of the trust fund in terms how money will be added to the fund, who will be able to access money from the fund, and which target populations will benefit from the program funds. Note: this program was not reviewed with the 2010 Housing Element.

### ***Proposed Housing Trust Fund Parameters***

#### *Eligible Housing Trust Fund Projects*

Projects eligible for funding would include new construction, rehabilitation, and preservation existing affordable housing at risk of converting to market-rate housing.

#### *Accountability*

Administration of the fund would be directly accountable to the Board of Supervisors.

#### *Who Is Eligible to Apply for Housing Trust Funds?*

The proposed fund would allow any entity providing affordable housing to apply for funding, such as non-profits, quasi-governmental organizations, government, or private developers.

#### *Sources of Revenue*

The revenue source to establish the Housing Trust Fund would likely come from the sale of County surplus property. The proposed initial goal for funding is \$500,000. After initial funding has been established, on-going revenue is proposed to come from payments by housing developers who do not include affordable housing in developments, interest on the fund, and loans repaid to the fund.

## ATTACHMENT 2

### Staff Analysis of the Evidence Supporting the Required Findings

**Required Findings:** To approve this set of General Plan and Ordinance Amendments, the Planning Commission must determine that there is evidence in support of making **all** of the following required findings listed below.

1. **General Plan Consistency:** The following table identifies the evidence which supports finding that the proposed implementing ordinances, GP changes and LCP Amendments are consistent with a comprehensive view of the General Plan Volume 1 (Framework Plan).

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency §1330</p>	<p>The elements of the General Plan must be consistent.</p> <p>All the goals, policies and standards must be consistent.</p> <p>The General Plan text and diagrams must support each other and show the same conclusions.</p> <p>The data base must be consistent for all the elements.</p> <p>When a portion of the plan is amended, then the rest of the plan and its implementing programs must be brought into conformity.</p> <p>Zoning or the implementation of the plan is required to be consistent with the plan.</p>	<p>The new implementing ordinances, GP changes and LCP Amendment are required to implement the adopted 2010 Housing Element Update and to conform it to requirements of state law. Findings made in approving the 2010 Housing Element Update included the finding it is consistent with the other elements of the general plan.</p> <p>The 2010 Housing Element Update uses the same base information as the other Elements. For example the residential land inventory uses information from the Land Use Element and the Hazards and Resources chapter of the Framework Plan in setting development potential for lots.</p> <p>The project involves simultaneous amendment to other Elements to bring them into conformity with the new policies and programs of the 2010 Housing Element Update.</p> <p>The project also involves zoning changes to ensure consistency with the 2010 Housing Element Update.</p>
<p>§1452.2 Required Findings</p>	<p>Base information or physical conditions have changed; or</p> <p>Community values and assumptions have changed; or</p> <p>There is an error in the plan; or</p> <p>To maintain established uses otherwise consistent with a comprehensive view of the plan.</p>	<p>The base information of the General Plan changed with the adoption of the 2010 Housing Element Update.</p> <p>The new implementing ordinances, GP changes and LCP Amendments are required to bring the other elements of the General Plan in line with the policies, standards, implementation measures of the adopted 2010 Housing Element Update.</p> <p>Implementation of the 2010 Housing Element Update is also necessary to maintain the County's competitive status with regard to grant eligibility. This could be considered an established use that is otherwise consistent with a comprehensive view of the plan.</p>

2. **Public Interest:** The following table identifies the evidence which supports finding that the proposed implementing ordinances, GP changes and LCP Amendments are in the public interest.

Plan Section(s)	Applicable Requirements	Evidence Sup[porting the Finding
Government Code Section 65356.1 and §1452.2 of the Framework Plan.	The General Plan Amendment must be in the public interest.	<p>The project applies countywide. The implementation measures (zoning ordinance changes) are tied to facilitating residential development, particularly development affordable to lower income households. Assisting lower income households with renting or purchasing a home is in the public interest. Public testimony received during the scoping meetings for the Element supported these changes, further indicating public interest in the programs.</p> <p>The proposed modifications to the Element are necessary to comply with new requirements of state law, which is also in the public interest.</p>

3. **Consistency With State Laws:** The following table identifies the evidence which supports finding that the proposed implementing ordinances, GP changes and LCP Amendments are consistent with State Laws.

Section(s)	Applicable Requirements	Evidence Sup[porting the Finding
Government Code Section 65302.81	Specific findings are required where a general plan element is adopted that limits the number of housing units which may be constructed on an annual basis.	The proposed implementing ordinances, GP changes and LCP Amendments support construction of new homes.
Government Code Section 65580.	Housing Elements shall include discussion of all the items required by Government Code.	The Housing Element is required to include a housing program that describe actions the County will undertake to implement the policies and achieve the goals and objectives of the Housing Element. The proposed implementing ordinances, GP changes and LCP Amendments implement the policies and achieve the goals and objectives of the 2010 Housing Element Update.

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200 (Coastal Act)</p>	<p>The proposed amendments must conform to the policies contained in Chapter 3 of the Coastal Act. Chapter 3 sets forth policies regarding the following issues:</p> <p><b>Access</b> (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)</p>	<p>Within the coastal zone portions of the county are numerous coastal access points which were identified within each of the approved coastal plans. A complete listing of the coastal access points is included in the appendices of the Natural Resources and Hazards Report.</p> <p>The proposed new implementing ordinances, GP changes and LCP Amendments do not contain any measures that will directly result in the construction of new housing. Instead, the implementation measures strive to better accommodate anticipated growth, and facilitate affordable housing as a component of that anticipated growth. It is thus reasonable to assume the project will not affect the amount or rate of new construction.</p> <p>The Framework Plan, and numerous community plans and coastal plans described in the SEIR for the 2010 Housing Element Update contain numerous specific policies and implementation programs specifically designed to minimize visual impacts from the proposed LCP Amendments and maintain coastal access points inventoried in the local coastal plans. The zoning ordinance carries out these programs through application of zone designations and development standards. Implementation of the many existing policies, programs, standards, and requirements which serve to mitigate impacts will minimize impacts of the proposed LCP Amendments on coastal access.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p><b>Recreation</b> (including protection of water-oriented activities, ocean-front land protection for recreational uses, aquacultural uses, and priority of development purposes)</p>	<p>Humboldt County has a wealth of outdoor recreational opportunities and areas of incomparable value and unsurpassed beauty. More than twenty percent of the county's 2.3 million acres are protected open space, forests, and recreation areas. Within the county boundaries, there are 4 federal parks and beaches, 10 state parks (3 of which are encompassed by Redwood National Park), 16 county parks and beaches, recreational areas and reserves, and National Parkland and National Forest land. These areas contribute to the quality of life in Humboldt County and provide needed recreation opportunities for residents of neighboring counties and from all over the world as well.</p> <p>The policies, programs, standards and regulations referenced in the SEIR for the 2010 Housing Element Update serve to reduce impacts to developed recreational facilities in the coastal zone.</p> <p>Other recreational resources in the coastal zone include areas for water-oriented activities, ocean-front land protected for recreational uses, and aquacultural uses. Numerous policies in the Framework Plan and coastal plans aim at avoiding any alteration of sensitive biological communities, which are found along water bodies and ocean front land. These include the Streamside Management Areas, and Coastal Zoning designations. Existing policies directed toward Streamside Management Areas protect valuable riparian and inland wetland habitat, while coastal zoning designations serve to protect sensitive habitat areas near the coast, bays, sloughs and lagoons. These same policies also serve to protect areas for water-oriented activities and ocean-front land protected for recreational uses from alteration from the proposed LCP Amendments.</p> <p>Effectuation of the policies, programs, and standards in the Framework Plan, community plans, coastal plans and other land use requirements identified in the SEIR for the 2010 Housing Element Update will reduce the potential impacts of the proposed LCP Amendments on recreational resources to less than significant levels. The County has mapped sensitive habitat areas, riparian areas and wetlands, and the building permit review process for new residential construction references these maps to avoid significant impacts on biological resources and recreational uses, and to ensure new residential construction does not conflict with policies or ordinances protecting biological or recreational resources.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p><b>Marine Resources</b> (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control)</p>	<p>The County usually has some discretionary authority for all other land uses on privately held property in unincorporated areas. The Framework Plan, community plans and coastal plans guide the County in these decisions. These plans include policies for the protection and preservation of our biologically diverse county.</p> <p>Within the coastal zone, the Natural Resources zone designation and a set of combining zones which are applied to other base zone designations protect environmentally sensitive areas. An overlay to the zoning district designates the Coastal Wetland, Coastal Resource Dependent, Riparian and Stream Corridor, Offshore Rocks, Coastal Elk Habitat, and Beach and Dune Area. The zoning overlay requires specific development review standards in accordance with the coastal plan policies in order to ensure maximum habitat protection in these coastal areas. Development proposals within the coastal zone that may impact the mapped sensitive habitat areas must submit an environmental assessment as part of their development application.</p> <p>The California Department of Fish &amp; Game (CDFG) has developed a list of "special status species." Plant or animal species may be identified as "special status species" even if they are not officially listed as threatened or endangered.</p> <p>A number of "special status species" exist in Humboldt County. The California Department of Fish and Game (CDFG) has also identified a number of Significant Natural Areas (SNAs). SNAs are designated sites that support extremely rare communities or species, populations of several special-status species, high-quality examples of special biological communities, or high species diversity. In addition to the specific sites identified as SNAs, other biological communities in the County require special protection.</p> <p>Numerous policies in the Framework Plan, community plans and coastal plans aim to avoid any alteration of the diversity of species in sensitive biological communities resulting from the proposed LCP Amendments. These include the Streamside Management Areas, and Coastal Zoning designations. Existing policies directed toward Streamside Management Areas protect valuable riparian and inland wetland habitat, while coastal zoning designations serve to protect sensitive habitat areas near the coast, bays, sloughs and lagoons. Protection of the riparian habitat will also indirectly result in reducing impacts to water quality from erosion, pollutants and stormwater run-off.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p><b>Marine Resources</b> (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control) <b>(continued)</b></p>	<p>Effectuation of the policies, programs, and standards in the Framework Plan, community plans, coastal plans and other land use requirements identified in the SEIR for the 2010 Housing Element Update will reduce the potential impacts of the proposed LCP Amendments to less than significant levels. The County has mapped sensitive habitat areas, riparian areas and wetlands, and the building permit review process for new residential construction references these maps to avoid significant impacts on biological resources, and to ensure new residential construction does not conflict with policies or ordinances protecting biological resources.</p> <p>The construction of housing that may indirectly result from the implementation of these LCP Amendments does not normally involve a risk of accidental explosion or release of hazardous substances. Although torches used in welding pipes together may result in explosions and hazardous materials such as deck sealer may tip over and drain into the soil, these impacts are normally incidental and not significant.</p> <p>Implementation of the County's coastal plans and zoning ordinance will also serve to prevent any impacts of the proposed LCP Amendments from diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control.</p>
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p><b>Land Resources</b> (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)</p>	<p>A number of biological communities characterize Humboldt County. These communities include mixed evergreen forest, oak woodlands, Douglas fir forest, old growth and coast redwood forest, grassland, coastal beach-dune vegetation, northern coastal scrub, chaparral, salt marsh, riparian, and freshwater marsh. The Framework Plan, community plans, coastal plans and the Natural Resources and Hazards Report contain detailed descriptions of each of these habitats.</p> <p>As mentioned previously, a number of "special status species" exist in Humboldt County. The California Department of Fish and Game (CDFG) has also identified a number of Significant Natural Areas (SNAs). In addition to the specific sites identified as SNAs, other biological communities in the County require special protection.</p> <p>Numerous policies in the Framework Plan, community plans and coastal plans aim to avoid any alteration of the diversity of species in sensitive biological communities resulting from the proposed LCP Amendments. These include the Streamside Management Areas, and Coastal Zoning designations.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding
<p>Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200</p>	<p><b>Land Resources</b> (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources) <b>(continued)</b></p>	<p>Existing policies directed toward Streamside Management Areas protect valuable riparian and inland wetland habitat, while coastal zoning designations serve to protect sensitive habitat areas near the coast, bays, sloughs and lagoons. Protection of the riparian habitat will also indirectly result in reducing impacts to water quality from erosion, pollutants and stormwater run-off.</p> <p>Within the coastal zone, the Natural Resources zone designation and a set of combining zones which are applied to other base zone designations protect environmentally sensitive areas. An overlay to the zoning district designates the Coastal Wetland, Coastal Resource Dependent, Riparian and Stream Corridor, Offshore Rocks, Coastal Elk Habitat, and Beach and Dune Area. The zoning overlay requires specific development review standards in accordance with the coastal plan policies in order to ensure maximum habitat protection in these coastal areas. Development proposals within the coastal zone that may impact the mapped sensitive habitat areas must submit an environmental assessment as part of their development application.</p> <p>The Framework Plan, each of the individual community plans, coastal plans, the Natural Resources and Hazards Report and the Housing Element contain a complete discussion of agricultural and timber resources.</p> <p>Agricultural and timber operations and resources may potentially be adversely affected by encouraging housing in areas used for or suitable for agricultural use and zoned to allow residential uses. Conflicts between agricultural and residential uses reduce the productivity of the agricultural lands, making them less valuable, and more vulnerable to conversion.</p> <p>The Supplemental EIR for the 2010 Housing Element identifies the existing policies and standards that will help mitigate potential impacts of new development on agricultural and timber lands. All of those policies, programs standards and regulations identified in the SEIR to respond to potential impacts on Agricultural Resources serve to mitigate potential impacts of the proposed LCP Amendments on agricultural resources.</p> <p>In the coastal zone, these are sufficient to prevent agricultural and timber lands from being converted to other uses, and to prevent conflicts between agriculturally and timber- zoned properties from adjacent residential uses.</p>