

ATTACHMENT 2

Ordinance No. ____ - _____ Amendments to Coastal Zoning Regulations, Title III,
Division 1, Chapter 3 of the Humboldt County Regarding Supportive and Transitional
Housing.

ATTACHMENT 2

ORDINANCE NO. ____ - ____ AMENDING THE COASTAL ZONING REGULATIONS REGARDING SUPPORTIVE AND TRANSITIONAL HOUSING, SECTIONS 313-61.3, 313-154, 313-155, 313-177 IN 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 AMENDMENTS TO THE ZONING REGULATIONS

State law prescribes that supportive and transitional housing are residential uses allowed by right in all zones where similar residential structures are permitted. This ordinance makes the coastal zoning regulations consistent with State Housing Element Law, complies with the Housing Accountability Act, and carries out Implementation Measures H-IM51 and H-IM71, and Policy H-P35 of the Humboldt County 2019 Housing Element. This ordinance adds section 313-61.3; amends sections 313-154, 313-155 and 313-177; and amends associated zoning tables in sections 313-2, 3, and 6.

SECTION 2. SUPPORTIVE HOUSING

Section 313-61.3 Supportive Housing is hereby added to Title III, Division 1, Chapter 3 of the Humboldt County Code as follows (additions are shown in underline text):

Add the following to section 313-61:

313-61.3 SUPPORTIVE HOUSING

61.3.1 Purpose

The purpose of these regulations is to facilitate development of Supportive Housing as defined in California Government Code. Section 65582 of the Gov't. Code defines Supportive Housing as housing with no limit on length of stay that is occupied by the target population, and that is linked to an onsite or offsite service that helps residents retain the housing, improve his or her health status, and maximize their ability to live and, when possible, work in the community. Supportive housing is a residential use subject to the same requirements and restrictions that apply to other residential uses of the same type in the same zone.

61.3.2 Applicability

61.3.2.1 Single Unit Supportive Housing

Supportive Housing that consists of single residential units is principally permitted in all zones where single family residential development is principally permitted, and is subject only to the development standards applicable to residential uses of the same type in the same zone.

61.3.2.2 Multifamily Supportive Housing

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Multifamily Supportive Housing developed under Government Code 65650, consisting of fifty (50) units or less that meets all of the following requirements is principally permitted in the RM and R2 zoning districts, provided:

- (a) Units within the development are subject to a recorded affordability restriction for 55 years.
- (b) Affordability. One hundred percent (100%) of the units within the development, excluding managers' units, must be restricted to lower income households, and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. Lower income households has the same meaning as defined in Section 50079.5 of the California Health and Safety Code.
- (c) Supportive Housing Units. At least 25 percent (25%) of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. In developments with fewer than 12 units, one hundred percent (100%) of those units must be restricted to residents in supportive housing.
- (d) Services Plan. The applicant must submit a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project as required by Section 65651, and describing those services, which must include all of the following:
 - i) The name of the proposed entity or entities that will provide supportive services.
 - ii) The proposed funding source or sources for the provided onsite supportive services.
 - iii) Proposed staffing levels.
- (e) Replacement Dwelling Units. The supportive housing development must replace rental dwelling units in the manner provided in Section 65915 of the California Government Code.
- (f) Facilities. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- (g) Supportive Services Floor Area. For a development with twenty (20) or fewer total units, at least ninety (90) square feet shall be provided for onsite supportive services. For a development with more than 21 units, at least three percent (3%) of the total nonresidential floor area must be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- (h) Any other requirements of Government Code section 65650 et seq. regarding supportive housing, as that section may be amended.

61.3.2.3 Multifamily Supportive Housing is subject only to the development standards applicable to residential uses of the same type in the same zone.

61.3.3 Parking

Supportive housing located within one-half mile walking distance of a public transit stop is not subject to minimum parking requirements.

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SECTION 3. DEFINITIONS

Sections 313-154 and 313-155 are hereby added to and amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

Add to 313-154 DEFINITIONS (S) as follows:

Supportive Housing: Housing with no limit on the length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

Add to 313-155 DEFINITIONS (T) as follows:

Target Population: The target population, defined in Government Code Section 65582(i), means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals with developmental disabilities who are eligible for services under the California Welfare and Institutions Code (commencing with Section 4500).

Transitional Housing: Rental housing that operates under a rental assistance program with a period of at least six months, but where the space is re-occupied by another program recipient after a set period. The housing may be integrated with other social services and counseling programs to assist in the transition to income and permanent housing.

SECTION 4. LIST OF USE TYPE AND PRINCIPAL PERMITTED USE CLASSIFICATION

Section 313-163, Principal Permitted Uses, is hereby amended as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

163.1.9.5 Residential Single Family. The Residential Single Family Principally Permitted Use includes the following uses: Single Family Residential, Second Residential Unit, single-unit Supportive and Transitional Housing; Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

163.1.9.6 Residential Multi Family. The Residential Multi Family Principally Permitted Use includes the following uses: Multi Family Residential, Group Residential, Supportive and Transitional Housing, and Minor Utilities to serve these uses.

163.1.9.7 Mixed Residential. The Mixed Residential Principally Permitted Use includes the following uses: Single Family Residential, Multi Family Residential (Duplex only), Supportive and Transitional Housing, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

163.1.9.8 Rural Residential Agricultural. The Rural Residential Agricultural Principally Permitted Use includes the following uses: Single Family Residential, Second Residential Unit,

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single-unit Supportive and Transitional Housing, General Agriculture, Cottage Industry; subject to the Cottage Industry Regulations, and Minor Utilities to serve these uses.

SECTION 5. RESIDENTIAL USE TYPES

Section 313-177, Residential Use Types, is hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~striketrough~~ text):

177.2 COMMUNITY CARE FACILITY

This term includes all the use types defined in State Law as Community Care Facilities (currently at Chapter 3 of the Health and Safety Code, commencing with Section 1500) and refers to any facility, place, or building licensed by the State Department of Social Services, maintained and operated to provide non-medical residential care, day care, or home finding agency services for children, adults, or children and adults, including but not limited to the physically handicapped, mentally impaired, incompetent persons and abused or neglected children. Community Care Facilities providing these services for six or fewer individuals shall be considered a residential use of the property for the purposes of zoning, except that Supportive and Transitional Housing as defined in this Code are considered residential uses regardless of the number of individuals served. (See also, “Family Day Care Homes” and “Family Day Care Centers.”)

177.7 TRANSITIONAL HOUSING

The Transitional Housing Use Type includes rental housing that provides rental assistance for at least six months, but where the space is re-occupied by another program recipient after a set period. Transitional housing is a residential use, subject only to those restrictions that apply to other residential units of the same type in the same zone.

177.15 SUPPORTIVE HOUSING

The Supportive Housing Use Type includes housing with no limit on length of stay that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Supportive housing is a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.