



# COUNTY OF HUMBOLDT

For the meeting of May 13, 2014

Date: May 6, 2014  
 To: Board of Supervisors  
 From: Kevin Hamblin, Director of Planning and Building Department  
 Subject: Board adoption of the 2014 Humboldt County Housing Element.

### Recommendations

That the Board of Supervisors:

1. Open the public hearing.
2. Approve the addendum to the SEIR and adopt revisions the 2014 Housing Element by approving the resolution in Attachment 1.
3. Direct staff to send the adopted 2014 Housing Element to the Department of Housing and Community Development for certification.
4. Direct staff to file a Notice of Determination with the County Clerk's office.

**Source of Funding:** The cost of preparing this staff report was borne by the General Fund through the Planning and Building Department, Advance Planning Division's FY 2013-2014 budget, and the General Plan User Fees Trust 3698.

Prepared by Michael Richardson  
 Michael Richardson, Senior Planner

CAO Approval \_\_\_\_\_

REVIEW: Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Orders No. C-1

Meetings of: beginning June 12, 2012, and continuing through May 5, 2014.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor  
 Seconded by Supervisor

Ayes  
 Nays  
 Abstain  
 Absent

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: \_\_\_\_\_

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

**Kathy Hayes, Clerk of the Board**

## **Discussion**

On May 5, 2014, the Board of Supervisors completed review of the 2014 Draft Housing Element. Attachment 2 of this staff report contains the completed draft Housing Element. Also included are the proposed modifications to the text of the Housing Element Appendix addressing the comments from HCD that were not available at the May 5, 2014 meeting.

Staff recommends the Board adopt the 2014 Housing Element by approving the resolution in Attachment 1.

## **Other Agency Involvement**

The Housing Element Update program has been a multi-year project. Multiple agencies have been involved in the review and preparation of the Planning Commission approved Draft Housing Element. The County has been in communication with the Planning Commissioners, County Counsel and the County Administrator's office on the transmittal of these draft documents.

**Alternatives to Staff Recommendations**      Board's discretion.

## **Attachments**

- Attachment 1    Draft Resolution of Approval and Addendum to the Supplemental Environmental Impact Report (SEIR) for the 2010 Housing Element (SCH #2009022077).
- Attachment 2    Draft Housing Element and modified pages of the Housing Element Appendix.

## Attachment 1

**Draft Resolution of Approval and Addendum to the Supplemental Environmental Impact Report (SEIR) for the 2010 Housing Element (SCH #2009022077)**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

**Certified copy of portion of proceedings; Meeting on May 13, 2014**

RESOLUTION NO. \_\_\_\_-\_\_\_\_  
RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF HUMBOLDT  
CERTIFYING COMPLIANCE WITH THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
AND APPROVING THE 2014 HOUSING ELEMENT

**WHEREAS**, the Housing Element Appendix describes the public participation effort for the 2014 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, and public hearings since 2013; and

**WHEREAS** the Humboldt County Planning Commission held public hearings and accepted comments on the proposed Housing Element in a series of 10 meetings between February and April, 2014; and

**WHEREAS** at their noticed public hearing on April 10, 2014, the Planning Commission recommended the Board of Supervisors approve the 2014 Housing Element; and

**WHEREAS** the Humboldt County Board of Supervisors held public hearings and accepted comments on the draft 2014 Housing Element on April 21 and May 5, 2014; and

**WHEREAS**, a Draft and Final Supplemental Environmental Impact Report (SEIR) was prepared for the 2010 Housing Element (SCH #2009022077), circulated for public review, and certified as required by state law; and

**WHEREAS** the SEIR for the 2010 Housing Element in Attachment 5 of the staff report for the April 21, 2014 meeting, and the addendum to the SEIR in Exhibit B of this Resolution, which are both incorporated into this Resolution as if they were included in their entirety herein, were reviewed and considered by the Board of Supervisors, prior to taking action on the project; and,

**NOW, THEREFORE** be it resolved by the Board of Supervisors that this Board has reviewed and considered the proposed 2014 Housing Element in Attachment 3 of the Board of Supervisors staff report for the May 5, 2014 meeting as modified by the text in Attachment 2 of this staff report for the May 13, 2014 meeting, which are both incorporated into this resolution as if included in their entirety herein, and

**BE IT FURTHER RESOLVED**, ordered and determined that this Board has reviewed and considered comments, responses and revisions at the public hearings, and that all the following findings are hereby made:

1. In conformance with State CEQA Guidelines, the Board of Supervisors, considered the addendum which concludes the proposed 2014 Housing Element will not have any significant effect on the environment beyond those considered in the certified SEIR (SCH #2009022077).

2. The Board of Supervisors has found that the proposed 2014 Housing Element amendments are in the public interest because they provide the County with a mechanism to further social, economic, housing and other goals that have been adopted by the Board of Supervisors and the State Legislature. The proposed 2014 Housing Element amendments will help the County achieve the following social, economic, housing and other goals:

- To provide adequate housing and a satisfying living environment for all segments of the community.
- To provide for adequate sites for all types of residential development throughout the county.
- To promote simplification, flexibility, and diversity of housing and zoning regulations to allow the construction of housing developments by the public and private interests that will provide for the housing needs of all socio-economic sectors in the community, but particularly lower income households.
- To provide for affordable housing.

The proposed 2014 Housing Element amendments also help the County achieve housing goals of the State which are stated in §65580 of the California Government Code:

- The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.
- The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels. The provision of housing affordable to low and moderate-income households requires the cooperation of all levels of government.
- Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.
- Each local government also has the responsibility to consider economic, environmental and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.

3. The adoption of the 2014 Housing Element is in the public interest, and is consistent with State law based on the analysis of Exhibit A of this Resolution, which is incorporated into this Resolution as if set forth in its entirety herein.

4. Neither the proposed 2014 Housing Element, nor any part thereof, will operate to limit the number of housing units which may be constructed on an annual basis in areas to which the project applies based on the analysis of Exhibit A of this Resolution.

5. The adoption of the proposed 2014 Housing Element is consistent with a comprehensive view of the General Plan based on the analysis of Exhibit A of this Resolution.

**BE IT FURTHER RESOLVED**, ordered and determined that the Board of Supervisors approves the proposed 2014 Housing Element in Attachment 3 of the Board of Supervisors staff report for the



**EXHIBIT A**

**ANALYSIS OF EVIDENCE SUPPORTING THE REQUIRED FINDINGS FOR THE PROPOSED GENERAL PLAN AMENDMENTS (THE 2014 HOUSING ELEMENT)**

**Required Findings:** To approve this project, the Board of Supervisors must determine that there is evidence in support of making **all** of the following required findings.

<b>Section(s)</b>	<b>Applicable Requirements</b>	<b>Evidence Supporting the Finding</b>
<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 proposed goals, policies, standards and implementation measures have been reviewed for internal consistency and consistency with the other Elements of the General Plan. The items in the Housing Element are consistent both internally and with the other Elements of the General Plan. For example, policy <b>H-P12X. Expedited Residential Subdivision Review in Housing Opportunity Zones</b> is supported by a standard and implementation measure which all describe ways to expedite review of subdivisions in HOZ's through adoption of thresholds of significance.</p> <p>The development potential in the residential land inventory is based on the land use classifications of the Plan and the zoning ordinance.</p> <p>As required by state law (SB 244 - Wolk, 2011), the Land Use Element of the Framework Plan is being revised to include a reference the discussion in the Housing Element regarding disadvantaged communities (Attachment J of the Housing Element Appendix).</p> <p>Implementation measures that require amendments to other portions of the Plan and Zoning Ordinance will involve simultaneous revisions to the other portions of the Plan and Zoning Ordinance to maintain consistency.</p>
<p>Required Findings §1452.2</p>	<p>Base information or physical conditions have changed; or Community values and assumptions have changed; or There is an error in the plan; or</p>	<p>State law required the Housing Element be updated by July 1, 2014. This requirement is a change in the base conditions.</p>

Section(s)	Applicable Requirements	Evidence Supporting the Finding
	To maintain established uses otherwise consistent with a comprehensive view of the plan.	
Public Interest  Government Code Section 65356.1 and §1452.2 of the Framework Plan.	The General Plan Amendment must be in the public interest.	The project applies countywide. The proposed 2014 Housing Element facilitates residential development, particularly development affordable to lower income households. Assisting lower income households with renting or purchasing a home is in the public interest.  The proposed Housing Element changes are necessary to comply with new requirements of state law, which is in the public interest
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 2014 Housing Element supports construction of new homes.
Government Code Section 65580.	Housing Elements shall include discussion of all the items required by Government Code.	In their comment letter from April 3, 2014, the State Department of Housing and Community Development (HCD) identified the changes needed to address all the items required in Housing Elements by the Government Code. Modifications to the draft 2014 Housing Element and Housing Element Appendix were made as shown in Attachment 3 of the May 5, 2014 Board of Supervisors staff report and as modified by Attachment 2 of this staff report to address all of HCD's suggested modifications.

**EXHIBIT B**

**ADDENDUM TO THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
PROPOSED GENERAL PLAN AMENDMENTS (THE 2014 HOUSING ELEMENT)**

## 1) PURPOSE AND BACKGROUND

**Overview of 2014 Housing Element.** The 2014 Housing Element draft is an update to the 2009 Humboldt County Housing Element, a required Element of the General Plan. The Housing Element consists of a narrative which describes the purpose of the Housing Element, the requirements of state law, the relationship of the Housing Element to the rest of the General Plan, background information regarding past elements and current and projected housing conditions. The core of the Housing element is a series of goals, policies, standards, and implementation measures for the preservation, improvement, and development of housing. It meets detailed requirements of state housing element law, including requirements for a residential land inventory sufficient to meet the County's share of the state prescribed regional housing need.

The update is necessary to comply with State Housing Element Law and to adopt local policy options to meet the documented housing needs. The project also includes a reference to the Housing Element Appendix discussion of service and infrastructure needs of "unincorporated legacy communities" into the Land Use Element of the Framework Plan to implement recent state law (SB 244 - Wolk, 2011).

The proposed 2014 Housing Element includes revisions to the background narrative to reflect changes in local housing conditions a description of the County's share of the regions housing need. The Housing Element adds several new goals, policies, standards, and implementation measures to address changes in state law and to facilitate the development of affordable housing. In addition, the 2014 Housing Element makes minor revisions to goals, policies, standards, and implementation measures contained in 2009 Housing Element to reflect the implementation of certain programs. No existing goals, policies, standards, or implementation measures that are intended to lessen environmental impacts resulting from the Housing Element are proposed to be deleted.

**Purpose of Addendum.** A Supplemental Environmental Impact Report (SEIR) was prepared for the August 29, 2009 Humboldt County Housing Element Update (State Clearing House Number 2009022077) to identify and evaluate potential environmental impacts of the adoption of the Element; adoption of associated implementing ordinances; and amendments to the General Plan to incorporate the new Housing Element text. As provided by the California Environmental Quality Act (CEQA), an SEIR is an informational document intended to disclose the potential environmental impacts of a project for review by members of the public and concerned public agencies.

The SEIR for the 2009 Housing Element was certified by the Board of Supervisors in 2009. The SEIR evaluated the environmental impacts of the Housing Element in accordance with CEQA Guidelines Section 15163. The SEIR was prepared to provide a program-level analysis of the environmental effects of the new Housing Element Programs, including:

- the proposed establishment of Housing Opportunity Zones;
- incentives for affordable and special needs housing;
- requirements for a mixture of housing sizes and types in residential subdivisions in Housing Opportunity Zones;
- protecting multifamily uses in the affordable multifamily land inventory;
- residential density bonuses;
- programs to support the establishment of single room occupancy housing units;
- the identification of appropriate zones for emergency shelters, supportive and transitional housing;
- retaining legal non-conforming housing;

- establishing consistent density standards for the residential Multifamily Land Use Designation; and
- updating standards for alternative owner-built/owner-occupied housing

CEQA requires that the Board of Supervisors balance the benefits of the programs contained in the Housing Element against its unavoidable environmental consequences in determining whether to approve it. If the benefits outweigh the unavoidable environmental effects, those effects may be considered acceptable, pursuant to CEQA guidelines Section 15093(a). The Board made specific findings, based on substantial evidence, regarding the reasons for approving the Housing Element, in light of the potential significant adverse effects on the environment.

In certifying the SEIR, The Board adopted a State of Overriding Conditions that identified the following impacts as significant and unavoidable assuming implementation and full buildout of the 2009 Housing Element and its associated land inventory during the five-year planning period:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hydrology/Water Quality
- Population and Housing
- Public Services (Water Supplies)
- Transportation/Traffic
- Mandatory Findings of Significance (Environment, Habitat, Species, Plants)
- Mandatory Findings of Significance (Cumulative Impacts)

Following the adoption of the 2009 Housing Element, the Board of Supervisors certified a Subsequent EIR on August 23, 2011, for the implementation of the 2009 Housing Element Multifamily Rezoning program (State Clearing House Number 2009022077); which included a General Plan Amendment, Zone Reclassification, and Local Coastal Plan Amendment of a set of candidate sites for rezoning, which will increase the inventory of multifamily housing development potential in the County by a minimum of 980 units.

In certifying the Subsequent EIR, the Board of Supervisors made findings similar to the SEIR for the 2009 Housing Element, indicating that the benefits of the multifamily rezone outweigh its unavoidable environmental effects. Unavoidable impacts for all of the impact categories listed for the 2009 Housing Element were identified in the Subsequent EIR for the multifamily rezone.

Section 15164 of the California Environmental Quality Act (CEQA) Guidelines allow addendums to a previously certified EIR to be used in lieu of a supplemental or subsequent EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

This Addendum compares the policies, standards, and programs contained in the proposed 2014 Housing Element to the 2009 Housing Element to determine if there is substantial evidence to would require the preparation of a subsequent EIR. Based on the analysis contained below, there is no substantial evidence to warrant the preparation of a subsequent EIR. The decision-making body shall consider this addendum to the final certified 2009 Housing Element SEIR prior to making a decision on the project.

## 2) PROJECT DESCRIPTION

The purpose of the Housing Element is to provide land use planning, regulations, and programs to preserve, improve, and develop housing for all income levels. The 2014 Housing Element consisted of an update to the 2009 Housing Element to address changes in state housing element law and establish and maintain programs to facilitate the creation of housing of various types to address the allocation of the regional housing need.

The proposed 2014 Housing Element would add new goals, policies, standards, or implementation measures, as well as revise, and delete ones contained in 2009 Housing Element. No existing goals, policies, standards, or implementation measures that are intended to lessen environmental impacts resulting from the Housing Element are proposed to be deleted. The following is a listing of all new goals, policies, standards, and implementation measures added to the 2014 Housing Element and an analysis of whether or not any of the proposed additions could be considered substantial and whether or not these changes represent new or substantial increases in existing significant environmental effects. In addition, all revised goals, policies, standards, and implementation measures were reviewed and those that have the potential to be considered substantial are listed as well as a brief discussion of whether or not these changes represent revisions involve new or substantial increases in existing significant environmental effects.

**Proposed New Goals, Policies, Standards, and Programs.** The following is a listing of the new goals policies, standards, and implementation measures that are contained in the 2014 Housing Element (~~strike through~~ and underline text indicates changes made to the staff proposed draft made by the Planning Commission and Board of Supervisors). An analysis was conducted to identify whether or not any of the proposed additions could be considered substantial and whether or not these changes represent new or substantial increases in existing significant environmental effects.

**H-G1X. Housing Diversity.** An adequate supply of all types of affordable housing for all income levels in all areas of the County, including urban, suburban, rural, hamlet and remote areas.

*This goal generally expresses the overall objectives of the Housing Element and state housing element law and would not change the manner in which the Housing Element is currently implement or the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-P30X. Maintaining an Adequate Land Inventory.** Unless written findings are made pursuant to Government Code 65863 supported by substantial evidence, the County shall not allow a reduction in residential units in the residential land inventory below that specified in the current Regional Housing Need Allocation (RHNA).

*This policy restates California law and does not represent a change in the way that the housing inventory is administered.*

**H-S8X. Incentives for Second Units.** Second residential units principally permitted in housing opportunity zones and conditionally permitted in other residential zones, that do not exceed 50% of the square footage of the primary unit, or 800 square feet, whichever is smaller shall be provided with one or more of the following incentives as detailed in the land use ordinance:

- Parking space requirements shall be reduced to a maximum of one space
- Second units may be located more than 30 feet from the primary residence as principally permitted
- Access to the second unit does not need to be subordinate to the primary unit access
- Second units may be exempted from solar shading requirements with a special permit

*This standard establishes development criteria for Policy H-P4, Encourage Second Units (Policy H-P7, Encourage Second Units from the 2009 Housing Element) adding clarity and detail that was not present in the 2009 Housing Element. The use of the discretionary conditional use permit and special permit would allow for additional environmental review of individual project applications.*

**H-IM6. Internet-Based Permitting Software to increase Transparency of Permit Review Process.** The County shall maintain and improve the internet based permitting software open to the public to make permit review more transparent, and to publish reports identifying the specific factors contributing to processing times of ministerial permits, such as the length of review times for projects. Responsible Agencies: Planning and Building Department, Health and Human Services Department, and Public Works. Timeframe: on-going.

*This program would result in the publication of permitting information on the Internet and would not change the manner in which the Housing Element is currently implement.*

**H-IM14. Accounting for Unpermitted Development in the Land Inventory.** The County shall work with HCD to develop an appropriate method of assigning development potential for lower income units based on the unpermitted construction of homes. Responsible Agency: Planning and Building Department. Timeframe: By January 2018.

*This program would change the manner in which existing development characterized and not change the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-IM1. Reduce Permit Requirements for Second Units.** The County shall amend the second unit ordinance to reduce the permit requirements for second units on privately maintained roads to be the same as for second units on publicly maintained roads. Responsible Agency: Planning and Building Department. Timeframe: By April 30, 2018.

*This program would make certain second unit permit ministerial rather than discretionary, but would not change the standards that would be applied.*

**H-IM29. Procedures for Conversion of Mobilehome Parks and Recreational Vehicle Parks.** The County shall amend County Code to adopt a mobilehome park conversion ordinance pursuant to Government Code §65863.7), and to require the same similar procedures acceptable to the Planning Commission for conversion of Recreational Vehicle Parks to other uses ~~as conversion of mobilehome parks to other uses.~~ Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2018.

*This program would change the County's regulations for the conversation of existing mobile home and recreation vehicle parks but would not change the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-IM30. Elder Housing Needs Assessment.** The County shall facilitate an assessment of the housing needs of elders. Responsible Agency: Planning and Building Department, Health and Human Services Department, Senior Resource Center, Area I Agency on Aging. Timeframe: By January 1, ~~2018~~ 2016.

*This program would assess the housing needs of elders and would not change the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-IM32. "Safe Homes" Program to Increase Building Code Compliance.** The County shall allow qualified unpermitted homes to become permitted through a "safe homes" program. Reduced or eliminated penalty fees for owners wishing to obtain permits for unpermitted homes shall be included as an incentive to bring the unpermitted units into compliance. Responsible Agency: Planning and Building Department. Timeframe: By ~~January 1, 2018~~ July 1, 2016

*This program would change the County's regulations for the permitting of existing unpermitted homes but would not change the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-IM34. Revise the Land Use Element to Facilitate Development in Legacy Communities.** The County shall amend §2611 of the Framework Plan to include a reference to the discussion of Legacy Communities in the Housing Element Appendix (§8.20.22). Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2018.

*This program would add a reference in the Land Use Element to the analysis of Unincorporated Legacy Communities contained in the Housing Element Appendix to comply with SB 244. SB 244 requires that counties review and update the Land Use Element of its General Plan to include an analysis of water, wastewater, storm water drainage, and structural fire protection service needs or deficiencies for identified unincorporated legacy communities. The analysis must also include a description of the community and a map showing its location plus an analysis of the use of assessment district or other financing alternatives to that could make the extension of services to identified communities financially feasible. The analysis of Unincorporated Legacy Communities would not change the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-IM34X. Preservation of Mobile Home Parks and Long-Term Occupancy Recreational Vehicle Parks.** The County shall support continuation of existing mobile home and long term occupancy recreational vehicle parks through actions such as legislative changes, zoning consistency determinations, analysis of legal-non-conforming status, Plan amendments or zone reclassifications. Responsible Agency: Planning and Building Department. Timeframe: on-going.

*This program would support the preservation of existing mobile home and recreation vehicle parks but would not change the patterns, timing, or intensity of residential development in the unincorporated area.*

**H-IM35. Reduce Building Permit Application Fees.** The Chief Building Official may reduce building permit and plan check fees by fifty percent (50%) or more as reflected in the adopted fee schedule for resubmittal of expired housing development applications for the same plan check-approved project within the same Building Code cycle. Responsible Agency: Planning and Building Department. Timeframe: on-going.

*This program would reduce building permit and plan check fees, but would not change the standards that would be applied to new construction.*

**H-IM37. Second Unit Pilot Program.** The County shall increase the inventory of more affordable second units in the AE and TPZ zones by right as a pilot program (no discretionary review required) for smaller more affordable units described in H-S8X with the same incentives. Additional units by right may be added if the pilot program shows no adverse effect. Responsible Agency: Planning and Building Department. Timeframe June 2015.

*This program would establish a pilot program to allow second units, the number of is to be determined in a manner to limit adverse effects, on land zoned AE and TPZ without a discretionary permit, subject to the incentives for second units specified in Standard H-S8X. This program is consistent with the Expanded Growth Alternative analyzed in the SEIR, which had the objectives to relax development standards to encourage housing development in rural and urban areas alike.*

**H – IM38. Farmworker Housing.** The County shall review the zoning ordinance to comply with the requirements of state law (Health and Safety Code 17021.5 and 17021.6). Responsible Agency: Planning and Building Department. Timeframe: December, 2016.

*This policy would revise County regulations to be consistent with California law regarding farmworker housing. State law allowing farmworker housing is already in effect and actionable, and the proposed changes to the zoning ordinance do not intend to exceed the minimum state requirements, so they will not have any impact on the environment.*

**Proposed Revisions to 2009 Housing Element Goals, Policies, Standards, and Programs.** Many goals, policies, standards, and implementation measures in the 2014 Housing Element represent revisions to the 2009 Housing Element (~~strike through~~ and underline text indicates changes made to the staff proposed draft made by the Planning Commission and Board of Supervisors). An analysis was performed to identify whether or not any of the proposed revisions could be considered substantial. The following is a listing of the more considerable revisions to goals, policies, standards, and implementation measures and a brief discussion of whether or not these changes represent revisions involve new or substantial increases in existing significant environmental effects.

**H-P2. Housing Opportunity Zones.** The County shall continue to stimulate residential and infrastructure development within Housing Opportunity Zones while not diminishing opportunities for second dwellings in other areas of the County. The County shall, ~~on an annual basis,~~ review and consider the expansion of or the addition of new Housing Opportunity Zones, as needed.

*This policy revises 2009 Housing Element Policy H-P2 to specify that the implementation of HOZs is not to diminish opportunities for second units and that HOZ boundaries shall be reviewed for expansion, as needed. The revised policy would not in and of itself change the patterns, timing, or intensity of residential development in the unincorporated area. Future changes to HOZ's will require additional environmental review to ensure consistency with the SEIR for the 2009 Housing Element.*

**H-P4. Encourage Second Units.** The County shall stimulate the construction of second units by relaxing second-unit development standards through modifications to the land use codes in order to provide low-cost housing and to make more efficient use of existing ~~infrastructure roads.~~

*This policy revises 2009 Housing Element Policy H-P7 to clarify that the "land use codes" would be modified to encourage second units and narrows the focus of more efficient use of "infrastructure" to more efficient use of "roads." This revision would not change the patterns, timing, or intensity of residential development in the unincorporated area. There is no evidence*

that this modification would result in any changes to the environmental impacts disclosed in the SEIR.

**H-P13. Allowances for a Mixture of Housing Sizes and Types.** The County shall allow a variety of housing types and sizes in all residential subdivisions ~~in areas served by public sewer~~ to encourage a mix of housing opportunities for all income categories.

*This policy revises 2009 Housing Element Policy H-P32 to remove the limitation that the policy only apply to areas served by public sewer. This revision would only allow for a variety of housing types and would not change the patterns, timing, or intensity of residential development in the unincorporated area. There is no evidence that this modification would result in any changes to the environmental impacts disclosed in the SEIR.*

**H-P14. Fee Deferrals and Subsidies and Density Bonuses.** ~~If requested,~~ the County shall offer and provide density bonuses and shall defer until occupancy fees for building permits, discretionary land use permits, parkland dedication fees, and review fees charged by the Department of Environmental Health and Public Works for housing that has long-term affordability covenants and restrictions that require units to be available to, affordable to, and occupied by, persons or families of low-, very-low or extremely low income for at least ~~20 years~~ 30 years if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program, and at least 15 years for financing without such requirements. All fees to be paid prior to issuance of a certificate of occupancy.

*This policy revises 2009 Housing Element Policy H-P25 to allow density bonuses in addition to fee deferrals for residential projects serving specified income levels and changes the length of time that public and private housing projects would be required to remain available to and occupied by, persons or families of low-, very-low or extremely low income. The 2009 Housing Element already implemented density bonus provisions within HOZs and consistent with State law. As a result, there is no evidence that this modification would result in any changes to the environmental impacts disclosed in the SEIR*

**H-S2. Achieving the Target Densities in Housing Opportunity Zones of the Residential Land Inventory.** Parcels in the residential land inventory in Housing Opportunity Zones for the current planning period shall be developed to meet or exceed the "mid-point" density target residential density (the "mid-point" density). A lower density may be approved only if specific findings are made supported by substantial evidence that the proposed development will not preclude future development at the "mid-point" density target density, or the "mid-point" density target density is not feasible.

*This standard revises 2009 Housing Element Standard H-S2 to refer to "mid-point" density rather than "calculated minimum density". This change creates a stronger linkage to the requirement to develop the mid-point density specified in H-S2, and narrows the applicability of the standard to in Housing Opportunity Zones. This standard retains the requirement that specific findings be made consistent with state law when development occurs at a lower density. This policy signals a change in the way development potential in the land inventory is calculated outside of HOZ's: rather than computing development potential at the midpoint, instead it is calculated at the low end of the density range. This new approach reduces the development potential in the rural parts of the County by close to 100 units, which will reduce the impacts of new housing development as described in the SEIR.*

**H-S3. Calculation of the Target Density in Housing Opportunity Zones on a Parcel.** The target residential density on each parcel in the residential land inventory in Housing Opportunity Zones for the current planning period shall be calculated by multiplying the applicable mid-point Plan density by the net developable area determined during

application processing. The net developable area shall be the total parcel area minus areas that cannot be physically developed due to mapped hazards or environmental constraints

*This standard revises 2009 Housing Element Standard H-S3 in a manner similar to H-S2 above by limiting its applicability to Housing Opportunity Zones. There is no evidence that this modification would result in any changes to the environmental impacts disclosed in the SEIR.*

**H-IM9. Facilitate Development of Sites in the Affordable Housing Land Inventory,** The County shall allow the multifamily zoned portion of sites in the Affordable Housing Residential Land Inventory to be developed with multifamily housing as a principally permitted use independent of existing uses or other allowed uses that may occur on the site.

The County shall encourage flexible application of the multifamily zoned areas on the properties to ensure the minimum housing density is achieved. Further, the County shall encourage lot line adjustments, land divisions and specific plans resulting in parcels sizes that facilitate multifamily developments affordable to lower income households on all sites in the Affordable Housing Residential Land Inventory in light of state, federal and local financing programs.

The County shall offer the following incentives for the development of affordable housing, including, but not limited to,

- priority to processing subdivision maps that include affordable housing units, and consideration of exceptions to solar shading requirements
- expedited review for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plans and master environmental impact reports,
- financial assistance (based on availability of federal, state, local foundations, and private housing funds), and
- modification of development requirements, such as reduced parking standards for elders, assisted care, and special needs housing on a case-by-case basis.

Responsible Agency: Planning and Building Department, Health and Human Services Department, Public Works Timeframe: on-going.

*This program revises 2009 Housing Element Implementation Measure H-IM42 by adding the "consideration" of exceptions to solar shading requirements into a discretionary review of residential subdivisions to create affordable housing. The 2009 Housing Element contains a number of programs intended to facilitate development of sites in the affordable housing land inventory. There is no evidence that this modification would result in any changes to the environmental impacts disclosed in the SEIR.*

**H-IM36. Affordable Multifamily Housing Land Inventory.** The County shall increase the inventory of lots suitable for **inclusion in the affordable multifamily housing inventory and allowed by right (no discretionary review is required), including any necessary rezonings to R-3: Residential Multiple Family or RM: Residential Multifamily to accommodate 77 additional units,** which can accommodate the housing need for extremely low, very low and low income households pursuant to Government Code Section 65583 (c) (1) (A). This program will be on a voluntary basis and use the Q – Qualified zone to establish minimum density and other requirements. Responsible Agency: Planning and Building Department. Timeframe: Begin program by December 31, 2014 with completion by December 2016

*This program revises 2009 Housing Element Implementation Measure H-IM17. This implementation measure resulted in the Multifamily Rezoning program (Subsequent Environmental Impact Report for the implementation of the 2009 Housing Element Multifamily Rezoning program [SCH # 2009022077]), which included a General Plan Amendment, Zone Reclassification, and Local Coastal Plan Amendment of a set of candidate sites for rezoning, which will increase the inventory of multifamily housing development potential in the County by a minimum of 980 units. The voluntary rezone program contemplated in H-IM36, Affordable Multifamily Housing Land Inventory, is considered to have been programmatically evaluated as part of the SEIR for the 2009 Housing Element. There is no evidence that this modification would result in any changes to the environmental impacts disclosed in that environmental document.*

### 3) STATEMENT OF FINDINGS

An addendum to a previous EIR is appropriate when all of the required findings described below can be made.

#### **1. No substantial changes are proposed in the project which will require revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§15162(a)(1)].**

Adoption of the draft 2014 Housing Element will not require revisions to the SEIR because no new significant environmental effects or substantial increase in the severity of previously identified significant effects will occur. No substantial changes to the project are being proposed. The adoption of the updated Housing Element involves updates to data, analysis and programs that do not involve new development or physical changes to the environment that would increase previously identified cumulative impacts.

Statements of overriding considerations were made in conjunction with the SEIR. Overriding considerations included: cumulative impacts related to Aesthetic Impacts, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology/Water Quality, Population And Housing, Public Services (Water Supplies), Transportation/Traffic, Mandatory Findings of Significance (Environment, Habitat, Species, Plants), Mandatory Findings of Significance (Cumulative Impacts).

The 2014 Housing Element 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 this update to the Housing Element. Therefore, updates to the Housing Element will not have new significant environmental effects or substantially increase the severity of previously identified significant effects.

#### **2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§15162(a)(2)].**

Adoption of the draft 2014 Housing Element update will not require major revisions to the SEIR because no substantial changes have occurred with respect to the circumstances under which the project was undertaken. The adoption of the 2014 Housing Element only involves updates to data, analysis and programs and does not include new development or physical changes to the environment that would cause new significant effects or increase the severity of previously identified cumulative impacts.

Although statements of overriding considerations were made in conjunction with the SEIR, substantial changes in the circumstances under which the project was undertaken have not occurred since it was adopted. As discussed under number "1" previously, no

substantial increases in the severity of the cumulative impacts will occur. No physical changes to the environment will occur with adoption of the 2014 Housing Element. Therefore, updates to the Housing Element will not have new significant environmental effects or substantially increase the severity of previously identified significant effects due to changes in circumstances.

**3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Board of Supervisors certified the previous EIR, shows any of the following:**

**a. The project will have one or more significant effects not discussed in the previous EIR [§15162(a)(3)(A)];**

No new information of substantial importance has been introduced that would increase the severity of the identified cumulative impacts or cause new significant effects not discussed in the SEIR. The adoption of the updated Housing Element involves updates to data and programs that will not allow new development or physical changes to the environment that would increase previously identified cumulative impacts. The Housing Element update will not have one or more significant project or cumulative effects since it does not propose nor allow new development or other changes to the physical environment. Circumstances have not significantly changed since the SEIR was certified.

**b. Significant effects previously examined will be substantially more severe than shown in the previous EIR [§15162(a)(3)(B)];**

No new information of substantial importance has been introduced that would increase the severity of the impacts discussed in the SEIR. As discussed under number "1" previously, adoption of the draft 2014 Housing Element does not propose nor allow new development or other changes to the physical environment. Therefore, no increases in the previously identified impacts will occur.

**c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative [§15162(a)(3)(C)];**

No new information of substantial importance has been introduced that would make mitigation measures or alternatives previously found not to be feasible that were discussed in the SEIR to now be feasible. The adoption of the 2014 Housing Element involves updates to data, analysis and programs that will not involve physical changes to the environment that would increase previously identified cumulative impacts. Statements of overriding consideration were adopted for the previously identified cumulative impacts. Additional mitigation measures and alternatives that were previously considered would not reduce the identified impacts for the same reasons stated in the SEIR.

**d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative [§15162(a)(3)(D)].**

No new information of substantial importance has been introduced that would require mitigation measures or alternatives which are considerably different from those that were discussed in the SEIR and/or that would substantially reduce one or more significant effects on the environment. Statements of overriding consideration were adopted for the

previously identified impacts. No new or previously rejected mitigation measures or alternatives would reduce potential impacts.

The proposed 2014 Housing Element would not change any previous conclusions associated with effects disclosed in the SEIR. Impacts previously found not to be less than significant would not be elevated to significant as a result of the proposed Housing element 2014. No new significant impacts or more severe impacts resulting from the proposed modifications were identified, and no changes to the SEIR analysis of effects found not to be significant would occur.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent EIR. The decision-making body shall consider this addendum to the final certified 2009 Housing Element SEIR prior to making a decision on the project.

## Attachment 2

### Draft Housing Element

Modified pages in the Housing Element Appendix

# Chapter 8. Housing Element

## 8.1 Purpose

This Element identifies existing and projected housing needs and establishes goals, policies, standards and implementation measures for the preservation, improvement, and development of housing. It meets detailed requirements of state housing element law, including requirements for a residential land inventory sufficient to meet the County's share of the state prescribed regional housing need.

## 8.2 Relationship to Other Elements

Sections 8.1 through 8.5 of this Element contain goals, policies, standards and implementation measures. These sections are part of the main body of the General Plan. The remainder of the Housing Element, due to its size, is included in the General Plan as Appendix G. Appendix G is a part of the Housing Element. It contains technical background information to support the policies, standards and implementation measures in the Housing Element chapter. It also provides a more detailed analysis on many other issues related to housing, such as governmental constraints on housing and the effectiveness of the previous Housing Element. Appendix G also contains the detailed 2014 residential land inventory.

The Housing Element is central to the entire General Plan but is most closely linked with the Land Use Element, the Community Infrastructure and Services Element, the Open Space and Conservation Element and the Circulation Element. General Plan and zoning designations implement Land Use Element policies that guide overall patterns of development and specific locations for subdivisions and housing developments. Policies within the Community Infrastructure and Services Element are intended to develop public infrastructure and services necessary to support continued housing production. The Circulation Element plans transportation connections between housing and the balance of the community. These and other components of the General Plan, provide an integrated framework to guide and promote housing development.

The Housing Element is typically updated on a 5-year cycle according to a state-mandated schedule. The last comprehensive update for Humboldt County was completed in 2010. The planning horizon for this Housing Element extends to 2019. This is shorter than the planning horizon for the balance of the General Plan, which extends through 2025.

## 8.3 Background

An adequate supply of housing affordable to county residents is fundamental to community well-being and economic prosperity. Recent economic conditions have increased the availability of housing and reduced prices but home ownership is still out of reach for many. The housing needs of the very low income and the shelter needs of the homeless are not being adequately met and the supply of land available for multi-family housing is constrained by infrastructure limitations and zoning.

Table H1 below provides the income levels for the various income categories referenced in the Housing Element.

**Table 8-1. Income Categories, 2013**

<b>Income Category</b>	<b>Annual Household Income</b>	<b>Percent of Median Income</b>
Extremely Low Income	\$0 - \$17,200	<30%
Very Low Income	\$17,201 - \$28,650	31 - 50%
Other Low Income	\$28,651 - \$45,850	51 - 80%
Median Income	\$53,300	100%
Moderate Income	\$45,851 - \$68,760	81 - 120%
Above Moderate Income	\$68,760+	>120%

Source: US Department Housing and Urban Development, 2013.

Note: The limits for the various income categories for Humboldt County in 2013 are based on a four person household."

Home ownership in the County in 2010 was 67%; 10% higher than in 2000 and 10% higher than the homeownership rate in California. The County's housing affordability index, a measure of wage earners' ability to afford a median priced home, was 37% in 2012, which is 15% lower than the state average, but an improvement over the 17% figure in the County several years ago. It remains a priority of this Plan to stimulate the production of low cost housing by the private sector in order to increase homeownership rates.

It also remains a priority of this plan to stimulate the production of workforce rental housing, particularly for those earning less than the median income. In 2010, 78% of low income renters in the County spent more than 30% of their income on housing. An adequate supply of workforce housing in proximity to work will help businesses retain and recruit employees. Expansion of workforce housing will also provide opportunities for seniors with limited incomes looking for appropriately sized and priced housing near commercial and public services.

This Plan also seeks to provide housing and shelter opportunities for the homeless and extremely low income populations. In 2011 there were an estimated 1,064 homeless individuals in the County on any one day.

Providing an adequate supply of land for housing is one of the most significant goals of this Plan. The inventory of land available for large lot rural housing is more than adequate to meet foreseeable demands. The inventory of land for single family residential development served by public water and sewer is more limited, although it too is adequate to meet housing demands through 2019. With the multifamily rezoning program implementation in 2012, the inventory of land available for multi-family residential development is also able to meet housing demands through 2019. A selection of additional potential multifamily sites has been identified, and a Phase 2 Multifamily Rezoning Program is proposed to be implemented in 2014.

The Housing Element is reviewed by the State Department of Housing and Community Development (HCD) for conformance with state housing element law. State approval makes the County eligible to receive funding from numerous state grant programs. State incentives, combined with legal liability associated with non-compliance, have led to more than 70% of local jurisdictions in California having state approved Housing Elements.

There is a wide variety of topics covered in the Housing Element; some are state-mandated, others are optional. This background section focuses on the following key topics;

- The effectiveness of the previous Housing Element in meeting the County's housing needs.

- The projected future housing needs for the 2014 - 2019 time period.
- The residential land inventory.
- New measures to make housing more affordable with federal and state program funding, and by reducing governmental constraints to the development, repair and maintenance of housing.

### 8.3.1 Effectiveness of the Previous Housing Element

The information presented in this section is supplemented by a more detailed analysis in §8.12.20 – Detailed Analysis of the Effectiveness of the Previous Housing Element in Appendix G (Housing Element Appendix).

**Progress Toward Meeting Projected Housing Needs and Quantified Objectives:** The following table shows the projected regional housing needs assigned to the County and a comparison between the number of units permitted during the timeframe of the 2010 Element and the projected housing needs during that time period.

**Table 8-2. Comparison of Housing Constructed and Projected Housing Needs; Humboldt County Unincorporated Areas, 2007 – 2013**

Household Income Category	HOUSING UNITS Unincorporated Areas		
	Projected Housing Needs	Permitted Housing Construction	Surplus (Deficit)
Extremely Low & Very Low	567	114	(453)
Other Low	364	205	(159)
Moderate	390	70	(320)
Above Moderate	928	777	(151)
<b>Total</b>	<b>2,249</b>	<b>1,166</b>	<b>(1,083)</b>

Source: Humboldt County Planning and Building Department, 2013

The table shows the County permitted construction of 1,116 fewer units than the total projected housing need during the 2007-2013 time period, about half of the projected need. There were fewer units built than the projected needs in each category, even for the higher income categories where there is an abundance of property in the land inventory to accommodate those needs. This suggests the projected housing needs in the previous planning period may have been excessive. The slower pace of actual residential development compared to earlier projections is understandable; with the downturn of the economy in the middle of the planning period, the market forces that normally encourage housing production became much weaker during the planning period than first expected, resulting in fewer homes constructed.

The previous Housing Element also included quantified objectives in standard H-S1 which are shown in the table below; they were based on the development patterns in the 2002 – 2007 time period, which was characterized by a strong housing market. The table shows the County exceeded its quantified objective for multifamily units, but did not meet its objectives for second units or other single family residential construction.

**Table 8-3. Comparison of Housing Constructed and Quantified Objectives, 2007 – 2013**

Housing Type	HOUSING UNITS Unincorporated Areas		
	Quantified Objective	Permitted Housing Construction	Surplus (Deficit)
Single Family	1,372	814	(558)
Multifamily	128	206	78
Second Units	169	113	(56)
<b>Total</b>	<b>2,249</b>	<b>1,166</b>	<b>(536)</b>

Source: Humboldt County Planning and Building Department, 2013

As with the projected housing needs described above, the quantified objectives in the previous Housing Element may also have been excessive. As noted in the above paragraphs, a weaker than expected housing market is viewed as the primary factor in explaining the difference between the objectives in the beginning of the previous planning period and the actual construction that took place during that period. The quantified objectives in the current Housing Element scale back expectations to reflect current housing market conditions.

**Progress Toward Making Housing More Affordable with Federal and State programs, and Reducing Governmental Constraints:** During the time period of the previous Housing Element, the County was successful in securing state and federal funding for projects shown in the following table.

**Table 8-4. Grant Funded Programs between July 2008 –January 2013**

Name	Type of Project	County's involvement	Number of Units
First Time Homebuyer	First Time Homebuyer	Low-Interest deferred loans	22 low income
Owner Occupied Rehab	Rehab for low-income owners	Low-Interest deferred loans	35 low income
Aster Place Apartments	Rental New Construction	Construction and Offsite Improvements/ 2 Low-Interest deferred loans	39 very-low income
Multiple Assistance Center	Transitional Center for Homeless	Operational Expenses (CalWorks funding for 18 homeless families)	200 persons per year (extremely low income)
All-Faith Homeless Shelter	Grant	Acquisition and expansion	28 bed homeless shelter

Source: Humboldt County Planning and Building Department, 2013

In addition to the federal and state programs administered by the County, the County also implemented the following measures to make housing more affordable by reducing governmental constraints:

- Amended the General Plan and Zoning Ordinance to:
  - Allow apartments above commercial establishments as principally permitted uses in commercial areas.
  - Reduce parking requirements for homes of 1,000 square feet in size or less.
  - Increase the allowed densities and rewards offered for producing affordable housing through the Residential Density Bonus Program.

- Provide exceptions to lot coverage and yard setbacks for second units that are 800 square feet in size or less.
- Allow emergency shelters and transitional housing facilities as principally permitted uses in commercial zones.
- Maintained the County GIS system to the internet, making parcel specific development information available to applicants.
- Maintained the County's parcel-specific residential land inventory on the internet, with updated development potential estimates.

A more comprehensive analysis of the effectiveness of the previous Housing Element is presented in Appendix G.

### 8.3.2 Projected Future Housing Needs for the 2014-2019 Time Period

Based on population projections, the California Department of Housing and Community Development determines the housing need for Humboldt County in the following income categories: extremely low, very low, low, moderate and above moderate income households. The Humboldt County Association of Governments (HCAOG) then distributes the need to individual jurisdictions through a Regional Housing Needs Allocation Plan (RHNA Plan). The most current RHNA Plan quantifies the future need for housing by income level for the County for January 2014 to June 2019 as shown in Table 8-5. The figures for this planning period are substantially less than for the previous planning period more accurately reflecting the current soft housing market.

The table shows 859 new residential units built in the unincorporated areas will meet the projected housing need for the 2014 – 2019 time period. State law requires local governments to provide adequate sites for the construction of housing to meet the County's fair share housing needs.

**Table 8-5. Projected Fair Share Housing Needs, Humboldt County Unincorporated Areas, 2014 – 2019**

Income Category	Projected Housing Needs	Percent of Total RHNA
Extremely Low*	106	12.5%
Very Low	106	12.5%
Other Low	135	16%
Moderate	146	17%
Above Moderate	366	42%
<b>Total</b>	<b>859</b>	<b>100%</b>

Source: HCOAG, December 2013

\* This Element assumes ½ of the Very Low-Income category is in the Extremely Low-Income category.

### 8.3.3 Updated Residential Land Inventory

The residential land inventory identifies sites suitable for residential development with the capacity to meet the County's projected housing needs for all income levels. If there are not sufficient sites to meet the projected future housing needs, state law requires jurisdictions to bring additional sites into the inventory.

Table 8-6 below summarizes the residential land inventory in the Housing Element Appendix. Parcel specific information and maps are contained in the Housing Element Appendix, and on the County's website ([gis.co.humboldt.ca.us](http://gis.co.humboldt.ca.us)). The inventory has been updated to reflect new residential development, information from services districts regarding the capacity of public water and sewer, new mapping information, and other site specific information.

Except in rare cases, the residential land inventory excludes development potential on Agricultural Exclusive and Timberland designated area. Similarly properties designated Agriculture Grazing, Agriculture Lands and Agriculture Rural are generally excluded from the inventory because the land is primarily used for agriculture, timber production or other conservation and open space uses. A program was added in H-IM37 (Second Unit Pilot Program) to increase the inventory of second units allowed by right in TPZ and AE zones. Excluded for the current planning period are properties with existing improvements of \$25,000 or more, and properties with extensive mapped physical constraints.

Included in the residential land inventory for the current planning period is a development potential for second units (113 units), multifamily units principally allowed in commercial areas (33 units), planned construction by Native American tribes (39 units), and properties proposed to be changed from agriculture land use designations to "Residential Agricultural" with the General Plan Update (393 units). See §8.12.21 of the Housing Element Appendix for more detail.

**Table 8-6. Residential Land Inventory Summary**

Zoning Group	Dev. Acres	Potential Units (Gross)	Parcel Count	Potential Units for the Current RHNA Planning Period (Net)
Rural Residential (RR)	19,019	1,409	1,147	844
Rural Residential properties added by the GPU (RR)	5,238	1,270	393	393
Residential Estates (RE)	1,470	581	399	436
Residential Low Density (RL)	1,554	4,120	1,584	<u>866</u>
Residential Multifamily (RM)	273	1,627	351	1,216
<b>Total</b>	<b>27,574</b>	<b>9,093</b>	<b>3,884</b>	<b>5,785</b>

Source: Humboldt County Planning and Building Department, 2013

The above table shows the County has sites in the residential land inventory to accommodate its projected future housing needs of 859 units.

**Inventory of Affordable Multifamily Housing Sites:** The inventory of suitable sites to meet the County's housing needs for lower income households includes only those sites larger than one (1) acre in size that are planned and zoned for a density of 15 units per acre or more with public water and sewer services available. No more than 100 potential units are assigned to any parcel.

Based on these criteria, the land inventory contains sites with a development potential of 899 units affordable to lower income households. Second units will provide an additional 113 units

affordable to lower income households<sup>1</sup>, and planned construction of 39 units affordable to very low-income households in the next five (5) years by Native American tribes for their members will also contribute toward meeting the affordable housing needs. These figures demonstrate the County has sites in the Affordable Housing Inventory to meet the projected need of 347 units for the lower income category.

### 8.3.4 New State Law Addressing Disadvantaged Communities

SB 244 (Wolk, 2011) requires cities and counties to identify the infrastructure and service needs of unincorporated legacy communities in their general plans at the time of the next Housing Element update. SB 244 defines an unincorporated legacy community as a place that meets the following criteria:

- Contains 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years; and
- Has a median household income that is 80 percent or less than the statewide median household income.

Accordingly, this Element includes the required analysis of legacy communities in the Housing Element Appendix (§8.20.22), and includes the following implementation measure to reference this analysis in the Land Use Element of the Framework Plan in §2611 – Community Plan Areas: Background.

**“H-IM29. Revise the Land Use Element to Facilitate Development in Legacy Communities.** The County shall amend Section 2611 of the Framework Plan (Community Plan Areas: Background) to include a reference to the discussion of Legacy Communities in the Housing Element Appendix (§8.20.22).  
Responsible Agency: Planning and Building Department; Timeframe: concurrent with adoption of the Housing Element.”

### 8.3.5 Funding for Housing Programs

Implementation of Housing Element policies and programs is contingent upon the availability of funding. The Housing Element proposes a Trust Fund mechanism (H-IM1) that would receive revenue from multiple sources such as state and federal grants and revolving loan program revenue. Revenue would be generated through a fund raising program managed by the Planning Division (H-IM2) Allowable expenditures from the Trust will be determined and governed periodically by the Board of Supervisors based on program standards.

If funds are not available for an adopted Housing Element implementation measure, then the measure would not be implemented. For example, low income housing projects will get fee waivers or deferrals only if there are sufficient funds earmarked for this purpose in the Housing Trust Fund. Alternatively, if earmarked Trust Funds are available, the Planning, Building, Public Works and Environmental Health Departments and Community Services Districts could recoup waived permit fees by billing the Trust Fund, In the case of fee deferrals, the Trust Fund would pay the fees on

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<sup>1</sup> The quantified objective of this Housing Element for second units is 113, which is the number of second units constructed from 2007 – 2013. Based on a 2006 survey of recently constructed second unit owners, 1/3 of second units are affordable to low income households and the remainder are affordable to very low income households.

behalf of the applicant at the time they are due to the Departments and delay the ultimate billing to the applicant for the length of the approved deferral period.

A major concern expressed in the Housing Element workshops is the damage to the housing stock and the displacement of affordable housing caused by indoor marijuana grows. The City of Arcata recently adopted an excessive energy tax whereby households using more than 600% of the normal electrical energy use are required to pay a higher rate for their electricity. The County Board of Supervisors recently initiated steps toward adopting a similar program within the County. This Housing Element includes a program to apply 20% of the net revenue from any excessive energy tax program toward housing programs to address impacts from indoor marijuana grows.

## 8.4 Goals and Policies

### Goals

- H-G1. Housing Production.** Regulatory policies, practices and costs that promote the creation of affordable housing protect the public health, safety and welfare, encourage compliance with permit requirements, minimize the environmental impacts of housing development and reflect the goals and priorities of this Plan.
- H-G1X. Housing Diversity.** An adequate supply of all types of affordable housing for all income levels in all areas of the County, including urban, suburban, rural, hamlet and remote areas.
- H-G2. Workforce Housing.** An adequate supply of rental and homeownership opportunities affordable to wage earners within close proximity to local businesses, recreational facilities, community services, transit corridors and schools.
- H-G3. Residential Land Inventory.** An inventory of land, suitable for development within a five-year period, which provides adequate capacity to meet projected regional housing needs for all income levels.
- H-G4. Housing Needs of Special Populations.** Sufficient and affordable housing opportunities for seniors, disabled persons, homeless, nomadic, single-parent households, farm workers, and large families.
- H-G5. Emergency Shelters and Transitional Housing.** Sufficient emergency shelter capacity and transitional housing opportunities to meet local demands.

### Policies

- H-P1. Promote Infill, Reuse and Redevelopment.** The County shall promote infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment.

- H-P2. Housing Opportunity Zones.** The County shall continue to stimulate residential and infrastructure development within Housing Opportunity Zones while not diminishing opportunities for second dwellings in other areas of the County. The County shall, review and consider the expansion of or the addition of new Housing Opportunity Zones, as needed.
- H-P3. Development of Properties in the Residential Land Inventory.** The County shall encourage development of parcels in the residential land inventory for the current planning period at targeted residential density.
- H-P4. Encourage Second Units.** The County shall stimulate the construction of second units by relaxing second-unit development standards through modifications to the land use codes in order to provide low-cost housing and to make more efficient use of existing roads.
- H-P5. Retain Legal Non-Conforming Housing.** The County shall support retention of legal non-conforming housing which exceeds the general plan density standards through modifications to the land use codes for new subdivisions.
- H-P6. Flexibly Apply Development Standards to Low Income Housing.** The County shall support the flexible application of development standards through a streamlined permit process for housing for lower income affordability categories and special needs populations.
- H-P7. Use of Surplus County-owned Property.** The County shall consider using surplus County-owned property for development or financing of housing for low income and special need populations. County-owned parcels developed with affordable housing shall be in close proximity to commercial areas and connected to them by pedestrian facilities and public transit.
- H-P8. Siting of Multifamily Housing Developments.** The County shall plan and support development proposals that locate multi-family uses along major transportation corridors, near transit stops, public services, recreation areas, neighborhood commercial centers and work opportunities.
- H-P9. Maintenance of an Adequate Supply of Residential Land.** The County shall maintain an adequate supply of residentially zoned land to accommodate projected housing needs for all income categories and special needs populations throughout the Housing Element planning period.
- H-P10. Contributions to Infrastructure and Service Development.** Market-rate housing pays its fair share of infrastructure and public service costs. Housing that has long-term affordability covenants and restrictions that require units to be available to, and occupied by, persons or families of low, very low or extremely low income at affordable housing costs for at least 20 years may be eligible for subsidies to pay for applicable infrastructure and public service costs.
- H-P11. Residential Subdivision Approvals within Housing Opportunity Zones.** The density of residential subdivisions within Housing Opportunity Zones shall not be reduced below the calculated minimum number of units per Standard H-S3 unless the County makes specified findings.
- H-P12. Residential Subdivision Permit Process.** The County shall maintain an efficient, streamlined and predictable permitting process designed for residential subdivisions that meet the goals and policies of this Element.

- H-P12X. Expedited Residential Subdivision Review in Housing Opportunity Zones.** The County shall streamline environmental review of residential subdivisions in Housing Opportunity Zones by establishing standardized maximum thresholds of significance,
- H-P13. Allowances for a Mixture of Housing Sizes and Types.** The County shall allow a variety of housing types and sizes in all residential subdivisions in areas served by public sewer to encourage a mix of housing opportunities for all income categories.
- H-P14. Fee Deferrals Subsidies and Density Bonuses.** The County shall offer and provide density bonuses and shall defer until occupancy fees for building permits, discretionary land use permits, parkland dedication fees, and review fees charged by the Department of Environmental Health and Public Works for housing that has long-term affordability covenants and restrictions that require units to be available to, affordable to, and occupied by, persons or families of low-, very-low or extremely low income for at least 30 years if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program, and at least 15 years for financing without such requirements. All fees to be paid prior to issuance of a certificate of occupancy.
- H-P15. Fast Track Application Review.** Projects which construct or rehabilitate at least 25% low income, 10% very low income, or 5% extremely low income residential units shall be fast-tracked through the Planning and Building Division Department, Environmental Health Division of Public Health, and the Land Use Division of the Department of Public Works. When calculating the number of lower income units, any fractions of units shall be rounded to the next larger integer.
- H-P16. Deferral of Minor Subdivision Improvements.** The County shall allow applicants to defer improvements for minor subdivisions until the time of building permit issuance for housing that has long-term affordability covenants and restrictions that require units to be available to, and occupied by, persons or families of low income at affordable housing costs for at least 20 years. Public Works shall specify allowable deferments on a project by project basis.
- H-P17. Preservation of Mobile Home Parks and Long-Term Occupancy Recreational Vehicle Parks.** The County shall support continuation of existing mobile home and long term occupancy recreational vehicle parks as an important source of affordable housing.
- H-P18. Single Room Occupancy Units.** The County shall support the conversion and use of motels, and hotels for single room occupancy units (SRO) units consistent with public health, safety and welfare.
- H-P19. Emergency Shelters.** Emergency shelters, shall be allowed as principally permitted uses on sites mapped for emergency shelters in the Housing Element Appendix.
- H-P20. Rehabilitation of Substandard Housing.** The County shall work to improve substandard housing conditions throughout the County as indicated through housing condition surveys.
- H-P21. Enforcement of Support for Tenant's Rights. Recognizing residential tenants and landlords rights and responsibilities of landlords and tenants,** The County ~~and~~ shall support the enforcement of state and federal tenant ~~these~~ rights.
- Straw vote 5-0 (5-13-14)

- H-P22. Prevention of Housing Discrimination.** The County shall support the enforcement of state and federal fair housing and anti-discrimination laws.
- H-P23. Housing and Support Services for Elders and Disabled Persons.** The County shall promote and encourage a range of housing and support services for elders and disabled persons that allow a wide spectrum of choices from fully independent to fully assisted living.
- H-P24. Support Innovative Construction and Design Methods.** The County shall support the use of innovative construction and design methods and building materials that make more efficient use of land and materials, including water conserving waste disposal systems, energy systems, dwelling designs, and uses of recycled materials for building.
- H-P25. Encourage New and Experimental Techniques.** The County shall encourage and be receptive to new and experimental construction techniques.
- H-P26. Support Alternative Owner Builder Program.** The County shall support alternative owner-built/ owner-occupied housing to promote low cost housing and improved permit compliance in rural areas not served by public water or sewer.
- H-P27. Supportive and Transitional Housing.** Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.
- H-P28. Reduce and Avoid Impacts to Biological Resources.** Consistent with the mitigation measures in the Supplemental Environmental Impact Report (SCH#2009022077) the County shall refer all building permit applications that would result in the withdrawal of water from perennial streams or rivers, or from wells within 100' of a perennial stream or river, or from springs within 100' of a perennial stream or river to the Department of Fish and Wildlife (DF&W) for comments and recommendations.
- H-P29. Conservation of Affordable Housing Damaged or Displaced by Indoor Marijuana Grows.** The County shall earmark a minimum twenty percent (20%) of the net revenue from any future excessive energy tax toward programs for conservation of affordable housing.
- H-P2X. Maintaining an Adequate Land Inventory.** Unless written findings are made pursuant to Government Code 65863 supported by substantial evidence, the County shall not allow a reduction in residential units in the residential land inventory below that specified in the current Regional Housing Need Allocation (RHNA).

## 8.5 Standards Housing Production

- H-S1. Housing Program Implementation.** The County shall implement a Housing Program consistent with this Plan to facilitate the permitting and construction by the year 2019 of:
- 1) 814 single family units; 151 of which are under the Alternative Owner Builder (AOB) program.
  - 2) 206 multifamily units
  - 3) 113 second units

- H-S2. Achieving the Target Densities in Housing Opportunity Zones.** Parcels in the residential land inventory in Housing Opportunity Zones for the current planning period shall be developed to meet or exceed the “mid-point” density. A lower density may be approved only if specific findings are made supported by substantial evidence that the proposed development will not preclude future development at the “mid-point” density, or the “mid-point” density is not feasible.
- H-S3. Calculation of the Target Density in Housing Opportunity Zones on a Parcel.** The target residential density on each parcel in the residential land inventory in Housing Opportunity Zones for the current planning period shall be calculated by multiplying the applicable mid-point Plan density by the net developable area determined during application processing. The net developable area shall be the total parcel area minus areas that cannot be physically developed due to mapped hazards or environmental constraints
- H-S4. Calculation of the Maximum Number of Residential Units on a Parcel.** The maximum number of residential units on an individual parcel shall be calculated by multiplying the highest density allowed in the applicable Plan designation by the total parcel area. Additional units may be allowed based on applicable density waivers or density bonuses. Allowable residential units may be clustered in developable areas of the parcel to avoid physical, environmental or infrastructure constraints.
- H-S5. Infrastructure Development.** Infrastructure projects which reduce physical capacity constraints to residential land located within Housing Opportunity Zones or other areas where health and safety concerns are evident shall be given priority for funding and development.
- H-S6. Retain Legal Non-Conforming Housing.** General Plan density standards shall be waived for existing legal non-conforming housing in new subdivisions.
- H-S7. Ten-Year Plan to END Homelessness.** The County’s Ten-Year Plan to End Homelessness as adopted in 2009 will guide the County’s efforts to address the housing and service needs of the homeless, and “at risk of homelessness” populations.
- H-S8. Single Room Occupancy Units.** The County shall allow conversion of hotels and motels to single room occupancy units (SRO) under specified conditions in selected zones in areas with public water. Plan and zone density standards may be waived for SRO units consistent with public health and safety. Permit fees may be subsidized for hotel and motel conversions to SRO units and for reviews of the legal non-conforming status or Plan amendments or zone reclassifications for motel and hotel conversions that have already occurred.
- H-S8X. Incentives for Second Units.** Second residential units principally permitted in housing opportunity zones and conditionally permitted in other residential zones and TPZ and AE Zones, that do not exceed 50% of the square footage of the primary unit, or 800 square feet, whichever is smaller shall be provided with one or more of the following incentives as detailed in the land use ordinance:

- Parking space requirements shall be reduced to a maximum of one space
- Second units may be located more than 30 feet from the primary residence as principally permitted
- Access to the second unit does not need to be subordinate to the primary unit access
- Second units may be exempted from solar shading requirements with a special permit.

**H-S9. Calculation of Development Potential for the Residential Land Inventory.** The County shall identify land suitable for residential development consistent with Government Code 65583.2. Projections of residential development potential on individual parcels shall be based on applicable Plan densities, zoning standards and net developable parcel area. Net developable area may be based on best-available mapping of hazards and environmental resources known to have the potential to restrict development. Residential development potential on individual parcels may also be limited by infrastructure constraints identified within the Residential Land Inventory by Urban Development Area. Actual development potential on individual parcels is determined at the time of project application. Deviations between actual development potential identified at the time of project application and projected development potential identified in the residential land inventory shall be tracked and reported to the Board of Supervisors in comprehensive Housing Element updates.

**H-S10. Publication and Maintenance of the Residential Land Inventory.** The County's residential land inventory, found consistent with state law according to Government Code Section 65583 (a) (3), shall be published to the internet to aid the identification of vacant and underdeveloped residential sites. Thereafter, during the Housing Element planning period, the County shall periodically update the GIS inventory for public information purposes to reflect development approvals, changes in estimated development potential of individual parcels or infrastructure constraints.

**H-S11. Standards for Extremely Low, Very Low and Low Income Sites in the Residential Land Inventory.** The RHNA Plan allocations for extremely low, very low and low income housing units shall be accommodated on sites suitable and zoned for multifamily residential development by right (no discretionary review is required). Multi-family sites shall be considered suitable if they contain one or more developable acres planned and zoned for at least 15 dwelling units per acre and can be provided with public water and sewer services within the planning period. No more than 100 units can be counted on any single parcel.

**H-S12. Standards for Fast Tracking Projects.** Residential permit applications eligible for fast track processing shall be processed through the Planning and Building, Environmental Health and Public Works Land Use Divisions by dedicated staff on a priority basis ahead of non-fast track permit applications.

**H-S13. Standards for Environmental Review of Residential Subdivisions in Housing Opportunity Zones.** The County shall develop standardized thresholds of significance for environmental review of residential subdivisions in Housing Opportunity Zones for the following subject areas:

- Aesthetic Impacts
- Agricultural and Forest Impacts
- Air Quality Impacts
- Land Use and Planning Impacts

- Mineral and Energy Impacts
- Noise Impacts
- Population and Housing Impacts
- Public Services
- Recreation
- Utilities and Service Systems
- Cumulative Impacts

## 8.6 Implementation Measures

**H-IM1. Housing Trust Fund.** The County shall establish a Housing Trust Fund to support the conservation and development of housing affordable to low- and very low-income households. The County shall seek funding to provide an initial funding level of \$500,000. Sources of initial and long-term funding may include:

- State and Federal Grants
- Local Financial Institutions
- Local Jurisdictions
- Sale of Surplus County Property
- County General Fund
- Private Foundations and Individuals
- 20% of the revenue from any future Excessive Energy Use Tax

Responsible Agencies: Planning and Building Department and County Counsel.  
Timeframe: By August 31, 2017.

**H-IM2. Pursue Funding for Housing Programs.** The County shall pursue funding for housing programs, and prioritize funding for development of housing affordable to very low-income households when competing for resources with other projects including:

- First-time Homebuyer Program
- Home Investment Partnership Program (HOME)
- State Community Development Block Grant (CDBG)
- Multifamily Housing Program (MHP)
- Building Equity and Growth in Neighborhoods Program (BEGIN)
- United States Department of Agriculture Housing Programs
- California Housing Finance Authority Loans (CHFA)
- Federal and State Low Income Housing Tax Credit (LIHTC)

Responsible Agency: Planning and Building Department and Health and Human Services. Timeframe: annually or more often if funding becomes available.

**H-IM3. Provide Second Unit House Plans.** The County shall maintain online second dwelling unit plans for public use. Responsible Agency: Planning and Building Department. Timeframe: ongoing.

- H-IM4. Internet Accessible Residential Land Inventory and Development Constraint Maps.** The County shall continue to provide internet access to a searchable GIS based inventory documenting residential development potential and hazard and environmental building constraints on a parcel-specific level. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM5. Encourage Efficiency Unit Construction.** The County shall consider adopting changes to County Code to allow construction of efficiency units as small as 150 square feet in size consistent with the requirements of state and local law. Responsible Agency: Planning and Building Department. Timeframe: By April 30, 2018.
- H-IM6. Internet-Based Permitting Software to increase Transparency of Permit Review Process.** The County shall maintain and improve the internet based permitting software open to the public to make permit review more transparent, and to publish reports identifying the specific factors contributing to processing times of ministerial permits, such as the length of review times for projects. Responsible Agencies: Planning and Building Department, Health and Human Services Department, and Public Works. Timeframe: on-going.
- H-IM7. Use of Surplus County-owned Property.** The County shall evaluate the use of surplus County-owned property for development or financing of housing for low income, very low income, extremely low income, and special need populations. Responsible Agency: Planning and Building Department. Timeframe: By April 30, 2018.
- H-IM8. Retain Legal Non-Conforming Housing.** The County shall waive General Plan density standards for legal non-conforming housing involved in new subdivisions by ordinance. Responsible Agencies: Planning and Building Department and County Counsel. Timeframe: By August 31, 2018.
- H-IM9. Facilitate Development of Sites in the Affordable Housing Land Inventory,** The County shall allow the multifamily zoned portion of sites in the Affordable Housing Residential Land Inventory to be developed with multifamily housing as a principally permitted use independent of existing uses or other allowed uses that may occur on the site.

The County shall encourage flexible application of the multifamily zoned areas on the properties to ensure the minimum housing density is achieved. Further, the County shall encourage lot line adjustments, land divisions and specific plans resulting in parcels sizes that facilitate multifamily developments affordable to lower income households on all sites in the Affordable Housing Residential Land Inventory in light of state, federal and local financing programs.

The County shall offer the following incentives for the development of affordable housing, including, but not limited to,

- priority to processing subdivision maps that include affordable housing units, and consideration of exceptions to solar shading requirements,
- expedited review for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plans and master environmental impact reports,
- financial assistance (based on availability of federal, state, local foundations, and private housing funds), and
- modification of development requirements, such as reduced parking standards for elders, assisted care, and special needs housing on a case-by-case basis.

Responsible Agency: Planning and Building Department, Health and Human Services Department, Public Works Timeframe: on-going.

- H-IM10. Tiered Environmental Review,** The General Plan Update EIR analysis of the cumulative impacts of residential development in Housing Opportunity Zones shall be completed and presented in a manner that facilitates the use of the analysis for individual project environmental review. The County shall make use of tiered environmental analysis to reduce the burden of cumulative impacts analysis on individual residential projects in Housing Opportunity Zones. Responsible Agency: Planning and Building Department. Timeframe: January 1, 2018.
- H-IM11. Distribution and Sharing of Publicly Available Fault Evaluation Reports,** The County shall maintain records of the location of Fault Evaluation Reports that have been prepared within Humboldt County and submitted to the California Geologic Survey pursuant to the Alquist-Priolo Earthquake Fault Zoning Act and make available copies of Fault Evaluation Reports upon request to residential developers within Housing Opportunity Zones. Responsible Agency: Planning and Building Department, Building Division. Timeframe: January 2018.
- H-IM12. Tsunami Hazard Areas,** The County shall publish guidelines for housing development in identified tsunami hazard areas. The guidelines shall include development standards and mitigations for principally permitted and discretionary housing projects. The County shall work with Coastal Commission staff in the development of standards and mitigations to ensure consistency with Coastal Act requirements. Responsible Agency: Planning and Building Department. Timeframe: January 2018.
- H-IM13. Initiate Annexation of Multifamily Housing Sites.** The County shall work with the City of Arcata and the Local Agency Formation Commission to initiate annexation of the multifamily parcel APN 505-161-11 to provide sewer services to the property. Responsible Agency: Planning and Building Department. Timeframe: By January 2018.
- H-IM14. Accounting for Unpermitted Development in the Land Inventory.** The County shall work with HCD to develop an appropriate method of assigning development potential for lower income units based on the unpermitted construction of homes. Responsible Agency: Planning and Building Department. Timeframe: By January 2018.
- H-IM15. Monitoring Affordable Housing Development on Properties Rezoned to Multifamily.** The County shall include in its Annual General Plan Progress Report prepared pursuant to §65400 of the Government Code a description of the development that has occurred on the properties rezoned to multifamily under H-IM17 and H-IM18 of the 2009 Housing Element. The County shall also include in the 2019-2024 Housing Element Update an assessment of the effectiveness of the Affordable Multifamily Housing Land Inventory in meeting the County's housing needs for lower income households, and propose changes to that program as necessary to increase its effectiveness. Responsible Agency: Planning and Building Department. Timeframe: Annually.
- H-IM16. Facilitate and Monitor The Martin Slough Interceptor (MSI) Project, and Implement Alternatives if the Project is Delayed or Canceled.** The County shall facilitate and monitor the MSI project, and implement the traffic mitigation measures required in the Environmental Impact Report for that project. The County shall formally request an update to the official project schedule on an annual basis beginning in December, 2014. If new sewer hookups provided by the Phase II MSI project are unavailable by December

31, 2015 to accommodate the residential inventory in the area, the County shall replace the loss of inventory on a one-for-one basis by rezoning qualified properties in other areas as needed to meet the proportional share of the RHNA for the MSI project area. Replacement of lots in the Affordable Housing Land Inventory shall meet all the criteria of the Affordable Housing Land Inventory. Rezoning shall be completed within one year of the date the County learns of the delay or cancellation. Responsible Agencies: Planning and Building Department, City of Eureka, Humboldt Community Services District. Timeframe: Facilitating and monitoring the MSI project – ongoing; Rezoning shall be completed within one year of receipt of notification of project delay or cancellation.

- H-IM17. Reduce Permit Requirements for Second Units.** The County shall amend the second unit ordinance to reduce the permit requirements for second units on privately maintained roads to be the same as for second units on publicly maintained roads. Responsible Agency: Planning and Building Department. Timeframe: By April 30, 2018.
- H-IM18. Encourage Energy and Water Conservation.** The County shall support changes to the County's tax code to encourage new alternative energy systems, such as solar, wind and hydroelectric energy systems, and new water storage and water conservation measures intended-to-reduce\_surface water withdrawals from streams and creeks during summer low flow periods. Responsible Agency: Planning and Building Department. Timeframe: By April 30, 2018.
- H-IM19. Continued Implementation of Effective Policies from the Previous Housing Element.** The County shall continue to implement the policies from the 2009 Housing Element labeled as "✓" in §8.12.20 of the Housing Element Appendix. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM20. Consideration of Policies from the "Idea Bank".** The County shall consider implementing the policies and implementation measures labeled with a "→" in §8.12.20 of the Housing Element Appendix as stand-alone projects with separate environmental review. Responsible Agency: Planning and Building Department. Timeframe: to be determined.
- H-IM21. Ten-Year Plan to End Homelessness.** The County shall actively support the implementation measures outlined in the Ten-Year Plan to End Homelessness. Responsible Agency: Health and Human Services, Humboldt Housing and Homeless Coalition & Planning and Building Department. Timeframe: on-going.
- H-IM22. Homeless Humboldt Housing and Homeless Coalition.** The County shall support continuation of the Humboldt Housing and Homeless Coalition, or its equivalent, in order to guide policy development and implementation of programs that address the needs of the homeless population throughout the entire county. The County shall work cooperatively with cities to address the housing needs of the homeless population for the county as a whole. Responsible Agency: Health and Human Services & Planning and Building Department. Timeframe: on-going.
- H-IM23. Funding for the Multiple Assistance Center.** Within available resources of the Department of Health and Human Services and consistent with the mandates of the Department and the needs of its core service populations, the Department will consider entering into annual contract service arrangements with the Multiple Assistance Center. Continuation of service contracts will be based on fund availability, and program or cost efficiency outcomes. Responsible Agency: Health and Human Services. Timeframe: on-going via annual review.

- H-IM24. Housing Accessibility for People with Disabilities.** The County shall support housing access for persons with disabilities by fast-tracking reasonable accommodation requests consistent with the Americans With Disabilities Act, and prioritizing housing rehabilitation funds to assist qualifying residents in removal of architectural barriers. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM25. Housing Rehabilitation.** The County shall periodically conduct housing condition surveys and prioritize housing rehabilitation funding and assistance to sub-standard housing. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM26. Post Information Regarding Fair Employment and Housing.** The County shall continue to support the enforcement program of the State Fair Employment and Housing Commission. The Planning Division shall disseminate information about fair housing rights and procedures for filing fair housing complaints to public libraries and the Humboldt County Housing Authority. Timeframe: Post and maintain posters annually. Responsible Agency: Planning and Building Department.
- H-IM27. Revised Length of Stay Limits for Recreational Vehicles.** The County shall revise local regulations to remove the 6 month time limit for tenants residing in RV parks. The County will maintain regulations that limit the period of time a person may stay in a County park or camping area pursuant to Health and Safety Code section 18865.4. Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2018.
- H-IM28. Identify Potential Special Occupancy Park Sites.** The County shall maintain an online inventory of suitable sites for use for managed low income, very low income, extremely low income, special occupancy parks. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM29. Procedures for Conversion of Mobilehome Parks and Recreational Vehicle Parks.** The County shall amend County Code to adopt a mobilehome park conversion ordinance pursuant to Government Code §65863.7), and to require similar procedures acceptable to the Planning Commission for conversion of Recreational Vehicle Parks to other uses. Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2016.
- H-IM30. Elder Housing Needs Assessment.** The County shall facilitate an assessment of the housing needs of elders. Responsible Agency: Planning and Building Department, Health and Human Services Department, Senior Resource Center, Area I Agency on Aging. Timeframe: By January 1, 2016.
- H-IM31. Alternative Owner Builder Program.** The County shall update standards for alternative owner-built/ owner-occupied housing to ensure consistency with environmental and resource protection policies of this Plan, health and safety requirements and to promote permit compliance in rural lands. Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2018.
- H-IM32. "Safe Homes" Program to Increase Building Code Compliance.** The County shall allow qualified unpermitted homes to become permitted through a "safe homes" program. Reduced or eliminated penalty fees for owners wishing to obtain permits for unpermitted homes shall be included as an incentive to bring the unpermitted units into compliance. Responsible Agency: Planning and Building Department. Timeframe: By July 1, 2016

- H-IM33. Standards for Alternative Sewage and Wastewater Disposal Systems.** Consistent with Regional Water Quality Control Board requirements, the Division of Environmental Health shall consider approval of gray water and other acceptable sewage treatment and disposal systems, including composting toilets, in areas where Alternative Owner Builder structures are allowed. Responsible Agency: Health and Human Services Department. Timeframe: By July1, 2016.
- H-IM34. Revise the Land Use Element to Facilitate Development in Legacy Communities.** The County shall amend §2611 of the Framework Plan to include a reference to the discussion of Legacy Communities in the Housing Element Appendix (§8.20.22). Responsible Agency: Planning and Building Department. Timeframe: By January 1, 2018.
- H-IM34X. Preservation of Mobile Home Parks and Long-Term Occupancy Recreational Vehicle Parks.** The County shall support continuation of existing mobile home and long term occupancy recreational vehicle parks through actions such as legislative changes, zoning consistency determinations, analysis of legal-non-conforming status, Plan amendments or zone reclassifications. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM35. Reduce Building Permit Application Fees.** The Chief Building Official may reduce building permit and plan check fees by fifty percent (50%) or more as reflected in the adopted fee schedule for resubmittal of expired housing development applications for the same plan check-approved project within the same Building Code cycle. Responsible Agency: Planning and Building Department. Timeframe: on-going.
- H-IM36. Affordable Multifamily Housing Land Inventory.** The County shall increase the inventory of lots suitable for inclusion in the affordable multifamily housing inventory and allowed by right (no discretionary review is required), including any necessary rezonings to R-3: Residential Multiple Family or RM: Residential Multifamily to accommodate 77 additional units, which can accommodate the housing need for extremely low, very low and low income households pursuant to Government Code Section 65583 (c) (1) (A). This program will be on a voluntary basis and use the Q – Qualified zone to establish minimum density and other requirements. Responsible Agency: Planning and Building Department. Timeframe: Begin program by December 31, 2014 with completion by December 2016.
- H-IM38. Farmworker Housing.** The County shall review the zoning ordinance to comply with the requirements of state law (Health and Safety Code 17021.5 and 17021.6). Responsible Agency: Planning and Building Department. Timeframe: December, 2016.
- H-IM39. At Risk Units.** The County shall seek to preserve all assisted multifamily housing units at risk of being converted to market rate rental housing through establishing an early warning system and providing financial assistance when funding is available. Responsible Agency: Planning and Building Department. Timeframe: December, 2016.
- H-IM40. Expedited Residential Subdivision Review in Housing Opportunity Zones.** The County shall develop standardized thresholds of significance in the subject areas listed in H-S13 to simplify environmental review of residential subdivisions in Housing Opportunity Zones. Responsible Agency: Planning and Building Department. Timeframe: December, 2015.

**Updated sections of the Housing Element Appendix revised after the May 5, 2014 meeting to address HCD's comments:**

#### **8.11.4 Local Governmental Constraints to Housing**

##### **Code Enforcement (p. G-78)**

The County's enforcement program is established in Title 3 Division 1 Section 312-51 of Humboldt County Code (Enforcement Procedures), Title II, Division 12, Recovery of Costs Related to Processing and Enforcement of Code Violations, and Title II, Division 13, Administrative Penalties.

The County's enforcement program is complaint-driven, and the impacts on the maintenance and preservation of affordable housing are considered reasonable. For instance the Environmental Health Department enforces state health and safety codes, requiring upgrades to substandard housing conditions in rental units. The Building Division enforces building codes, and most of those enforcement actions are in areas where applicants are eligible to apply under the Alternative Owner Builder regulations, which is a simplified permitting system. Only those portions of the building constructed without permits are required to be brought up to current building code standards.

The zoning codes are enforced by the Planning Division. Typical examples of enforcement actions involve removal of recreational vehicles being used as permanent housing outside RV parks, conversion of garages to bedrooms, and construction of storage sheds within required setbacks.

#### **8.12.17 Termination of Federal Subsidies (p. G-96)**

##### **Inventory of At Risk Units**

There are several federally subsidized residential projects in the County developed with covenants and restrictions to maintain long term affordability where the covenants and restrictions are eligible to expire. After the expiration of the covenants and restrictions, the residential units may convert from rates affordable to lower income households to less affordable market rates. According to 2014 data from the California Housing Partnership Corporation two (2) federally subsidized projects in the County may be set to expire within the two years; they are described as follows:

**HOUSING ELEMENT APPENDIX TABLE Z8. Residential Units At Risk of Conversion from Low Income Use**

<b>Names and Addresses</b>	<b>Type of Subsidy</b>	<b>Earliest Possible Date of Conversion</b>	<b>Number of Units</b>
Cedar Street Senior Apartments 725 Cedar Street, Garberville	202 Financing	6/30/39	10
Cedar Street Senior Apartments 703 Cedar Street, Garberville	202 Financing	8/31/40	10
Redwood Creek Apartments 1740 Sutter Road, McKinleyville	202 Financing Section 8	2/15/33	13
Summercreek Place 1636 Myrtle Avenue, Eureka	HOME and Tax Credits	2/15/2033	36
Willow Creek Apartments 51 Brannan Mountain Road, Willow Creek	HOME and Tax Credits	8/17/2063	24
Murray Apartments 1423 Reasor Road, McKinleyville	US Department of Agriculture	6/20/2027	35
RCAA McKinleyville Duplexes, 415-1454 Murray Road, McKinleyville	HOME	2028	20
Redwood Village 56 Orchard Lane, Redway	HOME	8/7/2062	20
Aster Place 2405 Aster Place Drive, Eureka	HOME and Tax Credits and USDA	5/1/2068	40

**Source: California Housing Partnership Corporation, Planning and Building Department, 2014**

**Assessment of Risk of Conversion**

Risk of conversion and displacement of low-income tenants varies significantly from project to project depending on market, ownership, and project-based factors, such as the size of units, location, and condition of property. The housing market conditions in the County reflect relatively low vacancy rates and high housing costs, which could lead to conversion of the units in the above table to market rates.

There are no units considered to be at risk of conversion over the next ten (10) years; the earliest date a unit could convert is the Murray Apartments, which could convert to market rate in 13 years (in 2027).

**Cost Analysis.** The cost of preserving the assisted units is estimated to be significantly less than that required to replace the units through new construction or through purchase of an existing multifamily unit. Preserving assisted units generally requires subsidizing the difference between market-rate and assisted rents. Since land prices and land availability are generally the limiting factors to development of low-income housing, it is estimated that subsidizing rents to preserve assisted housing is more feasible and economical than new construction.

Preserving the units through a Section 8 program is estimated to cost \$6,000 per month, or \$72,000 per year. According to a local multifamily development agency, general costs for construction of multifamily units are between \$100 and \$150 per square foot. Based on these figures, it would cost between \$2 million and \$3 million to replace the Cedar Street Apartments including land and construction costs.

Another option would be for a private sector organization to purchase an existing multifamily complex, rather than build a new one, which would lower the per-unit cost significantly. A survey done in January, 2010 showed that several multifamily properties currently for sale in the County. The per-unit costs range from \$65,000 - \$200,000 depending on the age and condition of the structures. Replacement of 20 affordable units in this manner would cost \$1,300,000 - \$4,000,000. An important consideration is that the replacement units may already be a form of affordable housing, and displacing existing lower income tenants with those households living in the units converting to market rate is not an effective strategy for accommodating the County's affordable housing needs.

RESOURCES FOR PRESERVATION. Two primary resources are available for preserving at-risk units: (1) public agencies, nonprofit housing corporations, and tenant groups, and (2) public financing or subsidy programs. Qualified entities with the managerial capacity to acquire and manage at-risk units include the Humboldt County/City of Eureka Housing Authority, Humboldt Bay Housing Development Corporation, Redwood Community Action Agency, Rural Housing Development Corporation and Habitat for Humanity. An implementation measure has been added to help prevent conversion of subsidized units:

**"H-IM39. At Risk Units.** The County shall seek to preserve all assisted multifamily housing units at risk of being converted to market rate rental housing through establishing an early warning system and providing financial assistance when funding is available. Responsible Agency: Planning and Building Department. Timeframe: December, 2016."

### **8.12.19 Development in the Coastal Zone** (p. G-99)

The County does not have any locally mandated requirements for inclusion of affordable housing in subdivisions in the Coastal Zone. There will probably be very little affordable housing developed in the coastal zone between 2014 and 2019 since multifamily development in unincorporated Humboldt is concentrated in urban areas outside of the coastal zone.

There have been approximately 45 demolition permits issued in the Coastal zone since 1982. Most of the demolitions also involved reconstruction of a new home on the same property, therefore there was not a significant loss of housing. It is unknown whether the existing homes being demolished are affordable to lower income households. There were no affordable apartments converted into condominiums since 1982. Conversion and demolition has not significantly reduced the housing stock in Humboldt County in the coastal zone since 1982, although demolitions have increased the cost of housing because of the expense involved in demolishing and rebuilding housing. There was a 36 unit affordable multifamily housing unit built in the coastal zone in the Myrtle town area in 2008.

State law enacted in 1982 (§65590 of the Government Code) requires local jurisdictions to adopt provisions in their coastal zoning ordinances to encourage construction of affordable housing. The County conforms to the requirements of the Coastal Act to encourage the development of housing for lower and moderate income households in the coastal zone. New programs will assist in the development of housing for lower- and moderate-income households in the coastal zone and elsewhere by reducing fees and fast-tracking affordable housing projects. The County is presently updating its local Coastal Plans; additional programs to encourage construction of affordable housing in the coastal zone will be evaluated as part of that program as well.