

ORDINANCE NO. 1467

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING
THE LAND USE CODE OF THE ARCATA MUNICIPAL CODE TO CREATE A
CREAMERY DISTRICT COMBINING ZONE**

**TITLE IX—PLANNING AND ZONING
CHAPTER 1—PLANNING AND ZONING STANDARDS
SECTION 9000—LAND USE CODE (LUC)
SECTION 9.12.020—ZONING MAP AND ZONING DISTRICTS
SECTION 9.26.030—COMMERCIAL, INDUSTRIAL, AND PUBLIC FACILITY
ZONING DISTRICTS
SECTION 9.28.120 (NEW)—CREAMERY DISTRICT (:CD) COMBINING ZONE**

The City Council of the City of Arcata does hereby ordain as follows:

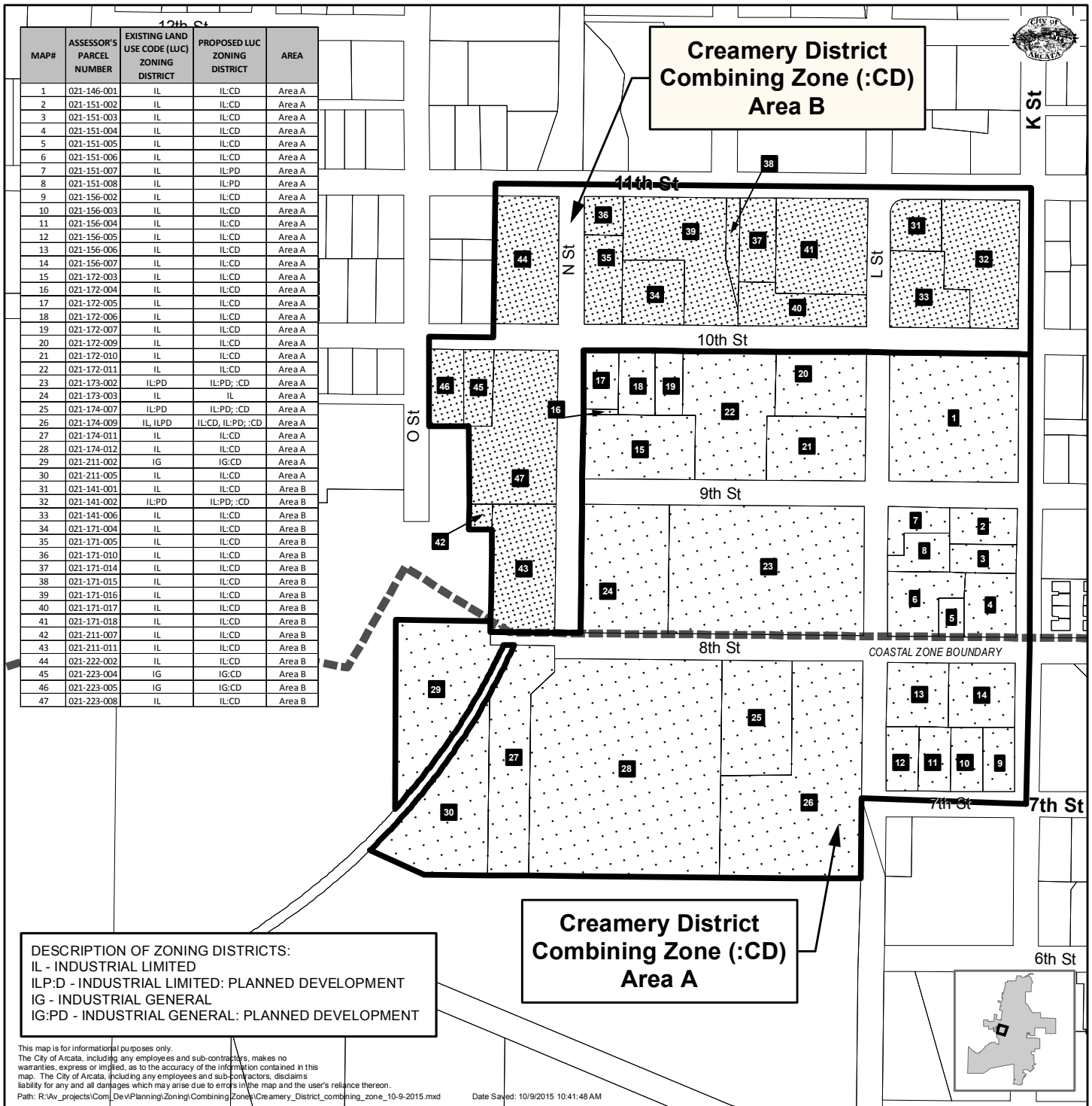
Section 1. Amendment to Zoning Map. The Zoning Map of Title IX, *Planning and Zoning*, Chapter 1, *Planning and Zoning Standards*, Section 9000, *Land Use Code*, Article 1, *LUC Applicability*, Section 9.12.020 *Zoning Map and Zoning Districts*, on file with the Community Development Department, is hereby amended by the creation of a Creamery District Combining Zone as shown on the following figure, which shall be incorporated into the Zoning Map on file, and the property identified in the figure below is hereby rezoned.

Zoning Map Amendment—Creamery District Combining Zone

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Exhibit 1 Creamery District Combining Zone (:CD)

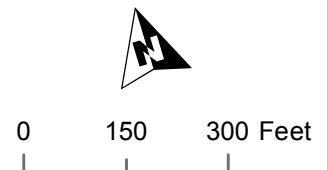
October 2015



Legend

- City of Arcata Parcel
- Coastal Zone Boundary

- Creamery District Combining Zone (:CD)
- Area A
 - Area B



Section 2. Amendment to Zoning Districts; Table 1-1. The Zoning Districts as shown in Table 1-1 of Title IX, *Planning and Zoning*, Chapter 1, *Planning and Zoning Standards*, Section 9000, *Land Use Code*, Article 1, *LUC Applicability*, Section 9.12.020 *Zoning Map and Zoning Districts*, are hereby amended by the addition of a Creamery District Combining Zone as shown in the following underscore text:

Table 1-1—Zoning Districts

Zoning District Symbol	Name of Zoning District	General Plan Designation Implemented by Zoning District
***	***	***

Combining Zones

:CD	<u>Creamery District</u>	<u>Industrial Limited</u>
:HL	Historic Landmark	All
:NH	Natural Hazards	All
:NCA	Neighborhood Conservation Area	All
:PA	Plaza Area	Commercial - Central
:PD	Planned Development	All
:SCA :SCNR :SCR :SCC :SCI :SCP	Special Considerations - Agricultural Special Considerations - Resource Special Considerations - Residential Special Considerations - Commercial Special Considerations - Industrial Special Considerations - Public Facility	Agricultural Natural Resource Residential Commercial Industrial Public Facility
:WP	Wetland Protection	Natural Resource - WSP
:SP	Stream Protection	Natural Resource - WSP

Section 3. Amendment to Allowable Land Uses; Table 2-10. The Allowable Land Uses for the Commercial, Industrial, And Public Facility Zoning Districts depicted in Table 2-10 of Title IX, *Planning and Zoning*, Chapter 1, *Planning and Zoning Standards*, Section 9000, *Land Use Code*, Article 2, *Zoning Uses*, Section 9.26.030 *Commercial, Industrial, And Public Facility Zoning District Allowable Land Uses*, are hereby amended by the addition of allowable uses in the Creamery District Combining Zone as shown in the following underscore text:

**Table 2-10—
Allowable Land Uses and Permit Requirements for Commercial, Industrial, And Public
Facility Zoning Districts**

TABLE 2-10 Allowed Land Uses and Permit Requirements for Commercial, Industrial, and Public Facility Zoning Districts	P	Permitted Use, Zoning Clearance required								Specific Use Regulations
	MUP	Minor Use Permit required								
	UP	Use Permit required (2)								
	S	Permit determined by specific use regulations								
	—	Use not allowed								
	PERMIT REQUIRED BY DISTRICT									
LAND USE (1)	CC	CG	CV	CM	IL	IL-2	IG	PF		

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Agricultural cultivation - Medical Marijuana	—	—	—	—	UP	—	UP	—	9.42.105
Agricultural processing- Very low impact	—	—	—	—	P	<u>P</u>	P	—	
Agricultural processing- Low impact	MUP(4)	MUP(4)	—	—	P	<u>P</u>	P	—	
Biodiesel production	—	—	—	—	UP	<u>UP</u>	UP	—	
Composting	—	—	—	—	MUP	<u>MUP</u>	MUP	—	
Construction contractors	—	—	—	—	P	<u>P</u>	P	—	
Furniture and fixtures manufacturing, cabinet shop	—	UP	—	—	P	<u>P</u>	P	—	
Laboratory- Medical, analytical, R&D	—	P	—	—	P	<u>UP(8)</u>	P	—	
Laundry, dry cleaning plant	—	UP	—	UP	P	—	P	—	
Manufacturing/processing- Low impact	MUP(4)	MUP(4)	—	—	P	<u>P</u>	P	—	
Manufacturing/processing- Moderate impact	—	—	—	—	MUP	<u>MUP</u>	MUP	—	
Manufacturing/processing- High impact	—	—	—	—	—	—	UP	—	
Media production	P	P	—	—	P	<u>P</u>	P	—	
Printing and publishing	P	P	—	—	P	<u>P</u>	P	—	
Recycling- Processing facility	—	—	—	—	MUP	<u>MUP</u>	P	—	9.42.160
Recycling- Reverse vending machines	—	P	P	—	P	—	P	—	9.42.160
Recycling- Scrap and dismantling yards	—	—	—	—	—	<u>UP</u>	MUP	—	9.42.160
Recycling- Small collection facility	—	MUP	—	—	MUP	<u>MUP</u>	P	P	9.42.160
Solid waste disposal transfer station	—	—	—	—	UP	<u>UP</u>	UP	—	
Storage - Business records	MUP	MUP	—	—	MUP	<u>P</u>	MUP	—	
Storage - Outdoor	MUP	MUP	MUP	MUP	P	<u>MUP</u>	P	P	9.42.150
Storage - Personal storage facility (mini-storage)	—	UP	—	—	P	<u>P (7)</u>	P	—	
Storage - Warehouse, indoor storage	—	UP	—	—	P	<u>P</u>	P	—	
Wholesaling and distribution	—	P	—	—	P	<u>P</u>	P	—	

Key to Zoning District Symbols

CC	Commercial - Central	IL	Industrial – Limited
CG	Commercial - General	IL-2	Industrial – Limited 2 :Creamery District Zone
CV	Commercial - Visitor Serving	IG	Industrial – General
CM	Commercial – Mixed Use Center	PF	Public Facility

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

LAND USE	CC	CG	CV	CM	IL	IL-2	IG	PF	
Bar, tavern, pub	UP	UP	UP	UP	UP	<u>UP</u>	—	—	
Commercial recreation facility - Indoor	MUP	MUP	—	MUP	MUP	<u>P</u>	—	—	
Commercial recreation facility - Outdoor	—	MUP	MUP	—	—	<u>P</u>	—	—	
Conference/convention facility	UP	UP	UP	—	—	<u>P</u>	—	UP	
Fitness/health facility	MUP	P	—	MUP	P	<u>P</u>	—	—	
Library, museum, gallery	P	P	P	P	—	<u>P</u>	—	P	
Meeting facility, public and private	MUP	P	—	MUP	MUP	<u>P</u>	—	MUP	
Night club	UP	UP	UP	—	UP	<u>UP</u>	—	—	
Park, playground	P	—	—	—	—	<u>P</u>	—	P	
School - Elementary, middle, secondary	—	—	—	—	—	<u>P</u>	—	P	
School - Specialized education/training	UP	MUP	—	MUP	MUP	<u>P</u>	—	MUP	
Sex oriented business	—	UP	UP	UP	UP	---	UP	—	9.40
Sports and entertainment assembly facility	—	—	—	—	—	<u>MUP(8)</u>	—	UP	
Studio - Art, dance, martial arts, music, etc.	MUP	MUP	—	MUP	MUP	<u>P</u>	—	—	
Theater, auditorium	MUP	MUP	MUP	MUP	—	<u>P</u>	—	—	

RESIDENTIAL USES

LAND USE	CC	CG	CV	CM	IL	IL-2	IG	PF	
Caretaker/employee unit	—	P(5)	—	—	P(5)	<u>P(5)</u>	P(5)	P(5)	
Emergency shelter	—	UP	—	—	UP	<u>UP</u>	UP	MUP	
Group quarters	—	UP	—	—	UP	<u>MUP</u>	UP	MUP	
Home occupation	P	P	—	P	P	<u>P</u>	P	P	9.42.090
Live/work unit	P	P	—	P	P	<u>P</u>	—	—	9.42.100
Multi-family housing	P(3)	P(3)	—	P(3)	—	<u>P(3)</u>	—	—	9.42.110
Residential care facility, 7 or more clients	MUP	MUP	—	MUP	—	<u>MUP(7)</u>	—	MUP	
Single-family dwelling	P(3)	P(3)	—	P(3)	—	<u>MUP(7)</u>	—	—	

Key to Zoning District Symbols

CC	Commercial - Central	IL	Industrial – Limited
CG	Commercial - General	IL-2	Industrial – Limited 2 :Creamery District Zone
CV	Commercial - Visitor Serving	IG	Industrial – General
CM	Commercial – Mixed Use Center	PF	Public Facility

RETAIL TRADE (2)

LAND USE	CC	CG	CV	CM	IL	IL-2	IG	PF	
Accessory retail uses	P	P	P	P	P	<u>P</u>	—	P	9.42.020
Artisan shop	P	P	P	P	P	<u>P</u>	—	—	
Auto and vehicle sales and rental	—	UP	MUP	—	P	<u>MUP(8)</u>	—	—	
Auto parts sales with no installation services	P	P	P	P	P	<u>P</u>	—	—	
Building and landscape materials sales - Indoor	—	MUP	MUP	MUP	P	<u>P</u>	—	—	
Building and landscape materials sales - Outdoor	—	MUP	—	—	P	<u>P</u>	—	—	
Construction and heavy equipment sales and	—	MUP	MUP	—	P	<u>MUP</u>	—	—	

rental										
Convenience store	P	P	P	P	MUP	<u>MUP</u>	—	—		
Drive-through retail	—	UP	UP	—	—	<u>MUP(7)</u>	—	—	9.42.080	
Farm supply and feed store	—	P	P	—	P	<u>P</u>	—	—		
Farmers market / Produce stands	P	P	P	P	—	<u>P</u>	—	P		
Fuel dealer (propane for home and farm use, etc.)	—	MUP	MUP	MUP	MUP	<u>UP</u>	MUP	—		
Furniture, furnishings and appliance store	P	P	P	P	P	<u>P</u>	—	—		
General retail - Less than 20,000 sf	P	P	—	P	MUP	<u>P</u>	—	—		
General retail - 20,000 to less than 30,000	MUP	P	—	P	MUP	<u>MUP</u>	—	—		
General retail - 30,000 sf or more	UP	UP	—	UP	UP	<u>UP</u>	—	—		
Mobile eating and drinking vendors	P	P	P	P	P	<u>P</u>	P	P	9.42.140	
Mobile home, boat, or RV sales	—	—	MUP	—	P	<u>MUP(8)</u>	—	—		
Outdoor retail sales and activities	P	P	MUP	P	MUP	<u>P</u>	—	—	9.42.140	
Pet shop	—	P	—	P	P	<u>P</u>	—	—		
Restaurant, cafe, coffee shop	P	P	P	P	MUP	<u>P</u>	MUP	MUP		
Restaurant, formula	—	P	P	—	—	<u>UP</u>	—	—	9.42.164	
Second hand store	P	P	P	P	—	<u>P</u>	—	—		
Service station	—	MUP	MUP	MUP	MUP	<u>---</u>	—	—	9.42.180	
Shopping center	MUP	MUP	—	MUP	—	<u>MUP</u>	—	—		
Warehouse retail	—	UP	UP	—	UP	<u>UP</u>	—	—		

Key to Zoning District Symbols

CC	Commercial - Central	IL	Industrial - Limited
CG	Commercial - General	IL-2	Industrial - Limited 2 :Creamery District Zone
CV	Commercial - Visitor Serving	IG	Industrial - General
CM	Commercial - Mixed Use Center	PF	Public Facility

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

LAND USE	CC	CG	CV	CM	IL	<u>IL-2</u>	IG	PF	
ATM	P	P	P	P	—	<u>P</u>	—	—	
Bank, financial services	P	P	MUP	P	—	<u>P</u>	—	—	
Business support service	P	P	—	P	—	<u>P</u>	—	—	
Medical services - Doctor office	P	P	P	P	—	<u>P</u>	—	MUP	
Medical services - Clinic, lab, urgent care	MUP	MUP	MUP	MUP	—	<u>MUP</u>	—	MUP	
Medical services - Extended care	MUP	—	—	MUP	—	<u>MUP</u>	—	MUP	
Medical services - Hospital	—	UP	UP	—	—	<u>---</u>	—	UP	
Medical services - Medical marijuana cooperative or collective	UP	UP	—	—	—	<u>UP</u>	—	—	9.42.105
Office - Accessory	P	P	P	P	P	<u>P</u>	P	P	
Office - Business/service	P	P	—	P	P	<u>P</u>	—	—	
Office - Government	P	P	—	P	P	<u>P</u>	—	—	
Office - Processing	P	P	—	P	P	<u>P</u>	—	—	
Office - Professional	P	P	—	P	P	<u>P</u>	—	—	

SERVICES—GENERAL

LAND USE	CC	CG	CV	CM	IL	IL-2	IG	PF	
Adult day care	P(3)	P(3)	—	P(3)	MUP	<u>P</u>	MUP	P(3)	
Catering service	—	P	—	—	P	<u>P</u>	P	—	
Cemetery	—	—	—	—	—	---	—	UP	
Child day care center	P(6)	P(6)	—	P(6)	P(6)	<u>P(6)</u>	MUP	P(6)	9.42.070 (6)
Child day care - Large or small family day care home	P	P	—	P	P	<u>P</u>	—	—	
Drive-through service	—	MUP	MUP	MUP	—	<u>(MUP)</u>	—	—	9.42.080i
Drop-in center	—	UP	—	—	UP	<u>MUP</u>	UP	MUP	
Equipment rental	—	MUP	—	—	P	<u>P</u>	P	—	
Kennel, animal boarding	—	—	—	—	MUP	<u>UP</u>	MUP	—	
Lodging - Bed & breakfast inn (B&B)	MUP	MUP	MUP	MUP	—	<u>P</u>	—	—	9.42.060
Lodging - Hostel	MUP	MUP	MUP	MUP	—	<u>P</u>	—	—	
Lodging - Hotel or motel	P	MUP	P	MUP	—	<u>UP</u>	—	—	
Lodging - Recreational vehicle (RV) park	—	—	UP	—	—	<u>UP</u>	—	—	
Maintenance service – Client site services	P	P	—	—	P	<u>P</u>	P	—	
Mortuary, funeral home	—	MUP	—	—	—	---	—	—	

Key to Zoning District Symbols

CC	Commercial - Central	IL	Industrial – Limited
CG	Commercial - General	IL-2	<u>Industrial – Limited 2 : Creamery District Zone</u>
CV	Commercial - Visitor Serving	IG	Industrial – General
CM	Commercial – Mixed Use Center	PF	Public Facility

LAND USE	CC	CG	CV	CM	IL	IL-2	IG	PF	
Personal services	P	P	—	P	P	<u>P</u>	—	—	
Personal services - Restricted	—	P	—	—	—	---	—	—	
Public safety facility	—	—	—	—	—	---	—	MUP	
Repair service - Equipment, large appliances, etc.	—	—	—	—	P	<u>MUP (8)</u>	P	—	
Social service organization	P	P	—	P	P	<u>P</u>	—	MUP	
Vehicle services - Major repair/body work	—	MUP	MUP	—	P	<u>MUP (8)</u>	P	—	
Vehicle services - Minor maintenance/repair/retread	—	P	P	MUP	P	<u>MUP (8)</u>	P	—	
Veterinary clinic, animal hospital	—	MUP	MUP	MUP	—	<u>MUP (8)</u>	—	—	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

LAND USE	CC	CG	CV	CM	IL	IL-2	IG	PF	
Ambulance, taxi, or limousine dispatch facility	—	—	—	—	P	<u>P</u>	P	—	
Broadcasting studio	MUP	MUP	—	UP	P	<u>P</u>	UP	P	9.44
Parking facility, public or commercial	P	P	P	P	P	<u>MUP (8)</u>	P	P	
Pipeline, utility transmission or distribution line	MUP	MUP	MUP	MUP	MUP	<u>MUP</u>	MUP	MUP	
Telecommunications facility	UP	UP	UP	UP	UP	<u>UP</u>	UP	UP	9.44
Transit station or terminal	MUP	MUP	MUP	MUP	MUP	<u>MUP</u>	MUP	MUP	
Truck or freight terminal	—	—	UP	—	MUP	---	MUP	—	
Truck stop	—	—	UP	—	MUP	---	MUP	—	9.42.164

Utility facility	—	—	—	—	MUP	<u>UP</u>	MUP	P
Utility infrastructure	P	P	P	P	P	<u>P</u>	P	P

Key to Zoning District Symbols

CC	Commercial - Central	IL	Industrial – Limited
CG	Commercial - General	IL-2	Industrial – Limited 2 : <u>Creamery District Zone</u>
CV	Commercial - Visitor Serving	IG	Industrial – General
CM	Commercial – Mixed Use Center	PF	Public Facility

Notes:

- (1) See Article 10 (Glossary) for land use definitions.
- (2) Use Permit required for any proposed retail use with either: (a) a floor greater than 30,000 square feet; or (b) physical alteration of eight or more acres; or (c) generation of 1,000 or more vehicle trips per day. See also Section 9.26.060.
- (3) Residential units should only be located above nonresidential uses or at ground level behind the street-fronting nonresidential uses pursuant to Section 9.42.110.
- (4) Allowed only in conjunction with the on-site retail sale of products produced on the site.
- (5) More than one caretaker/employee unit per parcel requires a Use Permit pursuant to Section 9.72.080.
- (6) Principally permitted if the standards of Section 9.42.070 are met; otherwise a Minor Use Permit (MUP) is required.
- (7) Permitted Use in IL-2 Creamery District Overlay Zone Subarea A only. Subarea B requires either an MUP or UP as specified in Table 2-10.
- (8) Permitted Use in IL-2 Creamery District Overlay Zone Subarea B only. Subarea A requires either an MUP or UP as specified in Table 2-10.

[Drafter’s note: the footnote numbers “7” and “8” will become “8” and “9,” respectively, if pending Ordinance No. 1468 is adopted prior to this Ordinance No. 1467]

Section 4. Addition of Combining Zone. The Combining Zones of Title IX, *Planning and Zoning*, Chapter 1, *Planning and Zoning Standards*, Section 9000, *Land Use Code*, Article 2, *Zoning Uses*, are hereby amended by the addition of Section 9.28.120 *Creamery District (:CD) Combining Zone*, as shown in the following underscore text:

9.28.120—Creamery District (:CD) Combining Zone

- A. Purpose.** The :CD combining zone is intended to allow for a more diverse mix of uses, such as restaurants, bars, recreation facilities, theaters, retail trades, medical and dental offices, as well as other uses which are not currently permitted in an Industrial—Limited (IL) zoning district. Area A of Figure 2-24 is to be considered the core Creamery District and Area B is the transition area. The :CD combining zone will maintain and encourage the distinctive look and feel of the core Creamery District by utilizing the Site Planning and Building Standards (e.g. setbacks, landscaping, parking, etc.) of the Central—Commercial (CC) zoning district for Area A while maintaining the Site Planning and Building Standards of the IL zoning district within the Area B.
- B. Applicability.** The :CD combining zone applies to parcels specifically identified on Figure 2-24. The :CD combining zone includes Area A and B as shown on Figure 2-24.
- C. Land use and development standards.** Proposed development and new land uses within the :CD combining zone shall comply with the following:
 1. Allowable land uses and permit requirements for all lands within the :CD combining zone shall comply with the Industrial—Limited 2 (IL2) zoning district as shown in Section 9.26.030, Table 2-10 including applicable footnotes.
 2. Parcels located in the core area of the Creamery District (Area A) of Figure 2-24 shall utilize the CC zone district Parcel and Density Standards in Table 2-11, Section 9.26.040 and the CC zone district Site

Planning and Building Standards in Table 2-12, Section 9.26.050.

3. Parcels located in the transition area of the Creamery District (Area B) of Figure 2-24 shall continue to utilize the IL zone district Parcel and Density Standards in Table 2-11, Section 9.26.040 and the IL zone district Site Planning and Building Standards in Table 2-16, Section 9.26.050.

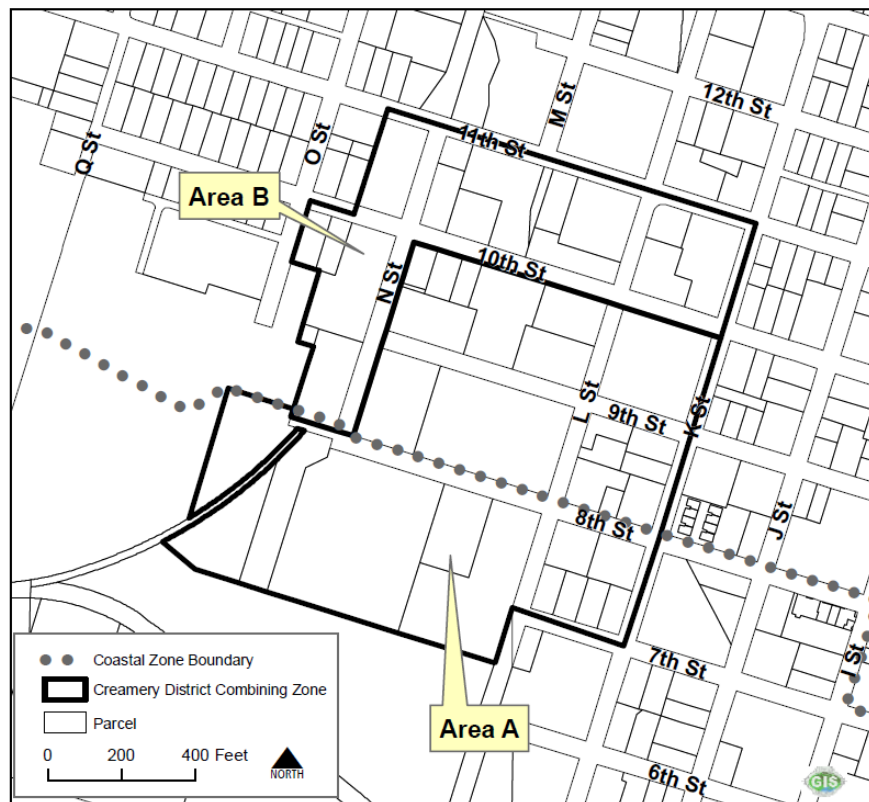


Figure 2-24 Creamery District (:CD) Combining Zone

Section 5. Findings of Approval. Based upon the whole record, information received in public hearings, comments from responsible agencies, and the Arcata Planning Commission recommendation PC-15-01, dated August 11, 2015, the following findings are hereby adopted:

1. The proposed amendments are consistent with the General Plan in accordance to California Government Code, Section 65860; and
2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The properties located within the Creamery District (:CD) combining zone as shown in Figure 2-24 are physically suitable (including absence of physical restraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designation and proposed or anticipated uses and/or development.

Section 6. California Environmental Quality Act (CEQA) Determination. This Ordinance is subject to the California Environmental Quality Act (CEQA) Guidelines §15061(b)(3) general rule and will not have a significant effect on the environment.

Section 7. Severability. If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 8. Effective Date. This ordinance shall take effect 30 days after adoption.

DATED: October 21, 2015

ATTEST:

APPROVED:

/s/ Bridget Dory
City Clerk, City of Arcata

/s/ Paul Pitino
Vice Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1467**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, held on the 21st day of October, 2015, by the following vote:

AYES: **PITINO, ORNELAS, PEREIRA, WHEETLEY**

NOES: **NONE**

ABSENT: **WINKLER (RECUSED)**

ABSTENTIONS: **NONE**

/s/ Bridget Dory
City Clerk, City of Arcata