ATTACHMENT 5

Ordinance No. ___-_____ Amending Title III, Division 1, Chapter 4 of the Humboldt County Code Zoning Code Updates.

ORDINANCE NO. ____-_____ ADDING SECTION 314-102.1.4 AND AMENDING SECTIONS 314-102.1.3, 314-141, 314-148, 314-154, AND 314-163.1.3 AND RELATED TABLES IN CHAPTER 4 OF DIVISION 1 OF TITLE III OF THE HUMBOLDT COUNTY CODE.

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. PURPOSE OF AMENDMENTS TO THE ZONING REGULATIONS

The purpose of this ordinance is to amend and update the zoning code to be consistent with California Building Code, implement Humboldt County General Plan Implementation Measure H-IM63, encourage residential infill projects and allow flexibility in housing types. The definition of "structure" will be updated to allow for fences seven feet in height instead of six feet, consistent with California State Building Code. A maximum fence height of three feet (3') will be set for fences within the front yard setback in Residential Suburban (RS), Residential One-Family (R-1), and Residential Two-Family (R-2) zones. The definition of "family" will be updated as directed in Humboldt County General Plan 2019 Housing Element Implementation Measure H-IM63. "Mini-storage" will be defined and allowed with a Use Permit in certain commercial and industrial zones. To be consistent with similar zones and encourage infill housing development in the Business Park (MB) zone, residential uses subordinate to commercial uses within Housing Opportunity Zones will be principally permitted and will continue to require a Special Permit outside of Housing Opportunity Zones. To allow flexibility in housing types, the requirement to have four or fewer units per building will be removed from the Residential Multiple Family (R-3) zone.

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SECTION 2. FENCES

Amending Section 314-102.1.3 to add Section 314-102.1.4 to create and set development standards for fences in Title III, Division 1, Chapter 4 of the Humboldt County Code as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

Amend:

102.1.3 Any fence, building, or any architectural feature of a building may be erected to a height greater than the maximum height limit of the zone in which it is located provided that a Special Permit is first obtained. Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required. (Former Section INL#316-7(c); Ord. 519, Sec. 607, 5/11/65; Amended by Ord. , Sec. , / /88)

Add:

102.1.4 Fences in Residential Suburban (RS), Residential One-Family (R-1), and Residential Two-Family (R-2) zones shall be a maximum of three feet (3') in height for any portion of the fence located within the front yard setback.

SECTION 3. DEFINITIONS

Sections 314-141, 314-148, and 314-154 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

Add:

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314-141 DEFINITIONS (F)

Family: A person living alone~~, or two (2) or more persons related by blood, marriage or adoption,~~ or a group of ~~not more than five (5) unrelated~~ persons living together as a single non-profit housekeeping unit in a dwelling unit, as distinguished from a group occupying a boarding house, rooming house, lodging house, motel or hotel, fraternity, or sorority house. ~~A family shall be deemed to include necessary servants.~~

314-148 DEFINITIONS (M)

Mini-Storage: One or more buildings used for the storage of goods and materials within self-contained compartments by various users. Also referred to as self-storage.

314-154 DEFINITIONS (S)

Structure: Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, including swimming pools and signs, but excluding decks and platforms 30 inches or less in height, signs 3 feet or less in height, driveways, patios, or parking spaces where the area is unobstructed from the ground up, fences ~~six~~ seven (7) feet or less in height, and for zoning setback purposes, retaining walls six feet or less in height. (Building permits may be required for retaining walls.) Recreational vehicles used for human occupancy are considered structures. Decks and platforms 30 inches or less in height must conform with setback standards of this code. Note: Placement of buildings, structures and vegetation along public roads is also regulated by Chapter 1 of Division 4 of Title III, Visibility Obstruction Regulations, Section 341-1, and following.

SECTION 3. USE TYPES

Section 314-163.1.3 is hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

163.1.3 **Commercial Use Types.** Automotive Sales, Service and Repair (allowed in C-3)

Heavy Commercial (allowed in C-3)

Mini-storage (allowed in C-3, MB, and ML)

Neighborhood Commercial (allowed in C-3, RA)

Office and Professional Service (allowed in C-3, MB)

Private Recreation (allowed in RA)

Retail Sales (allowed in C-3, MB)

Retail Service (allowed in C-3, MB)

Transient Habitation (allowed in MB)

Warehousing, Storage and Distribution (allowed in C-3, MB)

SECTION 4. ZONING TABLES

Sections 314-2.3, 314-3.1, 314-3.2, and 314-6.4 are hereby amended and added to as follows (additions are shown in underline text, deletions are shown in ~~strikethrough~~ text):

314-2 Commercial Zone Districts

314-2.3 C-3: Industrial Commercial

314-2.3	**C-3: INDUSTRIAL COMMERCIAL**
Use Type	**Principal Permitted Use**
Commercial Use Types	Automotive Sales, Service and Repair Office and Professional Service Warehousing, Storage and Distribution
Industrial Use Types	Cottage Industry Research/Light Industrial
Residential Use Types	Emergency Shelters. (Amended by Ord. 2472, Sec. 1, 2/14/12) Within Housing Opportunity Zones multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated

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314-2.3	**C-3: INDUSTRIAL COMMERCIAL**
	"Principally Permitted" or "Conditionally Permitted" in the C-3 Zone.
	Supportive housing is permitted above the ground floor as the primary use.
Use Type	**Uses Permitted with a Special Permit**
Residential Use Types	Outside Housing Opportunity Zones, residential uses subordinate to the permitted use including caretaker's residences and apartments on the upper floors of multistory structures where below are establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-3 Zone. Single room occupancy facilities which are conversions of existing buildings. (Added by Ord. 2313A, 12/16/03, Amended by Ord. 2335, 12/14/04)
	Supportive housing may be located on the ground floor with a special permit.
Use Type	**Uses Permitted with a Use Permit**
Civic Use Types	Community Assembly

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314-2.3	**C-3: INDUSTRIAL COMMERCIAL**
Commercial Use Types	Heavy Commercial Neighborhood Commercial Retail Sales Retail Service <u>Mini-storage</u>
Use Types Not Listed in This Table	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the C-3 zone.

314-3 Industrial Use Regulations

314-3.1 MB: Business Park

314-3.1	**MB: BUSINESS PARK**
Use Type	**Principal Permitted Use**
Civic Use Types	Administrative
Commercial Use Types	Office and Professional Service Warehousing, Storage and Distribution
Industrial Use Types	Research/Light Industrial

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314-3.1	**MB: BUSINESS PARK**
Residential Use Types	Supportive housing is permitted above the ground floor as the primary use. Within Housing Opportunity Zones, residential uses subordinate to the permitted use including caretaker's residences and multiple dwellings on the upper floors of multistory structures where below are commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the MB Zone.
Use Type	**Uses Permitted with a Special Permit**
Residential Use Types	Outside Housing Opportunity Zones, residential uses Subordinate to the Permitted Use including caretaker's residences and, apartments on the upper floors of multistory structures where below are establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the MB Zone. ~~as well as transitional housing, and emergency shelters. (Added by Ord. 2335, 12/14/04)~~ Transitional Housing

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314-3.1	**MB: BUSINESS PARK**
	Emergency Shelters
	Supportive housing may be located on the ground floor with a special permit.
Use Type	**Uses Permitted with a Use Permit**
Commercial Use Types	Retail Sales Retail Service Transient Habitation Mini-storage
Use Types Not Listed in This Table	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the MB zone.

314-3.2 ML: Limited Industrial

314-3.2 ML: LIMITED INDUSTRIAL
Principal Permitted Uses
Small animal hospitals completely enclosed within a building. (From Section INL#314-37(b)(2); Ord. 1086, Sec. 8, 7/13/76)
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft

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314-3.2 ML: LIMITED INDUSTRIAL
manufacture, lumber yards, metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing, lithographing and major auto repair. (From Section INL#314-37(b)(3); Ord. 1086, Sec. 8, 7/13/76)
Administrative, business and professional offices. (From Section INL#314-43(a)(2))
Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, and research and development laboratories. (From Section INL#314-43(a)(3))
Emergency shelters.
Uses Permitted with a Special Permit
Single Room Occupancy Facilities which are conversions of existing buildings
Uses Permitted with a Use Permit
Dwellings, accessory dwelling units, manufactured homes, hotels, motels, and manufactured home parks. (Amended by Ord. 2335, 12/14/04)
Animal hospitals and kennels.
Animal feed and sales yards.
Manufacture of furniture, finished paper and paper products.
<u>Mini-storage</u>
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the ML zone.

314-6 Residential Zone Districts

314-6.4 R-3: Residential Multiple Family Zone

314-6.4	**R-3: RESIDENTIAL MULTIPLE FAMILY**
Principal Permitted Uses	
Two-family dwellings. (Amended by Ord. 2166, 4/7/98)	
Accessory dwelling unit.	
Dwelling groups and multiple dwellings ~~containing four or fewer units per building. (Amended by Ord. 2313A, 12/16/03)~~	
Supportive housing and transitional housing subject only to restrictions that apply to other residential dwellings of the same type in the same zone.	
Keeping of no more than two (2) household pets for each dwelling unit.	
Emergency shelters.	
Single room occupancy facilities.	
Uses Permitted with a Use Permit	
Hotels, motels, manufactured home parks, and rooming and boarding houses. (Amended by Ord. 2335, 12/14/04)	
Private institutions.	
Professional offices.	
One-family dwellings and accessory dwelling units where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements. (Added by Ord. 2166, Sec. 12, 4/7/98)	

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314-6.4	**R-3: RESIDENTIAL MULTIPLE FAMILY**
Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the R-3 Zone.	

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED AND ADOPTED this_____day of _____, 2024, on the following vote, to wit:

AYES: Supervisors:

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:

_____

REX BOHN, CHAIRPERSON,

HUMBOLDT COUNTY BOARD OF SUPERVISORS

(SEAL)

ATTEST:

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Tracy Damico, Clerk of the Board of Supervisors
of the County of Humboldt, State of California

By: _____

Nicole Turner, Deputy Clerk

Date:

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