

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

ORDINANCE NO. 2472

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING DIVISION I OF TITLE III OF THE HUMBOLDT COUNTY CODE (THE ZONING ORDINANCE), MODIFYING SECTIONS 311-7 (DESIGNATION AND ADOPTION OF ZONING MAPS) TO REZONE PROPERTY TO IMPLEMENT THE 2010 HOUSING ELEMENT IMPLEMENTATION MEASURE (H-IM4), AND AMENDING THE ZONING ORDINANCE SECTIONS 313-2.2, 313-6.2, 314-2.1, 314-2.2, 314-2.3, 314-2.4, 314-3.2, 314-3.3, 314-6.4, 314-6.5, 314-7.3, 313-87.1, 314-87.1, 313-99.1, 314-99.1, 313-109.1, 314-109.1, 313-111, 314-112, 313-136 THROUGH 313-161, 314-136 THROUGH 314-161, AND DIVISION II OF TITLE III OF THE HUMBOLDT COUNTY CODE (THE SUBDIVISION ORDINANCE), SECTION 325-11 AS SHOWN IN THE ATTACHED ORDINANCES (IMPLEMENTING THE 2010 HOUSING ELEMENT UPDATE).

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. CODE AMENDMENTS. Section 311-7 of Division I of Title III of the Humboldt County Code (Zoning Ordinance: Designation and Adoption of Zoning Maps) is amended by reclassifying the zoning of property described in Exhibit A of this ordinance, which is incorporated into this ordinance as if set forth in its entirety herein, to implement the 2010 Housing Element implementation measure (H-IM4). Also amended are the following Sections of the Zoning Ordinance:

313-2.2 CG: Commercial General
313-6.2 RM: Residential Multi-Family
314-2.1 C-1: Neighborhood Commercial Zone
314-2.2 C-2: Community Commercial Zone
314-2.3 C-3: Industrial Commercial Zone
314-2.4 CH: Highway Service Commercial Zone
314-3.2 ML: Limited Industrial Zone
314-3.3 MH: Heavy Industrial Zone
314-6.4 R-3: Residential Multiple Family Zone
314-6.5 R-4: Apartment Professional Zone
314-7.3 FR: Forestry Recreation Zone
313-87.1 Second Residential Unit and 314-87.1 Second and Secondary Dwelling Units
313-99.1 and 314-99.1 Exceptions to the Development Standards
313-109.1 and 314-109.1 Off-Street Parking
313-111 and 314-112 Residential Density Bonus
313-136 through -161 and 314-136 through -161 Definitions (A-Z)

Also added to the Zoning Ordinance are 313-47.1 and 314-47.1 Emergency Shelters, and 313-60.1 and 314-60.1 Single Room Occupancy Structures and Facilities.

Also amended is Division 2 of Title III of the Humboldt County Code (Subdivision Regulations) Section 325-11 Minimum Lot Size Modification. Also added is Section 325-13 (Waiver of General Plan Density for Legal Non-Conforming Units).

The specific wording of the ordinance revisions is shown in Attachment 4 of the February 12, 2012 staff report, which is incorporated into this ordinance as if set forth in its entirety herein.

SECTION 2. EFFECTIVE DATE. For properties in the inland (non-coastal) portion of the County, this ordinance shall take effect and be in full force thirty (30) days from the date of its passage. For properties in the coastal zone, the ordinance shall take effect immediately upon certification of the proposed amendments to the local coastal program. A

summary shall be published at least five (5) days before the date for adoption and again fifteen days after passage of this ordinance. It shall be published at least once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

SECTION 3. ZONE QUALIFICATION. The special restrictions and regulations set forth in Exhibit A of this ordinance are applicable to the property described in Exhibit A of this ordinance in accordance with Humboldt County Code Section 313-32.1 and 314-32.1 (Q- Qualified Zone), which authorizes restrictions of the principal zone by application of the Q - Qualified Combining Zone.

SECTION 4. PURPOSE OF QUALIFICATION. The purpose of the special restrictions and regulations herein imposed on the property described in Exhibit A of this ordinance is:

To require a Conditional Use Permit for any use other than multifamily housing on these sites.

SECTION 5. SPECIAL RESTRICTIONS. For the property described in Exhibit A of this ordinance, the principal permitted and conditionally permitted uses otherwise allowed under the Principal Zoning regulations of Humboldt County Code Section 313-6 and 314-6 shall not be allowed except as provided below:

1. In the non-costal areas, two-family dwellings and multiple dwellings and dwelling groups are allowed as principal permitted uses. In coastal areas, duplexes and Multifamily Residential uses are allowed.
2. All uses and structure types other than those described in paragraph 1 above shall require the issuance of a Conditional Use Permit.
3. A finding for the Conditional Use Permit shall be the demonstration that the proposed use or structure does not prohibit the property from supporting a residential density of at least 16 units per acre on the parcel.

SECTION 6. PROPERTY DESCRIPTION.

Exhibit A of this ordinance identifies the areas to be rezoned.



Chair, Humboldt County Board of
Supervisors

PASSED, APPROVED AND ADOPTED this 14 day of February, 2012 the following vote, to wit:

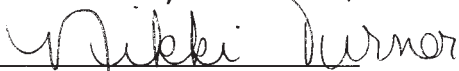
AYES: SUPERVISORS: LOVELACE, SUNDBERG, CLENDENEN, SMITH, BASS

NOES:

ABSENT:

(SEAL)

ATTEST:
Kathy Hayes
Clerk of the Board of Supervisors
of the County of Humboldt, State of California.



Kathy Hayes

EXHIBIT A

TABLE A-1

SELECTED PROPERTIES TO BE REZONED WITH A Q – QUALIFIED ZONE

APN	Address	Community Plan Area	Q-Zone Area*
015-111-008	2769 Lucas Street	Eureka	Q-Zone applied to entire property
015-221-002	2150 Myrtle Avenue	Eureka	Q-Zone applied to entire property
016-261-001	Moore Avenue	Eureka	Q-Zone applied to entire property
505-161-011	2000 Foster Avenue	Arcata	Q-Zone only applied to R-4 portion of property

*Maps showing the areas on the properties in this table applied with the Q-Zone are in Attachment 7 of this February 14, 2012 Board of Supervisors staff report, which is incorporated into this exhibit as if set forth in its entirety herein.