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**SUPPORTIVE HOUSING IN  
HUMBOLDT COUNTY:  
PERMITTING GUIDELINES AND  
BEST PRACTICES**

June 2022

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## SECTION ONE: PURPOSE AND SCOPE

### PURPOSE OF THE GUIDE

This guide was created as a reference to state law and local regulations for potential developers of supportive housing in Humboldt County. At the same time, it describes the basics of supportive housing for the public and decision-makers so that they can support this important community activity. Ultimately, the goal is to facilitate supportive housing so that vulnerable Humboldt County residents can access the services they require in an informed and welcoming community.

Please note, the subject of this guide is supportive housing in Unincorporated Humboldt County. This includes areas like McKinleyville, Willow Creek, and Garberville, and neighborhoods outside of the boundary of nearby cities. The parts of this guide that pertain to permitting will be different if you live in a city. Please use the Web GIS tool at <https://humboldtgov.org/1357/Web-GIS> to find out what jurisdiction your property is in and what rules apply.

### OVERVIEW

Section One of this guide, this section, contains definitions and basic information about supportive housing. Section Two explains legal protections and requirements. Section Three covers planning and land use permitting for unincorporated Humboldt County. Section Four contains links to resources.

### DEFINITIONS

**By-right zoning.** Within a zone or zones, both supportive and transitional housing are permitted without a conditional use permit or other discretionary approval.

**Chronically Homeless.** As defined by the US Department of Housing and Urban Development (HUD), a chronically homeless person is a single individual (or head of household) with a disabling condition who has either experienced homelessness for longer than a year or experienced homelessness four or more times in the last three years. The full definition is lengthy and there are other potential scenarios. <https://files.hudexchange.info/resources/documents/Flowchart-of-HUDs-Definition-of-Chronic-Homelessness.pdf>

**Continuum of Care (CoC).** CoC is a U.S. Department of Housing and Urban Development (HUD) Program that promotes community-wide commitment to the goal of ending homelessness through funding regional planning bodies that coordinate housing and services for homeless families and individuals. In Humboldt County, that regional body is the Humboldt Housing and Homeless Coalition (HHHC). It comprises several organizations, service providers, developers, government agencies and leaders, faith-based organizations, and community members dedicated to ending homelessness. The Humboldt County Department of Health and Human Services (DHHS) is a CoC member.

**Housing First.** Housing First is a philosophy and an evidence-based State mandate. This approach to homeless assistance prioritizes providing permanent housing to people experiencing homelessness. After being housed, clients continue to be offered services to help further stability. Compliance with services plans is not a requirement to keep housing. California now requires all state-funded programs to follow Housing First principles.

**Permanent Supportive Housing (PSH).** This term may be used interchangeably with Supportive Housing. PSH provides indefinite rental subsidies and supportive services such as case management.

**Supportive housing.** Housing with no limit on length of stay, that is occupied by the Target Population as defined below, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Unlike emergency shelters, supportive housing is permanent housing.

**Supportive services.** These include, but are not limited to, a combination of subsidized permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

**Transitional housing.** Transitional housing is different than supportive housing because transitional housing programs require the termination of assistance and recirculating of the assisted unit at a predetermined future point in time, but at least six months from the beginning of the assistance. Transitional housing programs also provide residents with services, often geared toward fostering independent living. Because the intent is to prepare residents to transition to permanent housing, residential stays are limited to two years (24 months). Transitional housing is not a prerequisite to permanent housing or permanent supportive housing.<sup>1</sup>

**Target Population.** Potential participants in supportive housing (the “Target Population” according to Housing Law, Gov’t. Code Section 65582(i)) are persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services due to developmental disabilities (as defined in Section 4500 et. Seq. of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care

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<sup>1</sup> Public Counsel, 2017, Local Zoning Best Practices for Shelter and Transitional and Supportive Housing; an SB2 (2007) Primer, p4. <https://homeless.lacounty.gov/wp-content/uploads/2019/02/Public-Counsel-SB-2-Best-Practices-Guide.pdf>

system, individuals exiting institutional settings, veterans, and homeless people. While Target Population is defined by statute, funding sources may specify which groups or subgroups can participate in the subject supportive housing development.

## BASICS OF SUPPORTIVE HOUSING

### *Characteristics*

Supportive housing offers affordable rents where the tenant pays no more than 30 to 40 percent of his or her household income on housing costs and the tenant has easy access to individualized and flexible services, either on-site or in proximity to the housing site. Tenants have a lease with an indefinite length of stay as long as the tenant complies with lease requirements. Supportive housing is structured as a tenancy, where residents pay rent and have the same rights and responsibilities as anyone renting housing. Residency in supportive housing is not contingent on tenants meeting certain behavioral requirements for access to housing.

A project or property may include units of affordable or market-rate housing mixed with supportive housing, or units dedicated fully to supportive housing. The methods for creating supportive housing projects range from new construction on vacant land, to leasing existing units in the private rental market, to securing units set aside in an affordable housing development. Supportive housing projects can have units located in the same building or scattered throughout the community, with supportive services to be delivered on-site, in the community, or by mobile teams. An appropriate model depends on tenants' preferences and needs, the type of housing stock and financing sources available, the local real estate market, and the capacity and interest of the involved organizations.

### *Funding*

In Humboldt County and elsewhere, funding is a challenge in developing supportive housing. Most projects require multiple funding sources for construction, for acquisition or leasing, for operations, and for services provided to tenants. It is likely that many or all aspects of proposed supportive housing could be funded by state and/or federal funds. Projects may be initiated and operated with debt carried by the property owner, debt supported by rents on affordable units and tax credit equity, specialized state programs, or local financing and grants. Supportive services are typically funded by grants and contracts, and by Medicaid.

In Humboldt County, programs may be funded by private funding, philanthropy, or government grants. To learn more about potential upcoming government grant opportunities in the County, visit the [Humboldt Housing and Homeless Coalition](#) website.

The discussion offered here is general information for planning staff and the non-developer public. For more on supportive housing types and funding models, see the *Supportive Housing – Integrated Model Matrix*, by the Corporation for Supportive Housing (CHS), available at <https://cshorg.wpengine.com/resources/housing-integrated-model-matrix/>.

Because so many aspects of a supportive housing project are determined by requirements of the funding sources, the intent in this guide is to identify planning, site, and regulatory details that developers may need for cost planning and to fulfill their funding requirements. In some cases, information relevant to funding overlaps with information needed for permitting. Specific permit requirements are the subject of Section Three of this guide.

For up-to-date information on State of California programs through the Department of Housing and Community Development, visit that agency's website at <https://www.hcd.ca.gov/grants-and-funding>.

### *Who Lives in Supportive Housing?*

Supportive housing is typically for those lacking housing who face a multitude of complex medical, mental health and/or substance use issues that are co-occurring. In general, supportive housing targets households whose head of household is experiencing homelessness, at-risk of homelessness, or is inappropriately staying in an institution. They may also be facing multiple barriers to employment and housing stability, including mental illness, substance use and/or other disabling or chronic health conditions.

Potential participants in supportive housing may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Grant funds often specify which groups or subgroups can participate in the subject supportive housing development; therefore, the definition is made broad to encompass the range of needs.

California now requires all state-funded programs including supportive housing programs to follow Housing First principles which are described in more detail below. Housing First involves screening and selecting tenants in a way that is nondiscriminatory, and does not require sobriety or participation in services. Tenants may not be rejected for poor credit or financial history, lack of rental history, or criminal convictions unrelated to tenancy. In addition, providers must accept referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness. State programs have strict requirements around tenant prioritization, tenant selection, and Housing First that must be adhered to in order to maintain funding.

### *What Services are Provided?*

Supportive housing may provide access to health and social services, such as mental health and addiction therapies, medical care and case management, service coordination, tenancy support, independent living skills, and employment services to assist tenants to achieve stability and lead productive lives in the community.

## *Percentage of Units in a Project That Are Supportive Housing*

The portion of total units in a given property that are supportive housing has historically ranged from a single unit per property in a scattered-site model, up to 100% in a single-site model in which all units in a multifamily building are supportive housing.<sup>2</sup>

Another model includes an intentional mix of supportive housing and non-supportive housing units within the same building which is sometimes referred to as “mixed-tenancy” or “mixed affordability”. Percentage limits of for each type of unit may be prescribed as part of the project’s funding sources. In addition, housing law provides for project streamlining if the larger of 25%, or 5 units, in an affordable development are supportive housing (see Section Three below).

## *Models for Supportive Housing*

Supportive housing can include apartments, single-family homes, or any residential configuration. Although there are variations on these basic models, supportive housing is discussed in terms of these broad categories.

### SINGLE-SITE

In single-site supportive housing, people live together in a building or complex of buildings on one site.

### SCATTERED-SITE

In the scattered-site model, supportive housing units are part of a single project located in two or more buildings or properties which may be apartments or houses located throughout the community, achieving more integration within the broader community. In the scattered-site *ownership* model, the housing provider acquires and operates the unit as supportive housing. Services are generally provided by local providers in the surrounding community.

### MIXED AFFORDABILITY

The mixed affordability model integrates tenants from various incomes and backgrounds with supportive housing tenants. The housing types under this model may include new construction or acquisition and rehabilitation of single-site properties, apartment buildings, duplexes, and townhouse developments. Developments can be any size, in rural, suburban and urban areas. Agencies serving supportive housing populations may partner with affordable housing developers/owners to create mixed affordability development.

One way to operate a mixed affordability program is through a Master Lease, where the non-profit or supportive housing service provider will lease the dedicated supportive housing units from a property owner, and then sublease the units to the supportive

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<sup>2</sup> Corporation for Supportive Housing, July 2013, [Understanding Supportive Housing](http://www.csh.org), at [http://www.csh.org > UnderstandingSH Models \(pdf\)](http://www.csh.org), last accessed May 4, 2022.

housing resident. Supportive housing developments using this method could access a small percentage of the total units in the building, or possibly the entire building.

Like scattered-site, this model integrates supportive housing units into an existing affordable housing development, so that supported households live among other non-disabled, working households. Non-disabled tenants gain a better understanding of the disability community and reduce stigma when living in an inclusive community. Populations served may include homeless, at-risk, affordable, and market rate tenants, and generally reside in a small percentage of the total units. To effectively implement this strategy, all partners must have an understanding of, and operate in accordance with Federal, State, and Local Fair Housing Laws. A formal agreement, like a Memorandum of Understanding, is recommended to ensure everyone is on the same page in complying with applicable requirements and best practices.<sup>3</sup>

### *Service Delivery*

*On-Site.* Supportive housing projects that have a significant number of supported units located in the same building may find it feasible to provide services on-site. Tenants living in buildings with on-site supportive services may access all, some or none of their services on-site, depending on the services available and their individual preferences. A dedicated area for on-site services is prescribed for multifamily supportive housing projects developed under state supportive housing law,<sup>4</sup> and may include an office or space for consultations.

*Community-Based.* Tenants access services at one or more locations in the community with a community-based service delivery approach. Tenants must have transportation and any other supports they might need to successfully participate in services. This method can be used whether the supportive housing units are located in the same building or scattered throughout the community. Off-site teams may provide services at drop-in centers or make apartment visits.

*Mobile Services.* With the mobile services approach, tenants have a case manager or a team of supporters who provide services at a location of the tenant's choosing. This location could be in the tenant's home, at a community location like a park or restaurant, or at an organizational office. Mobile services generally follow the tenant, regardless of housing location and are typically used with scattered-site type housing.

## SECTION TWO: STATE LAW AND LOCAL REGULATIONS

### *Why is Protective Legislation Needed?*

There is not enough Supportive housing available in the County to meet current needs. The unsheltered population in the unincorporated areas of Humboldt County in 2019 was 450 persons, far more than the 20 shelter beds available. Supportive housing would be appropriate for many of these people if units and funding were available.

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<sup>3</sup> Corporation for Supportive Housing, 2015, *Supportive Housing Integrated Models Toolkit*, at <https://www.csh.org/?s=supportive+housing+integrated+tool+kit>. Last accessed May 12, 2022.

<sup>4</sup> California Government Code Section 65651(a)(5).



With increased state program funding in 2021-22, new affordable units are being developed throughout the county, some of which contain supportive housing. However, barriers to development are still substantial. Some major challenges include continued lack of available funds for construction, land acquisition, and ongoing services; zoning obstacles; complexity of regulations; and community opposition.

Communities in the past have opposed supportive housing due to misperceptions about occupants and a host of fears. Opposition can lead to unreasonable or inappropriate requests for conditions on supportive housing, placing regulatory hurdles in the way by requiring a conditional use permit, or prohibiting the use outright in residential zones.

Humboldt County code is relatively permissive, allowing Supportive housing as a residential use in all zones that allow residential use, and code tables and additional changes are being amended to clarify this. State law does not require that the county build or fund supportive housing, but it does require the zoning code to affirmatively advance these uses.

### *What Protections Apply to Supportive Housing Under State Law?*

Starting in 2003, and again in 2008, the California legislature amended its State Housing Element Law and the Housing Accountability Act (HAA) to require local governments to take specific zoning actions to encourage the development of supportive housing as described in the following paragraphs.

#### HOUSING ELEMENT LAW

**Treat transitional and supportive housing the same as other residential uses.** These types of development are subject only to restrictions that apply to other similar residential dwellings. If properly implemented, this ensures equality of treatment for all residential uses regardless of the occupant.<sup>5</sup>

**By-right zoning.** Supportive housing, as defined in Section 65650, is allowed by right (without discretionary approval) in all zones where multifamily and mixed uses are permitted. If the proposed project meets objective zoning standards and complies with all other laws, it can be approved without the need for a public hearing. Also known as ministerial approval.

**Objective standards.** The permit processes and development standards must be objective and encourage the development of shelters.<sup>6</sup>

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<sup>5</sup> Cal. Gov't Code Section 65583(c)(3).

<sup>6</sup> Id.

## HOUSING ACCOUNTABILITY ACT (HAA)

California's Housing Accountability Act<sup>7</sup>, passed in 1982 and amended in 2008, limits the reasons for which certain housing projects can be denied. The purpose of the HAA is to ensure that "a local government not reject or make infeasible" housing developments, including supportive housing and shelters, that contribute to meeting the regional housing need. Under the HAA, a jurisdiction cannot deny applications for Supportive housing without making one of the following specific evidence-based findings:

- (1) The jurisdiction is in compliance with its housing element and has met its share of the regional housing need for the income category proposed to be built;
- (2) The development project as proposed would have a specific, adverse impact upon the public health or safety with no feasible method to mitigate (inconsistency with zoning ordinance or general plan land use designation is not a specific, adverse impact);
- (3) Denial of the project is required to comply with state or federal law;
- (4) The development is proposed in agricultural area or area with insufficient water or wastewater facilities;
- (5) The development is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation, and jurisdiction has a compliant housing element.

Finding number 5 does not apply to denying a project if (i) the site of the proposed development is identified in the housing element as suitable for affordable housing; or (ii) the jurisdiction failed to identify adequate sites for housing development as required by state housing element law and SB2.<sup>8</sup>

Because the HAA requires specific written findings supported by evidence, it limits improper consideration of who resides in an affordable housing development.

## AFFORDABLE MULTIFAMILY PROJECTS WITH SUPPORTIVE HOUSING

In addition to the protections provided by housing element law and the HAA, affordable housing projects with a Supportive housing component may be entitled to other benefits under state law<sup>9</sup> if the project meets certain criteria. The benefits include:

- Supportive housing developed as multifamily units is permitted by right in zones where multifamily and mixed uses are permitted, including nonresidential zones that permit multifamily uses. For unincorporated Humboldt County, by right development applies to supportive housing projects of 50 or fewer units.<sup>10</sup>
- The County only requires the development to comply with the objective development standards and policies that apply to other multifamily development within the same zone.

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<sup>7</sup> Cal. Gov't Code §65589.5—the Housing Accountability Act.

<sup>8</sup> Id., subd. (d)(5).

<sup>9</sup> Cal. Gov't Code Section 65650 et seq., Supportive Housing.

<sup>10</sup> Id., Section 65651(d).

- Multifamily Supportive housing developments are not “projects” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code, and therefore are not subject to environmental review (CEQA).
- The County will notify the developer whether an application is complete within 30 days of receipt of a completed application in accordance with this section. Review of the completed application will be accomplished within 60 days for projects with 50 or fewer units, and within 120 days for projects with more than 50 units.
- If the Supportive housing development is located within one-half mile of a public transit stop, there are no minimum parking requirements for the units occupied by supportive housing residents.
- Density bonuses still apply, including any concessions, incentives, or waivers of development standards from the County, or any other local program that offers additional density or other development bonuses.
- A project owner may request that the number of residents required to live in Supportive housing be reduced if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, under certain conditions.<sup>11</sup>

Provisions regarding by right zoning and objective standards, under the first two bullet points, apply to all Supportive housing projects by way of housing element law, without further qualification. In order to qualify for all of rest of these provisions, the Supportive housing development must meet all the requirements described below in Section Three, Multifamily Supportive Housing Program. These provisions may be available in other circumstances; for example, if the project is within a Housing Opportunity Zone, or supportive housing is developed as an Accessory Dwelling Unit.

### *Housing First*

As noted in the Definitions section, California now requires all state-funded programs to follow Housing First principles. It is important that agency partners, service providers, neighbors, and the public be aware of these operating principles. Objections to supportive housing or attempts at regulation that run afoul of these principles violate the terms of grants if the project operates using state funds, and in the case of regulations, may violate State Housing Law.

Housing First, as defined in the California Welfare and Institution Code (WIC) Section 8255 (d) (1), means the evidence-based model that uses housing as a tool, rather than a reward, for recovery and that centers on providing or connecting homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed and requested on a voluntary basis and that do not make housing contingent on participation in services.

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<sup>11</sup> Cal. Gov’t Code Section 65651(c).

## *Core Components of Housing First*

According to the Welfare and Institution Code, the core components of Housing First are all of the following:<sup>12</sup>

- (1) Tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services.
- (2) Applicants are not rejected on the basis of poor credit or financial history, poor or lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of “housing readiness.”
- (3) Acceptance of referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness.
- (4) Supportive services that emphasize engagement and problem solving over therapeutic goals and service plans that are highly tenant-driven without predetermined goals.
- (5) Participation in services or program compliance is not a condition of permanent housing tenancy.
- (6) Tenants have a lease and all the rights and responsibilities of tenancy, as outlined in California’s Civil, Health and Safety, and Government codes.
- (7) The use of alcohol or drugs in and of itself, without other lease violations, is not a reason for eviction.
- (8) In communities with coordinated assessment and entry systems, incentives for funding promote tenant selection plans for supportive housing that prioritize eligible tenants based on criteria other than “first-come-first-serve,” including, but not limited to, the duration or chronicity of homelessness, vulnerability to early mortality, or high utilization of crisis services. Prioritization may include triage tools, developed through local data, to identify high-cost, high-need homeless residents.
- (9) Case managers and service coordinators who are trained in and actively employ evidence-based practices for client engagement, including, but not limited to, motivational interviewing and client-centered counseling.
- (10) Services are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants’ lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses.

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<sup>12</sup> Cal. Welfare and Institutions Code Section 8255(b).

- (11) The project and specific apartment may include special physical features that accommodate disabilities, reduce harm, and promote health and community and independence among tenants.

### *Evidence for Housing First*

The federal and state governments recognize Housing First as an evidence-based practice, shown to be an effective way to deliver services. Studies demonstrate that tenants accessing Housing First programs are able to move into housing faster than programs offering a more traditional approach.<sup>13</sup> Tenants using Housing First programs also stay housed longer and more stably than other programs.<sup>14</sup> Research also shows that over 90% of tenants accessing Housing First programs are able to retain housing stability.<sup>15</sup>

### *Accuracy and Changing Laws*

Housing Law, including laws pertaining to Supportive housing, are updated periodically. Although every effort will be made to update the information in these guidelines, laws may change between updates. Please verify any laws or rules at California's Legislative Information website, or with the county.

## SECTION THREE: PERMITTING

### PERMIT PROCESS OVERVIEW

This section gives an overview of the permit process and timeline, general zoning information, and site considerations for supportive housing.

### *Ministerial Process*

Supportive housing is subject only to ministerial approval in zones where residential development of similar form is allowed by right. Ministerial approval means approval involving little or no personal judgment (discretion) by the public official, other than determination as to whether objective standards are met. This is considered the lowest cost and most efficient form of permitting.

Any number of circumstances can result in the need for additional permits which may include discretionary review with notice and public hearing requirements that are more cumbersome than ministerial permits. However, even when another permit is required, the conditions applied to a Supportive housing development may only be those applied to any other similar residential development in that zone.<sup>16</sup>

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<sup>13</sup> Gulcur, L., Stefancic, A., Shinn, M., Tsemberis, S., & Fishcer, S. Housing, Hospitalization, and Cost Outcomes for Homeless Individuals with Psychiatric Disabilities Participating in Continuum of Care and Housing First programs. 2003.

<sup>14</sup> Tsemberis, S. & Eisenberg, R. Pathways to Housing: Supported Housing for Street-Dwelling Homeless Individuals with Psychiatric Disabilities. 2000.

<sup>15</sup> Montgomery, A.E., Hill, L., Kane, V., & Culhane, D. Housing Chronically Homeless Veterans: Evaluating the Efficacy of a Housing First Approach to HUD-VASH. 2013.

<sup>16</sup> Cal. Gov't Code Section 65583(c)(3).

Other permits that may be required are a building permit, if the project involves new construction or rehabilitation of existing buildings, or a coastal development permit if construction or improvements are planned in the Coastal Zone.

### *Project Timing*

Supportive housing is allowed just as other forms of residential use. Just as no permit would be required for a change in tenancy or ownership of a residence, no permit is required for Supportive housing either.

If new construction is involved, a building permit is required before construction begins. Getting a building permit starts with submittal of a building permit application to the Planning and Building Department. Online resources are available to assist at <https://humboldt.gov/190/First-Time-Applying-for-a-Building-Permi>.

Once an application is complete, the county reviews the application, assigns the project a Building Permit Specialist who identifies any issues that need to be addressed, and sends it to any other departments or agencies that need to review it. For projects compliant with Section 65650, an applicant will be notified as to completeness of the application within 30 days of receipt. If revisions are required, the application is revised and resubmitted. Review is completed 60 days after receipt of the completed application. For projects with more than 50 units the County will complete its review within 120 days. Applications and revisions are reviewed at the staff level, and no public hearing is necessary.

### *Zoning*

Since supportive housing is a form of residential development, the zones where a project is allowed are the same as other development with a similar configuration of units. For example, multiple attached units would be classified as multifamily development, allowed by right in R-2, R-3, and R-4 zones in inland areas (R2 and RM in the Coastal Zone), accommodating structures of two attached units (a duplex) to multi-unit apartments.

In addition, Humboldt County Code allows supportive housing in the following non-residential zones: commercial (C-1, C-2, and C-3), light industrial (ML), Highway Service Commercial (CH), Business Park (MB), and mixed use (MU-1 and MU-2). Supportive housing in the form of single-family residences is allowed by right wherever those structure types are principally permitted, that is in RS, R-1, and R-2 zones (RS and R2 in the Coastal Zone).

Details of structure types allowed in various zones can be found in Table 314-1 of the Inland Zoning Code, <https://humboldt.county.codes/Code/314-1>, or in Table 313-1 of the Coastal Zoning Code, <https://humboldt.county.codes/Code/313-1>. Housing that is incompatible with a zone may still be able to be permitted through a conditional use permit or special permit. That process involves notice and a public hearing, and possibly some conditions of approval. The zoning tables above provide details about circumstances where use conditional or special permits are required. County staff contact information is provided at the end of this section if more assistance is needed with zoning questions.

### *Multifamily Supportive Housing*

Multifamily Supportive housing consists of two or more connected living units. Where public funding is used to acquire or operate this type of Supportive housing, State

Housing Law contains measures that streamline and expedite the process of approving permit applications.<sup>17</sup> The table below summarizes those measures, which are detailed above in Section One, and compares Housing Element Law with Multifamily Supportive Housing Law.

<b>Supportive Housing Streamlining Comparison</b>	
<i>Definition</i>	
"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.	
<b>Housing Elements Law</b>	<b>Supportive Housing Law (Multifamily)</b>
Govt. Code Sec. 65582-83	Govt. Code Sec. 65650 - 56
<i>Applicability</i>	
All multifamily supportive housing	Affordable multifamily, supportive housing
<i>Streamlining Measures</i>	
Use by right in all zones where multifamily and mixed uses are permitted	Use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses
Only objective development standards and policies that apply to other similar development within the same zone	Only objective development standards and policies that apply to other multifamily development within the same zone
Planning review must affirmatively facilitate supportive housing development	Planning review must affirmatively facilitate supportive housing development
	"Not a project" for CEQA purposes
	Any discretion exercised by local government does not affect use by right qualification
	Project will be approved if requirements of 65650 et seq. are met (see below)
	Notice of complete application within 30 days
	Project review of complete application in 60 days for a project of 50 units or less; 90 days for a project with more than 50 units
	No minimum parking requirements for a project within 1/2 mile of public transit stop

The streamlining measures embedded in Housing Element Law, shown in the left column of the table, apply to all supportive housing. Supportive housing developed under Supportive Housing Law, Government Code section 65650, is entitled to the streamlining measures in the right column of the table if it satisfies all of the following requirements:<sup>18</sup>

<sup>17</sup> California passed [AB 2162](#) in 2018, streamlining permitting for multifamily supportive housing.

<sup>18</sup> Cal. Gov't. Code Section 65651(a).

- The proposed project has a recorded affordability restriction for 55 years.
- 100% of the units, excluding managers' units, within the development are restricted to lower income households, and are or will be receiving public funding to ensure affordability.
- Supportive Housing Law, Gov't Code sec. 65651, requires that at least 25 percent of units or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. Other funding sources may have different minimum supportive housing percentages. For example, HCD's Supportive Housing Multifamily Housing (SHMHP) program requires a minimum of 5 supportive housing units, or 40% of total units, whichever is greater. <https://www.hcd.ca.gov/supportive-housing-multifamily-housing>
- The developer must provide the planning agency with the following information:
  - (a) The name of the proposed entity or entities that will provide supportive services.
  - (b) The proposed funding source or sources for the provided onsite supportive services.
  - (c) Proposed staffing levels.
- Provide the planning agency with a plan for providing supportive services, with documentation demonstrating appropriate onsite supportive services. Nonresidential floor area to be used for onsite supportive services, as follows:
  - (a) For a development with 20 or fewer total units, at least 90 square feet to be provided for onsite supportive services.
  - (b) For a development with more than 20 units, at least 3 percent of the total nonresidential floor area to be provided for onsite supportive services, limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.
- Units excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

A supportive housing project will be approved if the above requirements are met.<sup>19</sup>

### *Accessory Dwelling Units (ADUs)*

Another form of structure that might be used as scattered-site or individual unit Supportive housing is Accessory Dwelling Units (ADUs). These are backyard cottages, in-law units, or converted garages up to 1200 square feet in size. Humboldt County Code defines an ADU as an attached or a detached residential dwelling unit that provides

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<sup>19</sup> Cal. Gov't. Code Section 65653(a).



complete independent living facilities for one (1) or more persons, that includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot where a single-family or multifamily dwelling is or will be situated. ADUs used as supportive housing follow the permitting rules for those structures. Typically, one ADU is permitted on a residential parcel if other conditions of the zone are met. In some cases both an ADU and a Junior ADU (JADU) are allowed, and in multifamily zones, multiple ADU's are allowed. The number of ADUs allowed varies by configuration and zone, so it's best to check with a planner or visit the ADU website at <https://www.humboldtadu.org/> to find out which locations may accommodate ADU's.

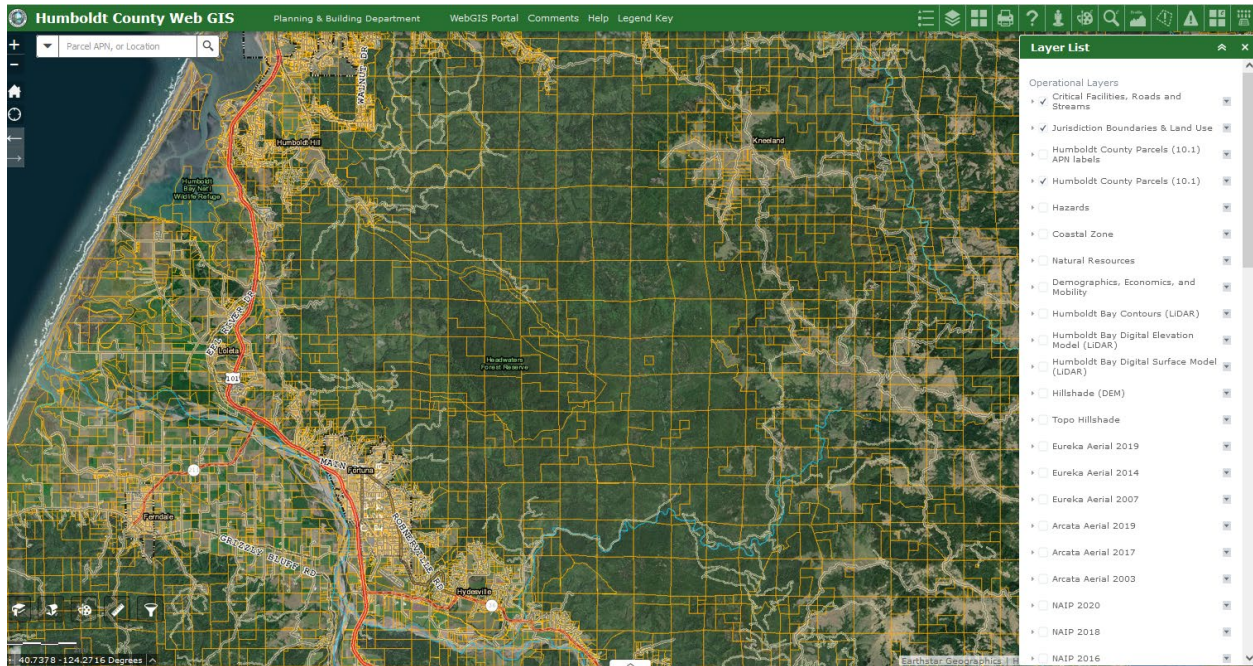
### *Tiny House ADUs*

In addition to manufactured homes as ADUs, which are allowed by state law, Humboldt County allows a Tiny House or Moveable Tiny House to be used as an ADU. This may be an attractive choice because construction costs can be lower than other types of ADU's or single family residences. Tiny Houses and Moveable Tiny Houses are defined in the Humboldt County Code, and certain development standards apply. A fact sheet with definitions and zoning information about Tiny House ADUs can be found at <https://humboldtgov.org/documentcenter/view/71398>.

## SITE CONSIDERATIONS

Although Supportive housing tends to be located in urbanized areas where population is concentrated and access to services is better, the County's jurisdiction includes unincorporated populated areas, smaller communities, and rural places. Supportive housing in Humboldt may therefore be located outside urban areas. Even in urban locations, special zoning and development regulations apply where certain site characteristics exist. These include, for example, Coastal Zone boundaries, location with regard to water and sewer districts, streamside management areas, wetlands, airports, seismic hazard zones and unstable slopes, and flood zones. The County's WebGIS tool contains mapped information about site characteristics that can help developers to evaluate limitations and challenges at potential sites.

The WebGIS main page, <https://humboldtgov.org/1357/Web-GIS>, contains a list of data layers. Both desktop and mobile versions are available. From inside the app, you can search by address or parcel number (top left), or use the layer list on the right side to look up mapped features.



Desktop Web GIS 2.0

### *Housing specific Data*

Information about the County’s housing inventory is available as GIS layers. In the webGIS layer list (right), go to Jurisdiction Boundaries and Land Use/Planning Layers/Housing Inventory. There you will find map layers showing, among other things, 2019 Housing Element Inventory by income; Housing Opportunity Zones, and Urban Cluster boundaries as defined in the 2020 Census.

### CONTACT THE COUNTY

County staff is available to answer questions about zoning and potential issues like water, sewer and other standards that might apply. Visit the County planning and zoning counter without an appointment; or call or email the office below. Staff may advise you to set up an application assistance meeting where they will go over any issues pertaining to your project and plans.

Eureka Office:  
Monday to Friday from 8:30 AM to 5:00 PM  
3015 H St.  
Eureka, CA 95501  
(707) 445-7541

These online resources may also be helpful:

- Main County website: <https://humboldt.gov/2537/County-Homepage>
- Searchable and printable County Code, Land Use and Development: <https://humboldt.county.codes/Code/31>
- WebGIS: <https://humboldt.gov/1357/Web-GIS>

## SECTION FOUR: RESOURCES

This section contains links to resources cited in or used to write this guide, as well as links to relevant California law.

### STATE LAW

California Assembly Bill [AB 2162](#), 2018. Streamlined permitting for affordable multifamily projects with supportive housing.

[Cal. Government Code Section 65580-89.11](#), Planning and Zoning, Housing Elements.

[California Gov't. Code Section 65650-56](#), Planning and Zoning, Supportive Housing.

[Cal. Welfare and Institutions Code Section 8255](#), Housing First.

### SUPPORTIVE HOUSING AND HOUSING FIRST

Corporation for Supportive Housing. [Housing First Fact Sheet \(pdf\)](#). <https://www.hcd.ca.gov/supportive-housing-multifamily-housing>

Corporation for Supportive Housing (CHS). [Supportive Housing – Integrated Model Matrix](#), 2013.

Corporation for Supportive Housing, 2015, [Supportive Housing Integrated Models Toolkit](#).

Corporation for Supportive Housing. 2013, [Understanding Supportive Housing](#).

Gulcur, L., Stefancic, A., Shinn, M., Tsemberis, S., & Fischer, S. [Housing, Hospitalization, and Cost Outcomes for Homeless Individuals with Psychiatric Disabilities Participating in Continuum of Care and Housing First programs](#). 2003.

Montgomery, A.E., Hill, L., Kane, V., & Culhane, D. [Housing Chronically Homeless Veterans: Evaluating the Efficacy of a Housing First Approach to HUD-VASH](#). 2013.

Native American Tribal Affairs, HCD website. <https://www.hcd.ca.gov/policy-research/specific-policy-areas/native-americans.shtml>.

Public Counsel, 2017, Local Zoning Best Practices for Shelter and Transitional and Supportive Housing; an SB2 (2007) Primer, p4. <https://homeless.lacounty.gov/wp-content/uploads/2019/02/Public-Counsel-SB-2-Best-Practices-Guide.pdf> Tsemberis, S. & Eisenberg, R. Pathways to Housing: [Supported Housing for Street-Dwelling Homeless Individuals with Psychiatric Disabilities](#). 2000.

### STATE AND FEDERAL GOVERNMENT

California Department of Housing and Community Development. Grants and funding. <https://www.hcd.ca.gov/grants-and-funding>

U.S. Department of Housing and Urban Development (HUD). Flowchart for HUD definition of chronic homelessness, at <https://files.hudexchange.info/resources/documents/Flowchart-of-HUDs-Definition-of-Chronic-Homelessness.pdf>.

#### HUMBOLDT COUNTY RESOURCES

Humboldt County WebGIS. <https://humboldtgov.org/1357/Web-GIS>.

Humboldt County Housing and Grants page. <https://humboldtgov.org/210/Housing-and-Grants>.