

ORDINANCE No. 2078

AMENDING SECTION 313-4 OF THE HUMBOLDT COUNTY CODE
TO REZONE PROPERTY IN THE EUREKA COMMUNITY PLANNING AREA
(EUREKA COMMUNITY PLAN IMPLEMENTATION)

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

SECTION 1.

PARAGRAPH 1.1 ZONE AMENDMENT. Section 313-4 of the Humboldt County Code is hereby amended by reclassifying the property described in Exhibit A (Elk River parcels) to a zone of "AG-B-5(5)-Q" (Qualified Agricultural General-5 acre minimum). The properties are also shown on a map entitled "Eureka Area Community Plan Zoning" on file at the Humboldt County Planning and Building Department.

PARAGRAPH 1.2 ZONE QUALIFICATION. The special restrictions and regulations set forth in this section are hereby applicable to the property described in Paragraph 1.1 in accordance with Humboldt County Code Section 315-6, which authorizes restriction of the AG-B-5(5) regulations by application of the "Q" (Qualified Combining) Zone.

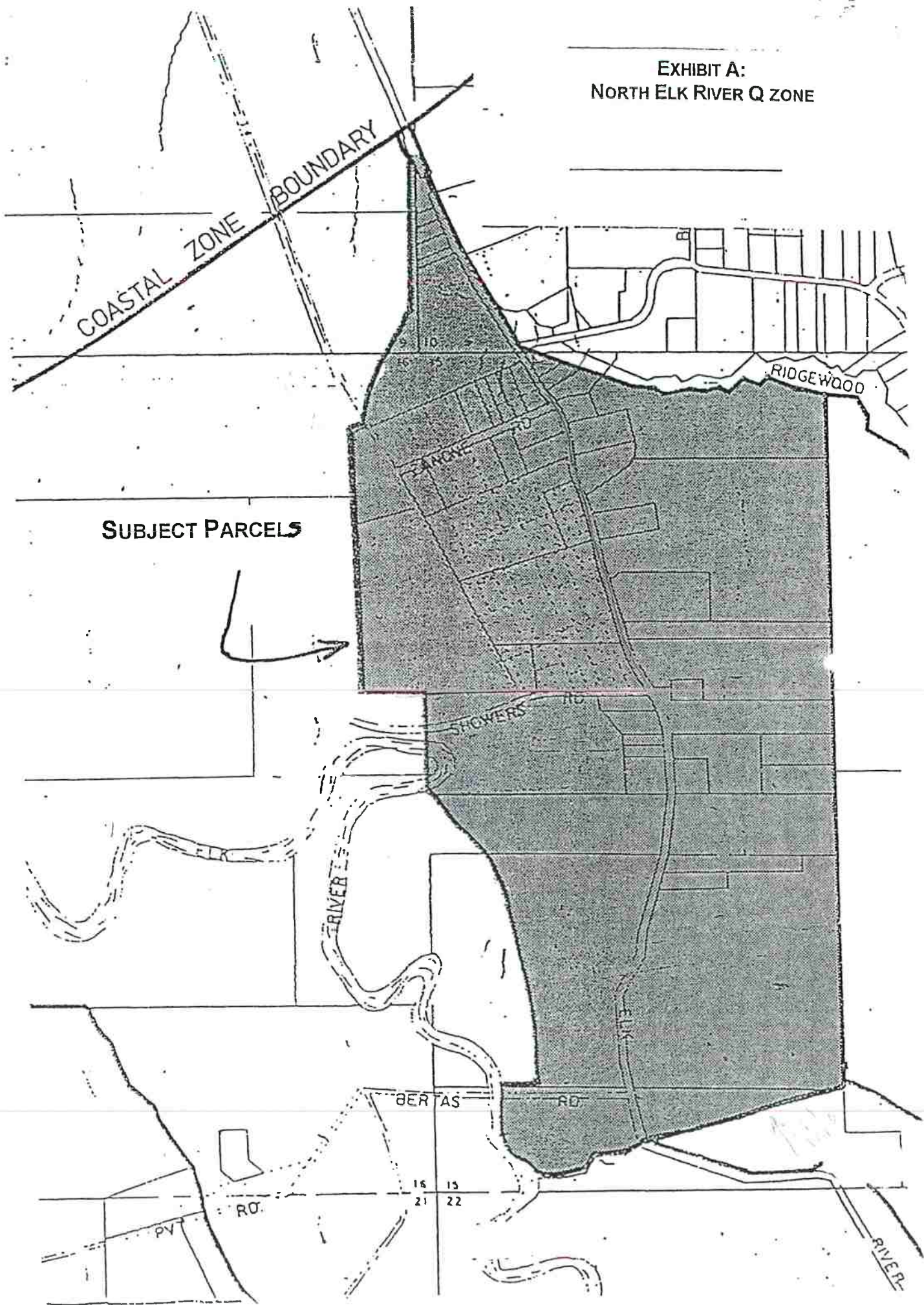
PARAGRAPH 1.3 PURPOSE OF QUALIFICATIONS. The purpose of the special restrictions and regulations herein imposed on the property described in Paragraph 1.1 are:

- a. To restrict uses on the subject parcels, as shown on Exhibit A, to allow agriculture as the predominant use and rural residential uses as secondary uses.

PARAGRAPH 1.4 SPECIAL RESTRICTIONS. Conditionally permitted uses and other regulations otherwise allowed under the AG-B-5(5) (Agricultural General-5 acre minimum) Zone regulations of Humboldt County Code Section 314-18 (b) and (c) shall not be allowed on property in the area described in paragraph 1.1 except as provided below:

- (b) Uses Permitted with a Use Permit
 1. Secondary Dwelling Units meeting density requirements.
- (c) Other Regulations
 1. Land fills and commercial refuse burning are prohibited.
 2. Two or more adjoining parcels under one ownership shall be considered as one unit for agricultural purposes only.

EXHIBIT A:
NORTH ELK RIVER Q ZONE



SECTION 2.

PARAGRAPH 2.1 ZONE AMENDMENT. Section 313-4 of the Humboldt County Code is hereby amended by reclassifying the property described in Exhibit B/Area 1 (North Eureka City Schools property) to a zone of "C-1-Q" (Qualified Neighborhood Commercial), and Exhibit B/Area 2 (South Eureka City Schools property) to a zone of "R-4-Q" (Qualified Apartment Professional). The property is also shown on a map entitled "Eureka Area Community Plan Zoning" on file at the Humboldt County Planning and Building Department.

PARAGRAPH 2.2 ZONE QUALIFICATION. The special restrictions and regulations set forth in this section are hereby applicable to the property described in Paragraph 2.1 in accordance with Humboldt County Code Section 315-6, which authorizes restriction of the C-1 and R-4 regulations by application of the "Q" (Qualified Combining) Zone.

PARAGRAPH 2.3 PURPOSE OF QUALIFICATIONS. The purpose of the special restrictions and regulations herein imposed on the property described in Paragraph 2.1 are:

For Area 1:

- a. To restrict occupancy of any structure until all Public Works recommended road improvement requirements are met on property described as the northern 3.8 acre portion of the Eureka City Schools property, as shown on Exhibit B.

For Area 2:

- a. To restrict all uses otherwise allowed in the R-4 zone except for medical, dental, and other health related uses on property described as the remaining southern portion of the Eureka City Schools property, as shown on Exhibit B.

PARAGRAPH 2.4 SPECIAL RESTRICTIONS (AREA 1). For Area 1, as shown on Exhibit B and as described in paragraph 2.1, the following restrictions shall apply in addition to any other regulations set forth at Humboldt County Code Section 314-34:

(a) Other Regulations

- (1) Occupancy of any structure shall be restricted until all Department of Public Works' recommended improvement requirements have been met and completed to the satisfaction of the Department of Public Works.

PARAGRAPH 2.5 SPECIAL RESTRICTIONS (AREA 2). For Area 2, as shown on Exhibit B and as described in paragraph 2.1, principal permitted uses and conditionally permitted uses otherwise allowed under the R-4 (Apartment Professional) Zone regulations of Humboldt County Code Section 314-31 (a) and (b) shall not be allowed on the property described in paragraph 2.1 except as provided below:

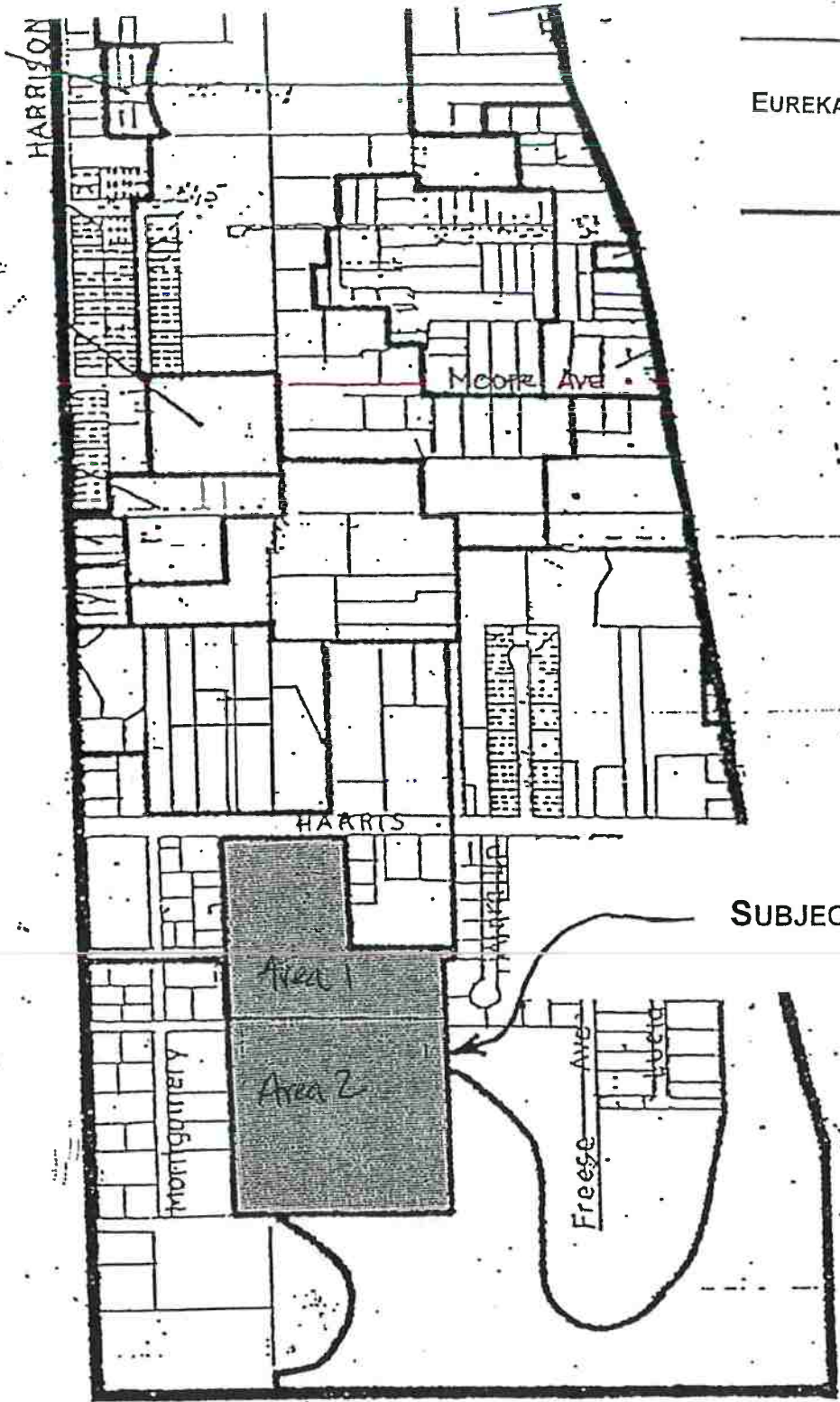
(a) Principal Permitted Uses

- (1) Medical, dental and other health related offices and facilities.

(b) Uses Permitted with a Use Permit

- (1) None.

EXHIBIT B:
EUREKA CITY SCHOOLS Q ZONE



SUBJECT PARCEL