

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of _____

ORDINANCE AMENDING SECTION 311-7 OF HUMBOLDT COUNTY CODE BY REZONING PROPERTY IN THE MCKINLEYVILLE AREA TO MIXED USE AND ADDING THE MCKINLEYVILLE TOWN CENTER Q-QUALIFIED COMBINING ZONE

ORDINANCE NO. _____

NOW THEREFORE, The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the McKinleyville area to Mixed Use (Urban) (MU1) as highlighted on Map 1 – Zoning Map as the Mixed Use district, and rezoning lands in the McKinleyville area to add the McKinleyville Town Center Qualified Combining Zone (Q-Zone) to the highlighted parcels shown on Map 1. The existing Q-Zone (2460) will be removed from the area of the Town Center.

SECTION 2. ZONE QUALIFICATIONS. The special restrictions and performance standards set forth herein are hereby made applicable to the property described in Section 1 in accordance with Humboldt County Code Section 312-50.3 (Required findings for Amendments to Zoning Regulations and Zoning Maps).

SECTION 3. PURPOSE OF QUALIFICATIONS. The McKinleyville Town Center Q-Zone is intended to conform to the McKinleyville Community Plan which creates a unique community center characterized by development emphasizing multi-modal connectivity (pedestrian, bicycle, and public transit), public meeting and gathering spaces, open space, and wetland preservation with a full range of mixed-use commercial, office, civic and high-density residential uses.

SECTION 4. SPECIAL RESTRICTIONS AND PERFORMANCE STANDARDS. The following standards and additional permitted uses apply to the mapped areas as follows:

4.1 Zoning

- 4.1.1 The Q-Zone is an overlay district modifying the underlying principal zone of Mixed Use. The Q-zone incorporates the R-3 Residential Multiple Family, Public Facility districts and Streamside Management Areas and Wetlands provisions from the Zoning Ordinance to implement the vision for the McKinleyville Town Center. The

different districts are shown on Map 1 – Zoning Map. The boundaries of these districts may be adjusted to allow better project design as part of a discretionary permit.

4.1.2 The following table specifies the allowable uses within the McKinleyville Town Center:

Allowed Land Uses and Permit Requirements
R-3: Residential Multiple Family
<i>Uses and permit requirements as specified in Section 314-6.4 of Chapter 4 of the Zoning Regulations</i>
PF1: Public Facility (Urban)
<i>Uses and permit requirements as specified in Section 314-4.4 of Chapter 4 of the Zoning Regulations</i>
STREAMSIDE MANAGEMENT AREAS AND WETLANDS
<i>Uses and permit requirements as specified in Section 314-38 of Chapter 4 of the Zoning Regulations</i>

4.1.3 The following table supersedes Section 314-9.1 of Chapter 4 of the Zoning Regulations:

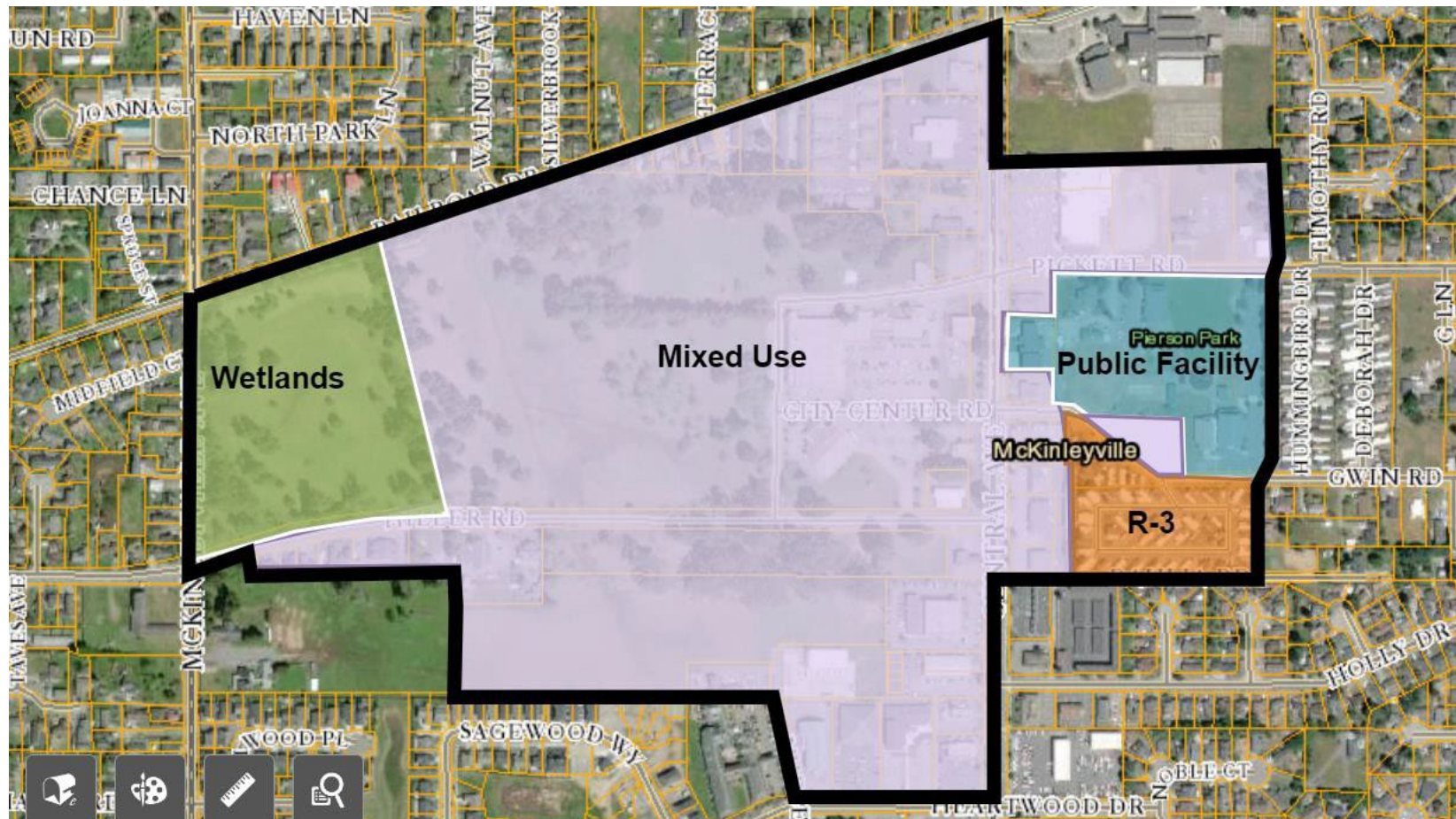
MU1: Mixed Use (Urban)	
Land Use Type	Permit Requirements
Residential Use Types	
Mixed Use (commercial/residential)	P
Multi-Family Residential (Minimum density 16 Units/acre) ^{4,5}	P
Family Day Care Home (12 or fewer in home)	P
Family Day Care Center	SP
Senior Housing Complex	P
Rooming and boarding houses	P
Emergency Shelters	P
Nonresidential Use Types^{1,2,6}	
Public Recreation	P
Farmers/Seasonal Market	P

Multi-Use Plaza Areas	P
Amphitheaters	SP
Pocket Parks	P
Retail sales and services	P
Artisan's workshop or handicraft manufacture ³	P
Micro-brewery/Winery/Distillery	P
Restaurants	P
Pop-Up Businesses (At locations designed for such activity)	P
Bank, financial services	P
Office: Business, administrative, governmental, and medical	P
Hotels and inns	P
Post Office	P
Community Assembly	SP
Churches	SP
Civic buildings	P
Library	P
Private and Public Schools	SP
Art galleries	P
Transit Centers	P
P=Principally Permitted SP=Special Permit Required	

Notes

1. Shall not include drive-thru operations or include "big-box" department stores.
2. Not including filling stations, automotive repair, or retail service requiring permanent outdoor storage, not including temporary or periodical sidewalk display of goods.
3. Must contain gallery or sales of crafts or products produced on site.
4. The parcel surrounded by Railroad Avenue, the wetland parcel and north of Hiller can have up to 25% devoted to multi-family residential without a commercial component.
5. The 3 parcels on Pickett Road may have less than 16 units per acre but must have a minimum of 8 units per acre.
6. Uses not consistent with the objectives of a Town Center serving the community are not permitted (e.g. Data Centers, warehouses, etc.).

4.1.4 Map 1 – Zoning Map



4.2 Mixed Use - Standards

4.2.1 Building Development Standards

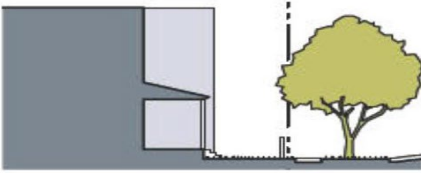
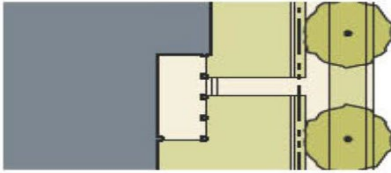
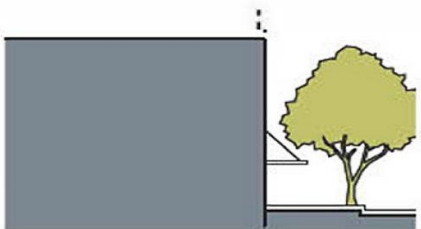

Lot Size Requirements	
Minimum Lot Size	2,000 square feet
Minimum Lot Width	25 feet
Maximum Lot Depth	None specified
Building Standards	
Minimum Front Yard Setbacks	0, except where frontage is in a block including a Residential Zone, where the front yard shall be the same as required in such Residential Zone.
Minimum Rear Yard Setbacks	15 feet, except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').
Minimum Side Yard Setbacks	0, except a side yard of an interior lot abuts a Residential Zone where the side yard shall be the same as that required in such Residential Zone.
Maximum Ground Coverage	One hundred percent (100%)
Maximum Building Height	4-stories


4.2.2 Building Form Standards

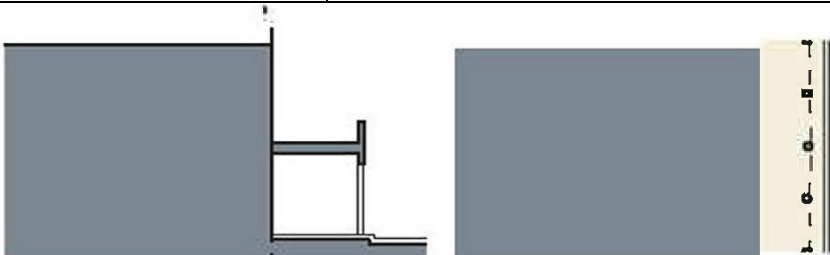
Building Form is a function of the street type. Street types are defined by the intended volume of traffic and focal points for the town center. Street Type is defined by Map 2 and the allowed building form is defined in the following table.

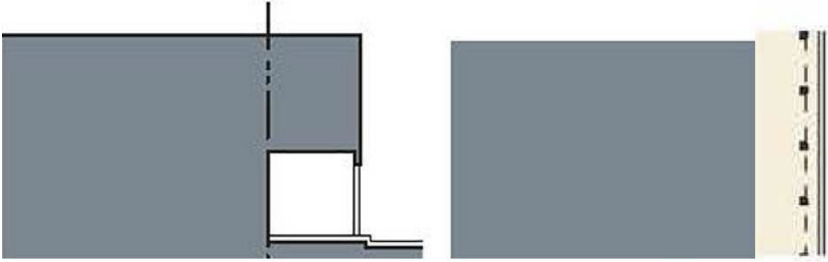
Exceptions to the building form standards may be made for senior housing and multifamily housing to develop a more residential development pattern.

Exceptions may include deviation from minimum building height to allow single story structures, building design and form, frontage setbacks and on-site parking shall be allowed.

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Allowable Frontage Types				
Note: Dashed vertical line on the images below is a representation of property line and shows the difference between the public and private frontages				
Porch, Projecting or Engaged	The main façade has a small setback from the street. The projecting porch is open on three sides, and all habitable space is located behind the setback line.	Not allowed	Not allowed	Allowed
<div></div> <div></div> <div>Side view</div> <div>Plan view</div>				
Shopfront	The main façade is at or near the frontage line with an entrance along the public way. This type is intended for retail use. It has substantial glazing at the sidewalk level and may include an awning that may overlap the sidewalk. It may be used in conjunction with other frontage types.	Allowed	Allowed	Allowed only within corner lots
<div></div> <div></div> <div>Side view</div> <div>Plan view</div>				

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Forecourt	The main façade is at or near the frontage line and a percentage is set back, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area within commercial areas.	Allowed	Allowed	Allowed only within corner lots
 <p>Side view</p> <p>Plan view</p>				

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Gallery	The main façade is at the frontage line and the gallery element overlaps the sidewalk. This type is intended for buildings with ground-floor commercial uses and may be one or two stories. The gallery should be used to provide the primary circulation along a frontage and extend far enough from the building to provide adequate protection and circulation for pedestrians.	Allowed	Allowed	Not allowed
 <div>Side view</div> <div>Plan view</div>				

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Arcade	A covered walkway with habitable space above often encroaching into the ROW. The arcade should be used to provide the primary circulation along a frontage and extend far enough from the building to provide adequate protection and circulation for pedestrians. This type is intended for buildings with ground floor commercial uses and is common along public courtyards and paseos.	Allowed	Allowed	Not allowed
 <div>Side view</div> <div>Plan view</div>				

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Building Placement				
Build-to Line – Front	A build-to line (BTL) is a set building line on a lot, measured parallel from the front and/or corner side lot line, where the structure must be located. The BTL is intended to assist in shaping the public space of streets to enhance the comfort and convenience of the pedestrian experience.	0 feet	0 feet	20 feet
Build-to Line – Side (Corner Lot)	The building façade must be located on the build-to line. Façade articulation, such as window or wall recesses and projections are not counted as the building façade line, which begins at the applicable façade wall.	0 feet	0 feet	20 feet
Proportion of building built to BTL – Front	A build-to percentage specifies the percentage of all building façades within a block that must be located within a build-to line. Façade articulation, such as window or wall recesses and projections, do not count against the required build-to percentage	80% minimum	50% minimum	0% minimum
Proportion of building built to BTL – Side (Corner Lot)		30% minimum	20% minimum	0% minimum

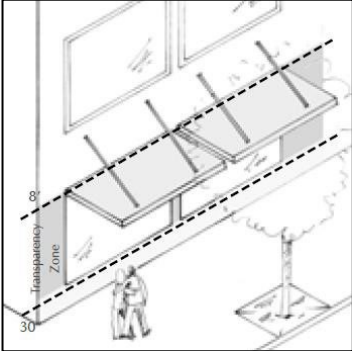
Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Additional Building Placement Requirements: <ul style="list-style-type: none">• For Street Types 1 and 2, building façades must be built to BTL within 30 feet of every corner.• Rear-facing buildings, loading docks, overhead doors for garage access (not including overhead doors with windows that meet transparency requirements and that are used to provide the types of open air access typically used by cafés, restaurants, or bars), and other service entries are prohibited on street-facing façades.• All floors must have a primary ground-floor entrance that faces the primary or side street.• Any building over 60 feet in width must be broken down to read as a series of buildings no wider than 40 feet each.				

Frontage Criteria				
Front Encroachment	Canopies and Awnings may encroach over the BTL on the street sides and into the setback on the rear, as shown in the shaded areas.	8 feet maximum	8 feet maximum	None specified
Side Street Encroachment	Canopies and awnings may project 8 feet maximum from façade to a distance of 1 foot from the curb line and must have 9 feet vertical clearance.	6 feet maximum	6 feet maximum	None specified
Rear Encroachment	Only Balconies are allowed at the rear encroachment.	4 feet maximum	4 feet maximum	None specified
Forecourt Depth		≤20 % of building depth	≤20 % of building depth	≤20 % of building depth

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Forecourt Width		≤50 % of building width	≤50 % of building width	≤50 % of building width
Additional Forecourt Requirements: <ul style="list-style-type: none"> Buildings with forecourt façades shall not be located adjacent to other buildings with forecourt façades. Forecourt building frontages along public streets are required to provide pedestrian-oriented spaces that provide opportunities for outdoor dining, the temporary display of retail goods or space for people to gather. Design criteria for pedestrian-oriented open space: <ul style="list-style-type: none"> Surfaces shall be either concrete or decorative pavers. Pedestrian-oriented lighting, no more than 14 feet in height, shall be provided and may be free-standing or building-mounted. Where the space is not created to provide outdoor café-style seating, at least one of the following shall be provided: pedestrian amenities such as benches, water feature, drinking fountain, and/or distinctive paving or artwork. Other methods that meet the intent of the standards, especially where materials are more permeable. 				

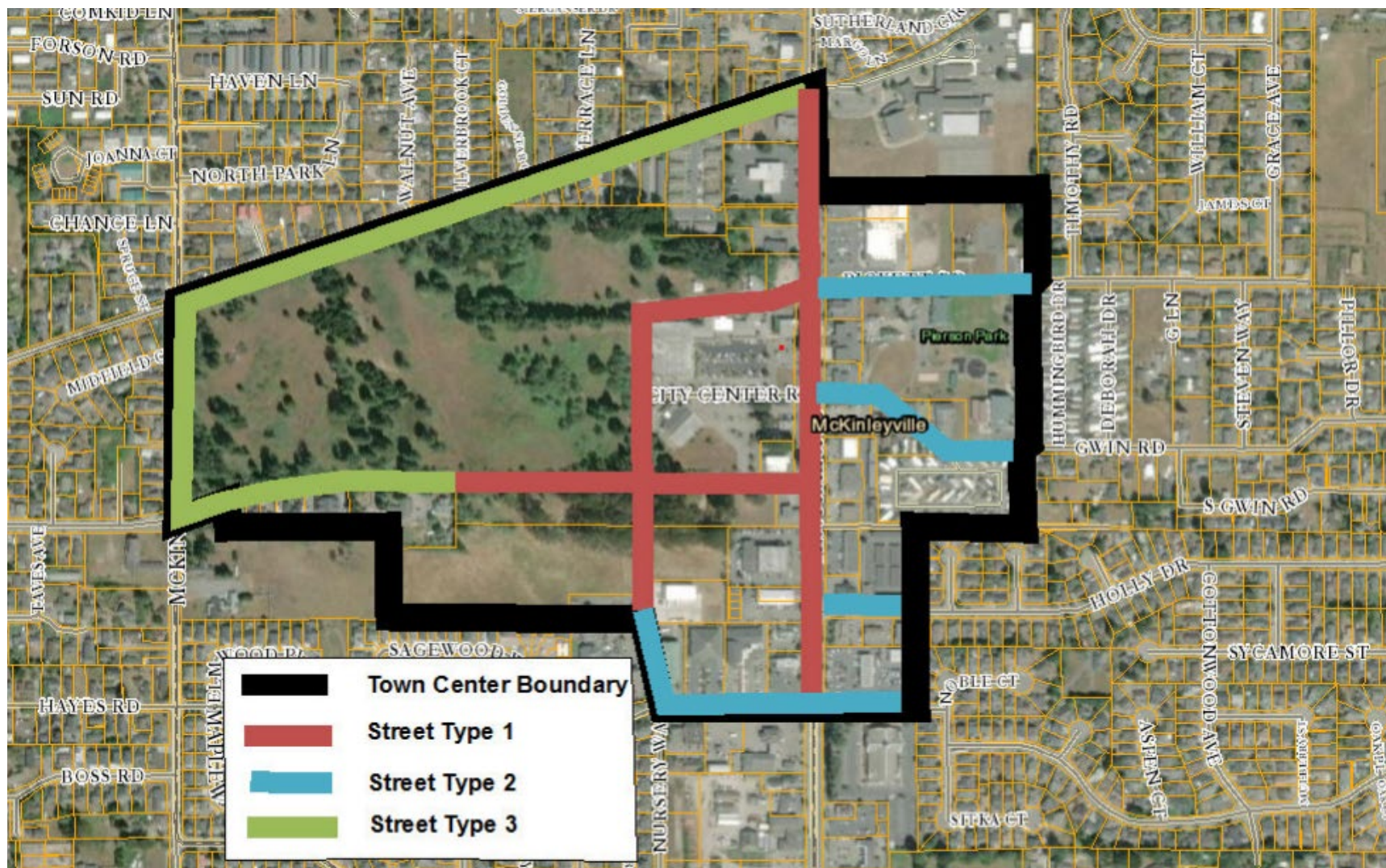
Building Setbacks				
Front Yard Setback		See build-to lines above		
Rear Yard Setback	A required specified distance between buildings or structures and a lot line or lines, measured perpendicularly in a horizontal plane extending across the complete length of said lot line or lines.	5 feet	5 feet	15 feet
Side Yard Setback		0 feet	0 feet	15 feet

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Building Height Maximum	Building height is intended to be regulated primarily through the number of stories within the building; however, maximum and minimum heights are provided and are to be measured from the sidewalk to the eave, cornice, or base of parapet wall in order to encourage a variety of building heights and roof forms.	4 stories	3 stories	35 feet
Building Height Minimum		2 stories	2 stories	None specified
Building Height Articulation Checklist	<p>To ensure that building massing does not appear artificially uniform or monotonous, at least one of the following building height articulation methods shall be employed:</p> <ul style="list-style-type: none"> • Upper floor ceiling height shall be varied in relation to adjacent buildings, where upper floor ceiling heights are at least 80% of required first floor ceiling height. • Use of different roof form from neighboring building(s). • Vary roof height by at least 5% from neighboring building(s). • Step-back top floor from lower floors and include terraces and green roofs. 	Applicable	Applicable	Not Applicable

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
Transparency Zone  <p>The transparency extends upward from 30 inches above ground to 8 feet above-ground. For Forecourt frontages, the ground-floor side walls are exempt from transparency requirements, but subject to Blank Wall standards (see below).</p> <p>Transparent windows and doors are required along at least 60% of the Transparency Zone shown in the figure to the left. Tack-on display cases do not qualify as transparent areas.</p>		Applicable	Applicable	Applicable to Storefront or Forecourt Frontages
Blank Wall Standards	<p>Untreated blank walls more than 10' in length adjacent to and visible from a street, parking lot, public park, common open space, or pedestrian pathway are prohibited. Where a wall is visible from any of the above areas at least two of the following wall treatments shall be installed:</p> <ul style="list-style-type: none"> • Display windows; 	Applicable	Applicable	Applicable

Building Form Standards	Description	Street Type (see Map 2)		
		1	2	3
	<ul style="list-style-type: none"> • Landscape planting beds at least 5 feet wide or a raised planter bed at least 16 inches high and 3 feet wide in front of the wall with planting materials that are sufficient to obscure or screen at least 50 percent of the wall's surface within three years; and/or • A vertical trellis in front of the wall with climbing vines or plant materials; • Painted mural(s); or Sculpture(s). 			

4.2.3 Map 2 – Frontage Types



4.3 Connectivity

4.3.1 Objectives:

Pedestrian, bicycle, transit, and vehicular improvements are required components of the Town Center. The connections below shall be designed and constructed as part of development. Improvements shall be designed and constructed at the earliest practical stage of development or as specified below.

4.3.1.1 Town Center Thoroughfares. There are two primary thoroughfares within the Town Center, Central Avenue and Hiller Road.

4.3.1.1.1 Central Avenue will transition into a core component of the Town Center subject to the Building Form requirements of 4.2.2 above and with a street cross section shown on Exhibit 1. Funding for the improvement of Central Avenue shall be from a source other than development along Central Avenue.

4.3.1.1.2 Hiller is intended to be the focal entry of the Town Center subject to the Building Form requirements of 4.2.2 above and with a street cross section shown on Exhibit 2. This cross section may be modified to account for Residential development, in which case all parking shall be located on one side of the street.

4.3.1.2 Local Streets. There are several local streets as shown on Map 2 including two new connections:

4.3.1.2.1 Nursery Way Extension to Hiller Road.

4.3.1.2.2 Connection from either Railroad across the site to Hiller Road or to the extension of Nursery Way north of Hiller.

4.3.1.3 Bicycle and Pedestrian Connections. Map 3 shows on-street and off-street bicycle trails and pedestrian connections including:

4.3.1.3.1 East-West Trail linking McKinleyville Avenue on the west with Pierson Park on the east, running through the existing shopping center and crossing Central at Gwin. This will connect the open space on the west with the park on the east.

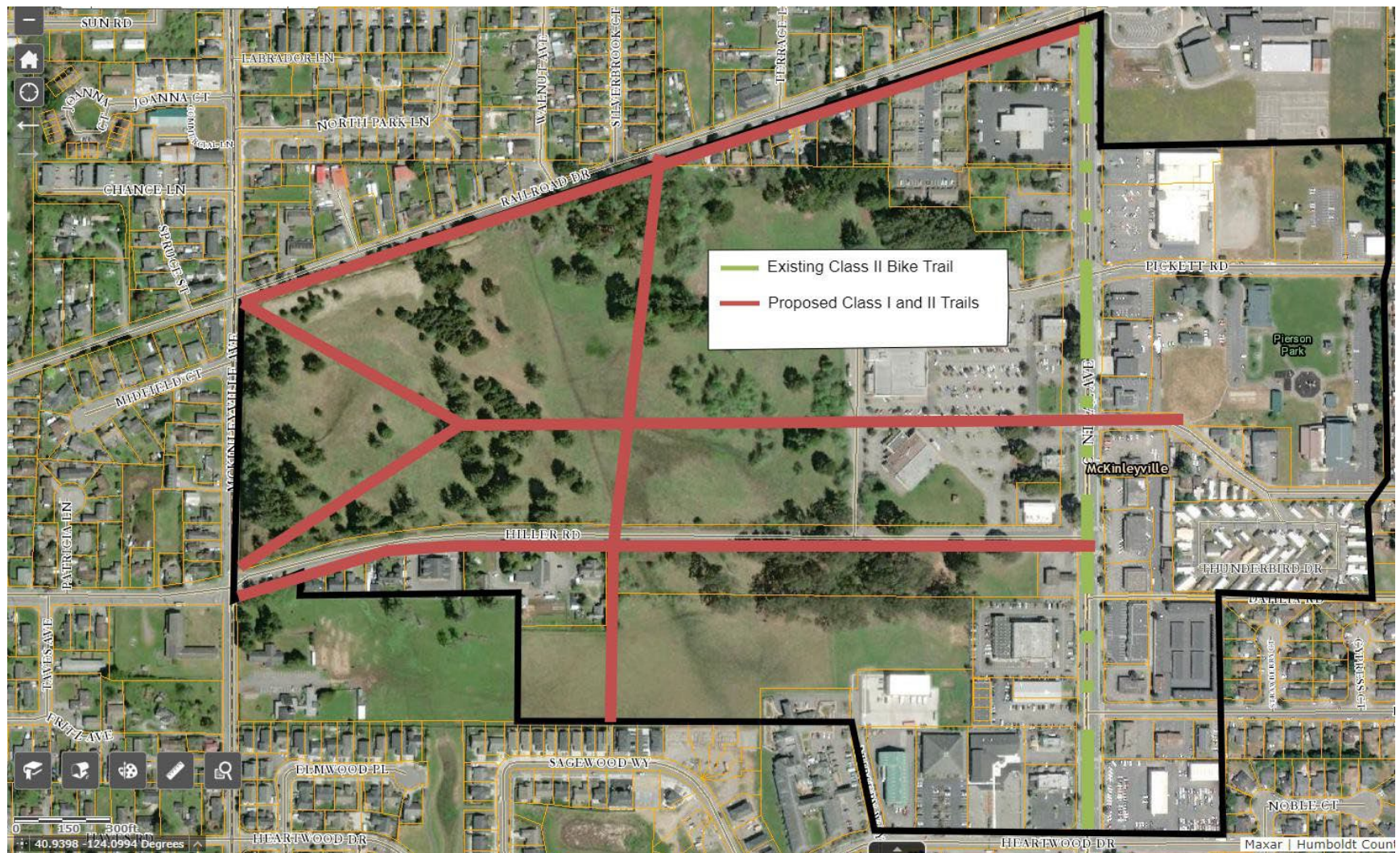
4.3.1.3.2 North-South connector linking the Mid-Town trail.

4.3.1.3.3 Class I bicycle path along Hiller connecting McKinleyville Ave and Central.

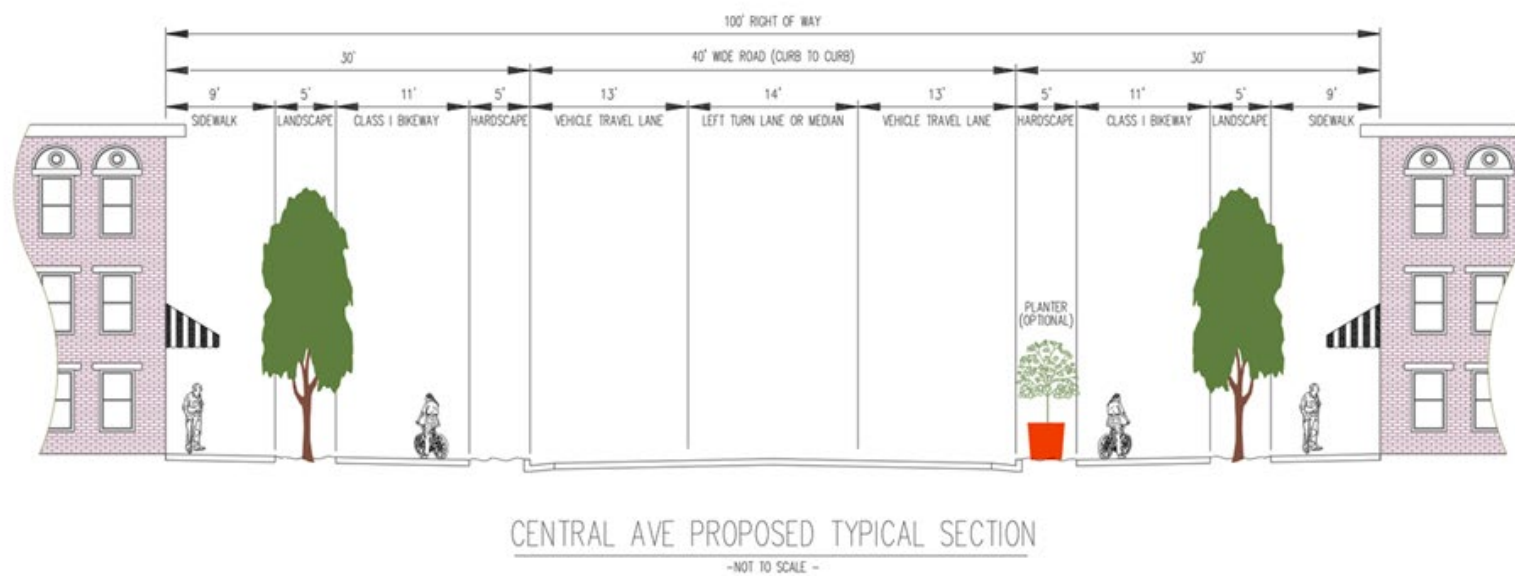
These bicycle/pedestrian connections shall be constructed as part of subdivision improvements, site improvements associated with development, or shall be completed prior to twenty-five percent (25%) of the currently undeveloped portion of the Town Center area is developed.

4.3.1.4 **Transit Facilities.** There shall be an enhanced transit facility located with convenient access to Central Avenue providing simultaneous loading space for multiple buses, bike lockers, and if grant or other funding is available, space for park and ride. This shall be constructed and operational before fifty percent (50%) of the buildable town center area is developed.

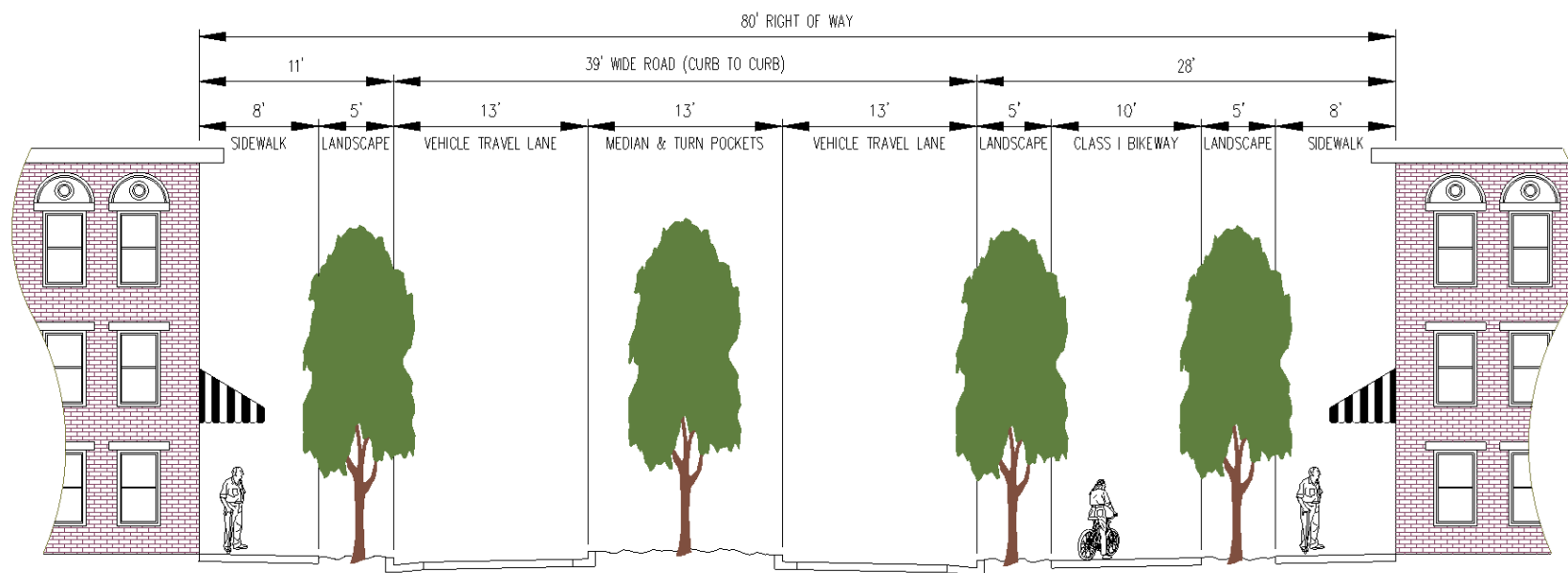
4.3.2 Map 3 – Bike and Pedestrian Connections



4.3.3 Exhibit 1 – Central Cross Section



4.3.4 Exhibit 2 – Hiller Road Cross Section



HILLER ROAD PROPOSED TYPICAL SECTION

-NOT TO SCALE -

ON STREET PARKING (PARALLEL OR ANGLED) TO BE ADDED AS REQUIRED; ADDITIONAL RIGHT OF WAY REQUIRED
LANDSCAPING IS DEPENDENT UPON A PERMANENT FUNDING SOURCE BEING PROVIDED TO FUND FOR ONGOING MAINTENANCE

4.3.5 Standards for Landscaping along Thoroughfares

4.3.5.1 Thoroughfare designs include areas for landscaping which shall include plants from the list in Exhibit A and achieve the following:

4.3.5.1.1 Street trees capable of reaching a height of 20 feet and planted approximately 25 feet apart.

4.3.5.1.2 Delineator trees and shrubs capable of producing color to demarcate intersections and driveways.

4.3.5.1.3 Landscape materials shall be spaced to maintain frontage visibility and safety.

4.4 Town Center Area Site Design and Development Standards

4.4.1 **Design Review.** Review for compliance with the provisions of this ordinance shall be through a Zoning Clearance Certificate issued by the Director of Planning and Building. The purpose of the design review is to ensure that structures are properly designed for the site and harmonized with surrounding sites and structures and to comply with the provisions of this Q-Zone.

4.4.1.1 **Architecture.** Originality in architecture is encouraged. Architecture that is inharmonious and monotonous is prohibited in accordance with the provisions of the Q Zone.

4.4.1.2 **Site Design.** Site design shall include the required provisions of this Q-zone, including pedestrian connections, plazas and people spaces, appropriate landscaping, and location of the building on the property.

4.4.1.3 **Submittal Requirements.** The following items shall be submitted as part of the Building Permit/Zoning Clearance Certificate application:

4.4.1.3.1 **Site Plan.** A site plan, drawn to scale, showing the proposed layout of structures and other improvements, including, where appropriate, driveways, pedestrian walks, off-street loading areas, landscaped areas, fences, and walls.

4.4.1.3.2 **Landscape Plan.** A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and proposed to be retained

on the site, the location and design of landscaped areas, and the varieties of plant materials to be planted therein, and other landscape features.

4.4.1.3.3 Architectural Drawings. Architectural drawings or sketches, drawn to scale, showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified and scale drawings of all signs subject to architectural review showing the size, location, material, colors, and illumination.

4.4.1.3.4 Requests to Deviate. Requests to deviate from the provisions of this Q-Zone may be allowed subject to approval of a Conditional Use Permit by the Planning Commission.

4.4.2 Parking Requirements. This section modifies the Off-Street Parking standards specified in Section 314-109.1 and Mixed Use (Urban) standards specified in Section 314-9.3.

4.4.2.1 Parking Plan.

There is no minimum off-street parking requirement for non-residential development within the Town Center. Where parking is desired, parking shall be in a common parking lot established and maintained through the formation of a parking district or private parking lot.

4.4.2.2 Residential Off-Street Parking

On-site, off-street parking may be provided for residential development at a rate not to exceed one parking space for each residential unit. Additional guest parking may be provided in a common off-site parking facility.

4.4.2.3 Bicycle Parking Requirement

4.4.2.3.1 Commercial or Mixed-Use Developments

4.4.2.3.1.1 A minimum of five bicycle parking spaces shall be provided for any mixed use or commercial development project of more than 10,000 square feet.

4.4.2.3.1.2 Bicycle parking shall be located no further than 100 feet away from a building entrance and be visible from the uses they serve.

Facilities shall not be in places that impede pedestrian flow or would cause damage to landscaping.

4.4.2.3.1.3 The Planning Director may reduce the required minimum number of off-street vehicle parking spaces for mixed use project by one (1) off-street vehicle space for every five (5) additional bicycle spaces provided, up to a maximum reduction of ten percent (10%).

4.4.2.3.2 Residential Development

4.4.2.3.2.1 A minimum of one (1) bicycle parking space shall be provided per residential unit.

4.4.2.3.2.2 Bicycle lockers shall be provided for each residential unit without a garage.

4.4.3 Parking Lot Design and Landscaping Requirements

4.4.3.1 Driveways shall be located away from intersections and designed to minimize conflicts with pedestrian traffic.

4.4.3.2 Parking areas shall include a minimum 10-foot-wide planter around the perimeter of the parking area and contain trees and other plant materials capable of creating a visual buffer from the street and surrounding properties.

4.4.3.3 Pedestrian walkways shall be provided from existing or proposed public sidewalks to the customer entrance of all buildings on the site. Walkways shall connect pedestrians to transit stops, street crossings, store entry points, central features, and community spaces on or adjoining the site. Landscaped areas shall be provided along the length of the sidewalk or walkway that include trees, shrubs, ground covers, or other such materials without obstructing the path of travel or creating protruding objects.

4.4.3.4 Parking provided in open areas shall include the following:

4.4.3.4.1 A minimum of 1 tree for every 8 parking spaces; and

4.4.3.4.2 Trees shall be placed evenly throughout the parking lot to provide visual variety in the parking lot.

-
- 4.4.3.5 Planters shall be placed at the end of parking rows and shall be at least 4-feet wide and include trees, shrubs and groundcover.

4.4.4 Site Landscaping

- 4.4.4.1 All lot areas not covered by structures, parking lots, curbs and gutters or walkways shall be permanently landscaped with decorative plazas, pools, or the planting of grass, shrubs or trees or other comparable surface covers. All planted landscaped areas shall be provided with an irrigation system to establish landscaping and maintain landscaping during abnormally dry periods.
- 4.4.4.2 Where buildings are not placed at the back of sidewalk, landscape treatment shall be designed and maintained to emphasize building entrances.
- 4.4.4.3 Landscaped areas may be designed to serve as stormwater management areas (e.g., bioswales).
- 4.4.4.4 New landscaping shall include drought resistant species native to the coastal region of Northern California or noninvasive naturalized species that have adapted to the climatic conditions of the coastal region of Northern California. Climate adapted plants, preferably native, that require occasional, little or no summer water (average WUCOLS plant factor 0.3) shall be used for one hundred percent (100%) of the plant area excluding edibles and areas using recycled water.
- 4.4.4.5 Turf area shall not exceed 25% of the landscape area.
- 4.4.4.6 Turf is not allowed in non-residential projects.
- 4.4.4.7 Landscaping shall include at least one tree installed per 25 feet of frontage on public or private streets.
- 4.4.4.8 Landscaping adjacent to Open Space areas shall consist of trees, shrubs, and ground covers native to Humboldt County and are appropriate to the conditions of the site. Non-invasive and naturalized or ornamental species may also be permitted as per recommendations from a licensed landscape architect.

4.4.5 Public Open Spaces.

The development in the town center shall provide open space areas where the public can gather, vendors can display goods and provide opportunities for other public enjoyment. A minimum of three percent (3%) of the developable but undeveloped area of the Town Center shall be devoted to this open space. A minimum of 20,000 square feet of this shall be provided in a common open space area. This shall be outside of other required components of the site design and may be centralized at one location. Provisions shall be made to demonstrate how this provision will be addressed either at the time of subdivision or when the first new development is proposed.

4.4.6 Lighting

4.4.6.1 All areas shall be appropriately illuminated to protect public safety. Lighting without a clear public safety purpose is not allowed. Lighting shall be directed at the area which requires illumination.

4.4.6.2 Prior to issuance of permits, new development shall demonstrate exterior and site lighting meets the following criteria:

4.4.6.2.1 Minimum and maximum lighting levels.

- i. Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5- foot candle.
- ii. Moderate (for moderate or high-volume pedestrian areas) of 1-2-foot candles.
- iii. Maximum (for high volume pedestrian areas and building entries) of 4-foot candles.

4.4.6.2.2 Fixture heights shall be the lowest possible to meet minimum lighting requirements but in no case taller than 20 feet. All lighting shall be shielded to prevent glare above the lighting fixture and to prevent light spillover beyond the area to be illuminated.

4.4.6.2.3 Glare. No use shall create intense light or glare that causes a nuisance or hazard beyond the property line.

4.4.6.2.4 Lighting shall be minimized near Wetland Buffers or natural open space areas. Walkways and bicycle paths in open space areas shall be illuminated with bollard-scale light fixtures illuminating the path while shielding the light from natural areas.

4.4.7 Other Design Standards

4.4.7.1 **Outdoor trash location.** Service areas shall be subject to the following requirements:

4.4.7.1.1 The service elements shall be paved with concrete.

4.4.7.1.2 Enclosed and screened by a wall at least six feet high. Enclosures shall use materials and detailing consistent with primary structures on-site. The materials and design shall provide for a durable enclosure.

4.4.7.1.3 The sides and rear of the enclosure must be abutting another structure or screened with landscaping at least three feet high or at least five feet wide.

4.4.7.1.4 Collection points shall be located and configured to minimize conflicts with pedestrian or vehicle traffic.

4.4.7.1.5 Recyclables shall be protected by using weatherproof containers or by providing a roof over the storage area.

4.4.7.2 **Rooftop Mechanical Equipment** shall be screened, with elements integral to the design of the building.

4.4.7.3 **Odors.** No use shall create objectionable odors readily detectable beyond the property line.

4.4.7.4 **Dust and Smoke.** No use shall create dust or smoke that is readily detectable beyond the property line (in addition to meeting all applicable air pollution requirements).

4.4.7.5 **Vibration.** No use shall create vibration detectable without instruments at the property line.

4.5 Protection and Conservation of Wetland Areas

- 4.5.1 Wetlands are a valuable resource and shall be conserved through onsite protection of wetlands or through relocation and replacement of wetlands on a no-net-loss basis. Wetland Areas will continue to be an amenity of the Town Center through protection, enhancement, and relocation of wetlands.
- 4.5.2 The 14 acres of property south of Railroad, east of McKinleyville Avenue, north of Hiller Road and west of the spruce trees are envisioned as a wetland preservation and conservation area. Wetland areas within the Town Center may be filled and relocated to this area.
- 4.5.3 Prior to issuance of any permits or granting of any entitlements on property within the Town Center, a wetland delineation shall be completed delineating all one, two, and three parameter wetlands (HCC Section 314-61.1.7.6.5) which exist on the property. Previously developed property is exempt from this requirement. This exemption extends to storm drain ditches graded to transport storm water outside of a natural channel or wetland.
- 4.5.4 Prior to issuance of construction permits or as part of a subdivision approval, a plan must be reviewed and approved by the approving authority demonstrating that either the wetland areas will be protected in place in accordance with HCC Section 314-61.1.7.6.6 or identifying how the wetland areas will be relocated and conserved.
- 4.5.5 Plans to relocate wetland areas shall include:
 - 4.5.5.1 A mapped delineation of the wetlands to be impacted;
 - 4.5.5.2 Wetlands to be filled shall be replaced on a 1.5:1 basis, where a minimum of 1.5 square feet of wetland shall be provided for each square foot of wetland impacted. This ratio is based upon equivalent wetland replacement. Credit may be given for wetland replacement which has a higher habitat value but in no case shall the replacement ratio be less than 1:1 and mitigation shall provide an equal value of wetland habitat impacted;
 - 4.5.5.3 Grading plan showing how the site will be configured to ensure successful wetland creation;

-
- 4.5.5.4 Storm water shall not drain directly into retained or recreated wetlands but shall be subject to some passive treatment either through a bioswale or sheet flow across grassland;
 - 4.5.5.5 The planting scheme and plant material proposed;
 - 4.5.5.6 Success and Monitoring Criteria: Annual monitoring criteria to rate the success of the wetland creation or enhancement effort. The monitoring period shall be a minimum of 5 years but shall not be concluded until the success objectives have been achieved for three consecutive years. Each year a monitoring report shall be provided to the Planning and Building Department evaluating the success of the plan implementation and provide suggested remedial measures needed to achieve the success criteria;
 - 4.5.5.7 The plan shall describe the long-term plan for ownership and maintenance of the wetland conservation area. Retained and relocated wetlands shall be protected from future development through a permanent conservation easement or other instrument ensuring the biological resource values of the wetland areas will be maintained or enhanced in perpetuity;
 - 4.5.5.8 The Planning and Building department shall consult with the California Department of Fish and Wildlife prior to approval of the plan;
 - 4.5.5.9 Mitigation credit will be given for relocation of the drainage channel parallel to McKinleyville Avenue if it is moved to the east and graded to support a riparian stream cross section in such a manner as to allow bicycle and pedestrian connectivity along McKinleyville Avenue.

4.5.6 Preservation of Important Trees

- 4.5.6.1 There are significant trees within the Town Center area, and some of them will be retained and incorporated into the Town Center design as follows:
 - 4.5.6.1.1 The Spruce Grove north of Hiller and south of Railroad will be preserved as a buffer between the developed Town Center and the wetland preserve to the west. Prior to development around the trees, an arborist shall provide a report on the health and viability of the trees. Any trees deemed hazardous or in declining health shall be removed. Trees approved for removal shall be replaced with like species. A minimum of

50% of the area containing the grove shall be retained for public open space and up to 50% may be incorporated into the developed environment.

- 4.5.6.1.2 There is a small clump of Redwood trees near the back of the existing shopping center, these trees shall be retained as part of a small pocket park.

EXHIBIT A: McKinleyville Town Center Plant List

Native Ground Covers

Arctostaphylos Columbiana x media Hybrid Manzanita
Arctostaphylos uva-ursi Kinnikinnick
Arctostaphylos uva-ursi x A. nummularia Emerald Carpet
Baccharis pilularis 'Pigeon Point' Dwarf Coyote brush
Carex nudata Torrent Sedge
Ceanothus gloriosus 'Anchor Bay'
Ceanothus hearstiorum Hearst's Ceanothus
Fragaria vesca Wood Strawberry
Oxalis oregana Redwood sorrel (shade)

Native Small Perennials

Achillea millefolium Yarrow
Armeria maritima ssp. *Californica* Sea Thrift
Artemisia douglasiana California Mugwort
Epilobium septentrionale 'Mattole select' Northern Willowherb
Eriogonum arborescens Santa Cruz Island Buckwheat
Eriogonum fasciculatum California Buckwheat
Eriogonum latifolium Coast Buckwheat
Eriophyllum lanatum Common Woolly Sunflower
Heuchera maxima Island Alumroot
Festuca californica California Fescue
Festuca rubra 'Sumeg' Red Fescue
Calamagrostis foliosa Leafy Reed Grass
Phacelia californica Rock Phacelia
Polystichum munitum Sword Fern
Sidalcea malviflora ssp. *patula* Sisikyou Checkerbloom
Sisyrinchium bellum Blue-eyed Grass
Sisyrinchium californicum Golden-eyed Grass
Struthiopteris spicant Deer fern
Tanacetum bipinnatum Dune Tansy
Tellima grandiflora Fringe Cups

Native Shrubs

Arctostaphylos densiflora 'Howard McMinn' Manzanita
Arctostaphylos Columbiana
Berberis spp. Oregon Grape
Cornus sericea Red Osier Dogwood
Diplacus aurantiacus Bush Monkey Flower
Garrya fremontii Bearbush
Frangula californica Coffeeberry
Gaultheria shallon Salal
Rhododendron occidentale Western Azalea
Spiraea douglasii Douglas' Spiraea
Cornus sericea kelseyi Kelsey's dwarf red-osier dogwood

Non-Native Hybrid Shrubs (sterile)

Rhododendron
Azalea
Rose

Native Small Trees

Acer circinatum Vine Maple
Corylus cornuta Beaked Hazelnut
Ceanothus thyrsiflorus California Lilac
Garrya elliptica 'James Roof' Coast Silk Tassel
Frangula purshiana Cascara
Holodiscus discolor Oceanspray
Lonicera involunrata Twinberry
Morella californica Pacific Wax Myrtle
Physocarpus capitatus Pacific ninebark
Ribes sanguineum Red-flowering Currant
Sambucus racemosa Red Elderberry
Vaccinium ovatum Evergreen Huckleberry

Non-Native Hybrid Trees (sterile)

Arbutus unedo Strawberry Tree
Lyonothamnus floribundus ssp. *asplenifolius* Catalina Ironwood

Native Wetland Plants

Carex obnupta Slough Sedge
Petasites frigidus var. *palmatum* Western Coltsfoot
Salix hookeriana Coastal Willow
Salix stichensis Sitka willow
Hosackia gracilis Harlequin Lotus
Juncus patens Common Rush
Lysichiton americanus Skunk Cabbage
Nasturtium officinale Watercress
Oenanthe sarmentosa water parsley
Spiraea douglasii Douglas's Spiraea

PROHIBITED PLANTS

Acacia & Eucalyptus trees, all Broom species, Gorse, Cotoneaster, Crocosmia (montbretia), English Ivy, Himalaya Berry, Heath, Heather, Holly, Pampas Grass, Pittosporum, Large-growing trees: Redwood, Spruce, Fir, Pine, Alder, Maple

This list is not exhaustive. Additional ecologically suitable native plants and sterile non-natives should be considered on a case-by-case basis.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect and be in force thirty (30) days from the date of its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____ on the following vote, to wit:

AYES: Supervisors: --

NOES: Supervisors: --

ABSENT: Supervisors: --

Michelle Bushnell, Chair
Board of Supervisors of the County of Humboldt,
State of California

(SEAL)

ATTEST:

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

By: _____
Kaleigh Maffei, Deputy Clerk

EXHIBIT B: Legal Description

“McKinleyville Town Center Q – Qualified Combining Zone” means and refers to the inland unincorporated area in the County of Humboldt that lies within the boundaries of the areas shown in Map 1 – Zoning Map, of Ordinance No. _____.