



EXISTING ZONING IN PLAN AREA

Existing Zoning in Plan Area

Existing Zoning Map



The Commercial Bayfront and Old Town are currently both zoned Waterfront Commercial (CW)

Part 11 CW — Waterfront Commercial Districts.

Sec 10-5.29110. Purposes.

In addition to the objectives set forth in Section 10-5.102 of Article 1 of this chapter (Objectives), the CW Waterfront Commercial Districts are included in the zoning regulations to achieve the following purposes:

- (a) To encourage, protect and maintain coastal-dependent and coastal-related uses;
- (b) To encourage development of recreational and visitor-serving uses;
- (c) To provide appropriately located areas for retail stores, offices, service establishments, amusement establishments, and wholesale businesses offering commodities and services required by residents of the city and its surrounding market area;
- (d) To provide opportunities for retail stores, offices, service establishments, amusement establishments, and wholesale businesses to concentrate for the convenience of the public and in mutually beneficial relationships to each other;
- (e) To provide space for community facilities and institutions that appropriately may be located in commercial areas;
- (f) To provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading areas;

- (g) To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- (h) To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses;
- (i) To protect commercial properties from fire, explosion, noxious fumes, and other hazards;
- (j) To encourage upgrading of the use of strategically located sites between the central business district and Humboldt Bay by creating an environment suitable for establishments catering to tourists; and
- (k) To protect and maintain certain industrial uses that require waterfront locations.

Sec. 10-5.29111. Required conditions.

- (a) All uses shall comply with the regulations prescribed in Part 2 of this section (Site, Yard, Bulk, Usable Open Space, and Screening and Landscaping Regulations).
- (b) In a CW District all businesses, services, and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, exhibits of goods sold, manufactured, or processed on the premises, outdoor dining areas, and utility substations and equipment installations.
- (c) No use shall be permitted, and no process, equipment, or material shall be employed which is found by the Planning Commission to be objectionable to persons residing or working in the vicinity by reason of odor, insect nuisance, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness, or heavy truck traffic or to involve any hazard of fire or explosion.

Sec. 10-5.29112. Permitted uses.

The following uses shall be permitted in the CW Waterfront Commercial District, provided that when recreation and visitor-serving facilities are integrated with coastal-dependent uses (noted below with an asterisk), the recreation and visitor-serving areas shall be secondary to and compatible with the coastal-dependent uses:

- (a) Accessory uses and structures located on the same site as a permitted use;
- * (b) Boat launching;
- (c) Coastal dependent and coastal-related uses;
- * (d) Commercial fishing facilities;
- * (e) Docks, piers, and wharfs;
- (f) Hotels and motels;
- (g) Ice vending stations;
- (h) Marine and boat sales, services and repairs;
- (i) Offices related to or dependent upon coastal-dependent or coastal-related uses;
- (j) Public and commercial recreation;
- (k) Recreational boating facilities;
- (l) Visitor-serving facilities and other establishments that offer retail sales and services to visitors, including but not limited to:
 - Antique shops;
 - Art and artists' supply stores;
 - Art galleries and stores selling objects of art;

- Bakeries baking for retail sale on the premises only;
- Bars and taverns;
- Bicycle shops;
- Book stores and newsstands;
- Candy stores/shops;
- Clothing shops, boutique;
- Dairy products manufacturing for retail sales on the premises only;
- Day or destination spas;
- Florists;
- Garden shops;
- Gift shops;
- Jewelry stores;
- Leather goods and luggage stores;

Mobile vendors occupying 5% or less of the spaces in an existing off-street parking lot as prescribed in Article 19.5;

- Music, record, and CD stores;
- Picture framing shops;
- Restaurants (not including drive-in establishments)
- Shoe shops, boutique;
- Sporting goods stores that primarily include rental and sales of equipment, gear, clothing, and other goods, for coastal-dependent or –related recreation activities;
- Stamp and coin stores;
- Stationery shops;
- Theaters, small;
- Toy shops, and;
- Variety shops; and

(m) Wireless telecommunication facilities located more than 100' from an R District subject to a wireless telecommunication facility permit issued pursuant to Article 31 of this chapter (Wireless Telecommunication Facilities).

Sec. 10-5.29113. Conditional uses.

The following conditional uses shall be permitted in the CW Waterfront Commercial District upon the granting of a use permit in accord with the provisions of Article 24 of this chapter (Conditional Uses). The applicant shall demonstrate and the City shall find that granting of a use permit will not diminish recreational or visitor-serving opportunities.

- Administrative, business, and professional offices, except medical and dental offices;
- Arts and crafts schools and colleges;
- Bakeries,
- Banks;
- Barber shops and beauty shops;
- Bus depot;
- Bus depots, provided all buses shall not be stored on the site and no repair work or servicing of vehicles shall be conducted on the site;
- Business, professional, and trade schools and colleges;
- Cannabis General Use, subject to the provisions of Article 30 of this chapter (Cannabis);

Cannabis Retail, subject to the provisions of Article 30 of this chapter (Cannabis);
Charitable institutions;
Christmas tree sales lot;
Churches, parsonages, parish houses and other religious institutions;
Cigar stores;
Cleaning, coin-operated;
Clothing and costume rental establishments;
Clothing stores;
Conference center;
Dance halls;
Department stores;
Finance companies;
Food stores and supermarkets;
Furniture stores;
Gunsmiths;
Gymnasiums;
Hardware stores;
Health clubs, neighborhood;
Ice storage houses;
Interior decorating shops;
Laundries, self-service type;
Liquor stores;
Locksmiths;
Massage and physical culture studios;
Medical and dental offices;
Medical and orthopedic appliance stores;
Meeting halls;
Messengers' offices;
Music and dance studios;
Musical instrument repair shops;
Office and business machine stores;
Offices and office buildings;
Oil and gas pipelines;
Optician and optometrical shops;
Parking facilities, including fee parking facilities;
Passenger railroad stations;
Pet and bird stores;
Photographic supply stores and studios;
Post offices;
Prescription pharmacies and dental and optical laboratories;
Pressing establishments;
Printing shops, including lithographing and engraving;
Public utility service pumping stations, power stations, equipment buildings and installations, drainage ways and structures, storage tanks, and transmission lines found by the Planning Commission to be necessary for the public health, safety or welfare;

Radio and television broadcasting studios; towers and other support structures, commercial satellite dishes, antennas, and equipment buildings necessary for the specific facility are subject to the provisions of Article 31 of this chapter (Wireless Telecommunication Facilities);

Realtors and real estate offices;

Recreational vehicle parks;

Residential uses permitted in the RM Districts shall be permitted in a CW District, provided the residential units are located above the ground floor of commercial structures and the minimum size of such dwelling units shall not be less than what is required in the Building and Housing Code;

Saving and loan offices;

Scientific instrument shops;

Skating rinks;

Skating rinks within buildings;

Sporting goods stores;

Sports arenas within buildings;

Stationery stores;

Stenographic services;

Telegraph offices; towers and other support structures, commercial satellite dishes, antennas, and equipment buildings necessary for the specific facility are subject to the provisions of Article 31 of this chapter (Wireless Telecommunication Facilities);

Television and radio sales and repair stores;

Theaters and auditoriums within buildings;

Toy stores;

Variety stores;

Warehouses;

Watch and clock repair shops;

Wholesale establishments without stocks;

Wireless telecommunication facilities located within 100' of an R District subject to the provisions of Article 31 of this chapter (Wireless Telecommunication Facilities); and

Any other use which is determined by the Planning Commission to be similar to the listed conditional uses and which conform to the policies of the Land Use Plan. In making such a determination, in addition to the findings prescribed in Article 24 of this chapter (Conditional Uses), the Planning Commission must find:

(a) That consideration of all determinable characteristics of the use that is subject to the application indicates that the use has the same essential characteristics as a permitted or conditional use;

(b) That the use conforms to the purposes of the CW Waterfront Commercial District;

(c) That the use will not create significantly more vehicular traffic or congestion than associated with permitted or conditional uses; or

(d) That the proposed use will not negatively affect recreation or visitor-serving facilities and coastal-dependent uses.

Sec. 10-5.29114. Off-street parking.

Off-street parking facilities shall be provided for each use as prescribed in Article 15 of this chapter (Off-Street Parking Facilities).

Sec. 10-5.29115. Off-street loading.

Off-street loading facilities shall be provided for each use as prescribed in Article 16 of this chapter (Off-Street Loading Facilities).

Sec. 10-5.29116. Signs.

No sign, outdoor advertising structure, or display of any character shall be permitted except as prescribed in Article 17 of this chapter (Signs)

Sec. 10-5.29117. Site Plan and architectural review.

All permitted uses shall be subject to site plan review as prescribed in Article 18 of the chapter (Site Plan Review and Architectural Review). Architectural review requirements for conditional uses are specified in Article 24, Sec. 10-5.2421 of this chapter.

Part 10 OR — Office and Multi-Family Residential Districts.

Sec. 10-5.29100. Purposes.

In addition to the objectives set forth in Section 10-5.102 of Article 1 of this chapter (Objectives), the OR Office and Multi-Family Residential District is included in the zoning regulations to achieve the following purposes:

- (a) To provide opportunities for offices of a semi-commercial character to locate outside commercial districts;
- (b) To provide space for semi-public facilities and institutions which appropriately may be located in office and multi-family dwelling districts;
- (c) To provide adequate space to meet the needs of modern offices, including the off-street parking of automobiles and, where appropriate, the off-street loading of trucks;
- (d) To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- (e) To protect offices and multi-family dwellings from noise, disturbance, traffic hazards, safety hazards, and other objectionable influences incidental to certain commercial uses; and
- (f) To protect offices and multi-family dwellings from fire, explosion, noxious fumes, and other hazards.

Sec. 10-5.29101. Required conditions.

- (a) All uses shall comply with the regulations prescribed in Part 2 of this section (Site, Yard, Bulk, Usable Open Space, and Screening and Landscaping Regulations).
- (b) All professional pursuits and businesses shall be conducted entirely within a completely enclosed structure except for off-street parking and loading areas.
- (d) No use shall be permitted, and no process, equipment, or material shall be employed which is found by the Planning Commission to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, insect nuisance, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness, or truck traffic or to involve any hazard of fire or explosion.

Sec. 10-5.29102. Permitted uses.

The following uses shall be permitted:

- (a) Any use permitted under Section 10-5.2991 of this section (Permitted uses) in RM Districts, provided that there shall be not less than one thousand (1,000) square feet of site area per dwelling unit, and provided that units not located above a permitted nonresidential use shall be subject to the requirements of usable open space per dwelling unit of the RM-1,000 District. Yards at and above the first level occupied by dwelling units shall be as required in the RM District;
- (b) Administrative, business, and professional offices;
- (c) Any other use which is determined by the Planning Commission, as provided in Article 23 of this chapter (Determination as to Uses Not Listed), to be similar to a use listed in subsection (b) of this section;

- (d) Mobile vendors as prescribed in Article 19.5;
- (e) Parking facilities, including fee parking facilities improved in conformity with the standards prescribed for required off-street parking facilities in Section 10-5.1504 of Article 15 of this chapter (Standards for Off-Street Parking Facilities); and,
- (f) Accessory structures and uses located on the same site as a permitted use.

Sec. 10-5.29103. Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accord with the provisions of Article 24 of this chapter (Conditional Uses):

- (a) Nursing homes, not including nursing homes for mental, drug addict, or liquor addict cases;
- (b) Private schools and colleges, including music and dance studios not less than one hundred fifty (150') feet from an R District;
- (c) Public utility and public service pumping stations, power stations, equipment buildings and installations, drainage ways and structures, storage tanks, and transmission lines found by the Planning Commission and to be necessary for the public health, safety, or welfare;
- (d) Accessory structures and uses located on the same site as a conditional use;
- (e) Family care homes and halfway houses;
- (e.1) Cannabis general use, subject to the provisions of Article 30 of this chapter (Cannabis).
- (f) Charitable institutions;
- (g) Churches and other religious institutions;
- (h) Nursery schools;
- (i) Private noncommercial clubs and lodges;
- (j) Mortuaries;
- (k) Motels and hotels; and
- (l) Retail and service establishments that are compatible with and complementary to other permitted uses, including only:
 - (1) Art and artists' supply stores;
 - (2) Art galleries and stores selling objects of art;
 - (3) Banks and savings and loan offices;
 - (4) Bail bonding establishments;
 - (5) Bars not less than one hundred fifty (150') feet from an R District;
 - (6) Barber shops and beauty shops;
 - (7) Book stores and rental libraries;
 - (8) Candy stores;
 - (9) Finance companies;
 - (10) Florists;
 - (11) Gift shops;
 - (12) Interior decorating shops;
 - (13) Prescription pharmacies provided at least eighty (80%) percent of the interior display area of a pharmacy shall be used for the sale of prescription or trade drugs and provided liquor shall not be sold;
 - (14) Restaurants and soda fountains, not including drive-in establishments, not less than one hundred fifty (150') feet from an R District;

(15) Telegraph offices; towers and other support structures, commercial satellite dishes, antennas, and equipment buildings necessary for the specific facility are subject to the provisions of Article 31 of this chapter (Wireless Telecommunication Facilities; and,

(16) Travel agencies.

(m) Timber harvest of less than three acres; and

(n) Wireless telecommunication facilities subject to the provisions of Article 31 of this chapter (Wireless Telecommunication Facilities).

Sec. 10-5.29104. Off-street parking.

Off-street parking facilities shall be provided for each use as prescribed in Article 15 of this chapter (Off-Street Parking Facilities).

Sec. 10-5.29105. Off-street loading.

Off-street loading facilities shall be provided for each use as prescribed in Article 16 of this chapter (Off-Street Loading Facilities).

Sec. 10-5.29106. Signs.

No sign, outdoor advertising structure, or display of any character shall be permitted except as prescribed in Article 17 of this chapter (Signs)

Sec. 10-5.29107. Site Plan and architectural review.

All permitted uses, except one-family dwellings, multi-family dwellings containing not more than six (6) dwelling units, and dwelling groups containing not more than six (6) units, shall be subject to site plan review as set forth in Article 18 of this chapter (Site Plan Review and Architectural Review). Architectural review requirements for conditional uses are specified in Article 24, Sec. 10-5.2421 of this chapter.