

Chapter 10. Community Design

10.1 Introduction

The Community Design Element addresses the basic design elements of development pattern, streetscape, building form, and open space. Policies and implementation measures in the Community Design Element help define and promote community character, creating interesting and attractive spaces that provide positive experiences for those who live, work, play or travel there.

The Community Design Element is an optional element of the General Plan. It is becoming increasingly important in communities concerned with design and appearance. Also, the State is now holding communities accountable in their General Plans for improved community design. It recognizes that the form of communities influences automobile use, which in turn has implications for air quality, carbon dioxide emissions, and, ultimately, global warming. Communities with homes that are far away from places of work are going to encourage more automobile use than communities where people live closer to where they work.

Relationship to Other Elements

Design of communities at the regional level is most influenced by urban growth boundaries and agriculture and forest resource policies contained in the Land Use Element (Chapter 5). This Element focuses on design of the individual communities identified as Urban Study Areas (USA's) in Chapter 5 - the Land Use Element.

Policies in this Element are consistent with those in the Community Infrastructure and Services Element (Chapter 7), Circulation Element (Chapter 8), Housing Element (Chapter 9), Economic Development Element (Chapter 11), Energy Element (Chapter 17), and the Air Quality Element (Chapter 19), which promote compact development patterns, maintaining and enhancing community character, and encouraging a healthy economy. Key issues covered in these other chapters that affect community design include parcel size, residential density, the availability of public services, and the connectivity of the street network.

Open space areas that contribute to community design are considered in a number of other Elements. Chapter 12 (Conservation and Open Space) includes a table (Table 12-1) describing how open space areas are considered in various different chapters of the Plan. It describes open space areas that are set aside for active recreation, for protecting public safety from natural disasters, such as floods and earthquakes, and for protection of fish and wildlife habitat.

Finally, cultural and scenic resources that contribute to community design are addressed in Chapter 15 (Cultural and Scenic Resources). The Cultural Resources section includes policy options to protect cultural heritage, historic, prehistoric, and architectural resources, and the Scenic Resources section describes measures to protect visual resources. Particularly noteworthy are measures to regulate off-premise signs (billboards),

and policies to protect community separators, which promote a sense of community identity by maintaining a visible separation between communities.

10.2 Community Design - Past and Present

At the community level (which is the focus of this Element) several areas are looked at in considering community design: development on individual lots, streetscapes (the view of the street), and public and private open spaces.

Development on Individual Lots: Historically, new construction on private lands was largely unregulated, and development patterns were established according to the needs and desires of individuals and families and corporations. Basic health and safety considerations were factored into land use decisions, and public rights of way were protected.

Things began to change in the 1940's and 50's, when zoning was first introduced in the County to regulate specific uses at the neighborhood level. Zone districts were established in 1960 with the adoption of Title III of Humboldt County Code – Land Use and Development. The first countywide General Plan that mapped all land uses into discrete categories was approved in 1968. Low and high density residential, commercial and industrial areas were the predominant uses in the areas now considered USA's.

The present General Plan (the Framework Plan) refined these uses in 1984, and various community plans and the coastal plans made further refinements after that. Together, these plans and regulations prescribe the types of uses allowed, their location, and under what conditions they are allowed. They specify minimum required setbacks for new structures, maximum lot coverage (building area) and building height.

While the trends in the 1950's and 1960's were toward separating land uses, beginning in the early 1980's, the County began allowing certain land uses to be assembled together, mostly in response to the need for more housing. For example, the line between single family and two family zoning districts has been blurred by numerous changes to make it easier to build a second home on lots in single family zone districts. Since 2003, multifamily residential uses have been allowed in many commercial areas above commercial establishments.

The McKinleyville Community Plan (MCCP) took the concept of mixed uses and community design to a new level in 2002 with policies and standards to establish a "Town Center". The community plan describes the town center as, "a complete and integrated community containing housing, shops, work places, schools, parks and civic facilities essential to the daily life of the residents. The scale is designed so that housing, jobs, shopping, recreation and other activities are within easy walking distances of each other. This area also is intended to serve as a community focal point by providing an activity center and a place for formal and informal social/community interaction."

Further, the design of the commercial area is intended to "create an aesthetic composition of buildings and open space that will encourage frequent use." Policies in the plan are to develop guidelines to "help create a basis for building siting to assure a traditional village form and to avoid the standard strip shopping center look. The design encourages pedestrian and bicycle use, yet allows for convenient and safe automobile access."

Aside from local land use plans and zoning, State and federal mandates also shape new development in the County. For example, the use of timberlands is mostly governed by the State Forest Practices Act. Other State and federal regulations that affect the type, appearance and location of new development include the Earthquake Fault Zoning Act, and Flood Insurance program of the Federal Emergency Management Agency.

Streetscapes: Allowances for development on individual lots described above are related to streetscapes when the lots are fronting or visible from the street. In addition, road standards in the County's Subdivision Regulations (1971) control the design of streetscapes for the most part. The design, width and location of travel lanes and on-street parking facilities are all dictated by road standards. New policies and standards in the Circulation Element (Chapter 8) more directly address pedestrian and bicycle facilities in the design of streets.

Parking areas located adjacent to streets are also part of the streetscape, and they are regulated by parking standards in the zoning ordinance, which specify the number of spaces required, the size of parking spaces, and lighting and landscape requirements for parking areas.

Open spaces. Public open spaces other than streets include public parks and trails, and play areas that occur on school grounds. These facilities are presented in the Conservation and Open Space Element (Chapter 12).

Open spaces that are used by the public also occur on private lands. Shopping centers, for example, often include public seating areas. Farmer's Markets often set up shop in commercial parking areas. In the Eureka area, the Cutten Ball Fields are owned and operated by the Redwood Empire Little League, a non-profit corporation. And in the Garberville Area, the Garberville Town Square in the center of town, and the Southern Humboldt Community Park on the outskirts of Garberville are also owned by non-profit corporations.

Open spaces available to the public that occur in the coastal zone are protected by policies in the coastal plans. Policies apply to views of the coastline, scenic areas, and coastal access points, important components of community design. They are contained in Chapter 8 - the Circulation Element.

Environmentally sensitive habitat areas, such as wetlands and dunes, are also protected by the coastal plans. While access is often limited in these areas, they contribute to community design by providing natural open space areas for wildlife viewing, outdoor recreation, watershed management, and other similar uses. The Biological Resources Chapter (Chapter 14) contains these habitat protection policies.

10.3 Community Vision of Future Development Patterns

As expressed in the Guiding Principles in Chapter 1, the residents of Humboldt County envision a General Plan that will preserve the County's unique character and the quality of life they enjoy. They see the County continuing to be a place with a small town feel, a place to raise a family, with quality housing, schools, and recreational facilities.

Many residents value the existing rural and natural character of their communities and want to protect forest and agricultural lands for producing timber and agricultural

products. They also expressed the vision that streets and roads will be improved, expanding existing pedestrian and bicycle access. Additionally, they want increased job opportunities and availability of affordable housing in existing urbanized areas, and they want to discourage sprawl.

They also expressed that new development should be encouraged by simplifying and streamlining the development review process to minimize the risks and financial costs of getting new construction approved.

Aside from the above considerations, the Board of Supervisors also directed the General Plan include alternatives that establish controls for two specific land uses that have been debated recently: large format ("Big Box") retail uses, and adult entertainment.

8.3 Goals and Policies

CD-G1 Community Design. To create a people-friendly urban environment in town centers and surrounding urban and suburban areas, conserving land and energy through reduced automobile usage.

CD-G2 Diverse Communities. To create more diverse communities, with a variety of building types, street types, open spaces, and land uses providing for people of all ages and every form of mobility.

CD-G3 Sustainable Communities. To make communities more resilient, sustainable and adaptable over time to improved public transit and to changing economic conditions.

CD-G4 Unique Identity of Towns. To establish a unique identity for ~~McKinleyville~~ communities through the development of a viable town center, serving as a community focal point and providing a center for social/community interaction. [MCCP]

CD-G5 Mixture of Land Uses. To develop an area of mixed land uses in town centers which encourages bicycle and pedestrian travel, yet allows for convenient and safe automobile access. [MCCP]

Policies

CD-P1. Sites for Commercial Development. On the Land Use Maps, provide sites for neighborhood and community scale commercial development of sizes and at locations that offer both choice and convenience for County residents and shoppers while sustaining a strong retail base for the County.

CD-P2. Mixed Use Zoning. Utilize mixed-use zoning to help create town centers that are community focal points. The ~~Town Center Area~~ mixed use zone shall permit mixed-use categories of zoning, including higher density urban housing in concert with retail commercial uses, day care centers and shopfronts, and shall include an abundance and variety of open spaces. [MCCP]

CD-P3. Mixed Use Buildings. Encourage buildings in mixed-use zones with commercial uses on the ground or lower floors and residential uses on upper floors.

- CD-P4. Village Character.** Encourage pedestrian-oriented village character in mixed use and commercial areas, rather than strip malls.
- CD-P5. Building Fronts On Streets.** Encourage shops in mixed use areas to front on streets rather than parking lots.
- CD-P6. Central Open Space in Commercial and Mixed Use Areas.** With new commercial and/or mixed use developments, encourage developers to place buildings in such a way to create a central open space, or plaza, where passive activity can occur.
- CD-P7. Building Orientation and Building Standards.** Encourage orientation of buildings toward the street or the central open space areas. The ground-level façade should be transparent and be articulated to human scale to create pedestrian-oriented sidewalks.
- CD-P8. Location of Off-street Parking Areas.** Encourage parking areas to the side or rear of commercial and mixed uses in neighborhood centers; they should not be located between buildings and the street edge.
- CD-P9. Reduce Parking Requirements.** Reduce the County's off-street parking requirements for all land uses consistent with best engineering practices acceptable to the Department of Public Works.
- CD-P10. Minimize Excess Off Street Parking Areas.** Discourage development of more parking spaces than necessary in commercial and/or mixed use areas.
- CD-P11. Location of On-street Parking Areas.** On-street parking should be allowed on local roads and minor collectors to assist in traffic calming.
- CD-P12. Uniform Streetscape.** In commercial and/or mixed use areas, encourage a uniform setback of structures from the street.
- CD-P13. High Density Uses Near Parks.** In the Land Use Element, encourage higher density mixed-uses and/or commercial uses adjacent to major parks to create safe and live atmosphere.
- CD-P14. Historic Structures.** Encourage historic structures to be used as a focal point of communities.
- CD-P15. Pedestrian Oriented Neighborhoods.** Promote more pedestrian oriented neighborhoods with homes that have front porches, front gardens, and windows overlooking front yards and sidewalks.
- CD-P16. Alleys.** Support use of an alley system and courtyards to minimize driveways facing the street.
- CD-P17. Siting of Garages.** Ensure that garages do not dominate streetscapes by creating incentives for setting them back from the front of houses, or locating them in the rear.

- CD-P18. Street Design.** In the Circulation Element implement measures to ensure local streets will accommodate both vehicular traffic and pedestrians. Strategies include minimizing the number of curb cuts along streets, encouraging landscaped sidewalks and medians, on-street parking, traffic slowing measures, and pedestrian-scale outdoor lighting.
- CD-P19. Discourage Cul-de-sacs.** Discourage the creation of new cul-de-sacs and dead-end roads; cul-de-sacs and dead-end roads should only be allowed when critical areas inhibit the possibility of a through-road.
- CD-P20. Encourage Public Open Space on Private Lands.** Support owners of the Cutten Ball Fields, Garberville Town Square, Southern Humboldt Community Park, and other private landowners that establish and maintain public open space areas.
- CD-P21. Big Box Retail Uses.** Prohibit large format ("Big Box") retail establishments outside USA's, and require a specific zoning overlay for areas within USA's where they will be conditionally permitted to ensure compatibility with neighborhood design and community character.
- CD-P22. Adult Entertainment Establishments.** Allow adult entertainment establishments in areas where they will not conflict with schools, and identify standards to ensure they will be compatible with neighboring uses.

Standards

- CD-S1 Allowed Uses in Mixed Use Areas.** ~~The Town Center area~~ Mixed Use zoned areas shall offer a full range of commercial, offices and civic activities. Allowable uses may include, but are not limited to, an expanded grocery store, additional shops, a department store, hardware home supply, restaurants, office space, medical and dental clinic, a movie complex, town green for athletic and civic events, civic buildings, library, high density residential, laundromat, farmers market, residences above shopfronts, child care facilities, and art galleries. All public facility uses currently identified in the Public Facility land use designation shall be allowed. Drive thru restaurants shall not be allowed. [MCCP]
- CD-S2 Central Open Space Standards in Commercial and Mixed Use Areas.** A plaza must be bounded by streets on at least three sides and shall front on a main street. Where new commercial and/or mixed use developments are proposed on lots greater than 5 acres, central open space shall have a minimum area of 20,000 sq ft.
- CD-S3 Definition of a "Big-Box" Retail Store.** A large – usually in excess of one acre floor area – commercial structure where, under one proprietor or a set of discrete franchises, retail sales and services are offered in a centralized, warehouse-like setting intended to serve a regional area. Due to their large area requirements compared to the more traditional pattern of decentralized specialty shops, this class of development can have adverse effects (i.e., traffic, lighting, and stormwater runoff from expansive parking areas; visual resource impacts from structural bulk) if not appropriately sited and mitigated. [MCCP]

CD-S4 Standards for Adult Entertainment Establishments. Adult entertainment establishments shall be required to operate in conformance with the following standards: *(pick which options should be included)*

Location

- a) *Unrestricted; or*
- b) *prohibited within ½ mile of any existing public school; and/or*
- c) *allowed in the following commercial zone districts: (identify commercial zoning districts); and/or*
- d) *allowed in the following mixed use zone districts: (identify commercial and mixed use zoning districts)*

Hours of Operation

- a) *unrestricted; or*
- b) *11 AM to 3 AM Monday through Saturday, closed Sundays; or*
- c) *4 PM to 3 AM weekdays to avoid daily school operations, 11 AM to 3 AM Saturdays, closed Sundays; or*
- d) *6 PM to 3 AM weekdays to avoid daily school and some after school operations, 11 AM to 3 AM Saturdays, closed Sundays; or*
- e) *4 PM to 10 PM weekdays, weekends 11 AM to 2 AM*

Security

- a) *have on-site security by a commercial security firm; or*
- b) *have business employees serve as security*

Signage

- a) *8' x 10' free standing sign; 2' x 6' sign attached to the building; 4' x 8' sign (freestanding or attached) to show hours of operation; and open/closed sign not to exceed 2' x 4'; or*
- b) *restricted to the standards of the zoning ordinance (maximum of 300 square feet, both sides)*

Fencing and Screening

- a) *no visibility into the interior of the building from the exterior of the building; or*
- b) *no visibility of the entrance of the building from the public road; or*
- c) *no visibility of the parking area from the public road*

Noise

- a) *no noise from the interior of the building detectable at the property line; or*
- b) *conformance with General Plan standards (60 dba (ldn) at nearest residence)*

Lighting

- a) *conformance with General Plan standards (no direct lighting beyond property boundaries); or*
- b) *limited hours for outside lighting related to the hours of operation*

McKinleyville Urban Study Area

CD-S5 Town Center Uses. The Town Center area in the McKinleyville USA shall have no additional drive-thru restaurants, and no large "big-box" department stores, as defined. Rather, the department stores should be divided into several separate rooms or buildings to avoid the look of the giant retail, department store [MCCP]

CD-S6 Public Facilities in the Town Center. The Town Center area in the McKinleyville USA shall permit all public facility uses currently identified in the Public Facility land use designation in the Humboldt County Framework Plan (chapter 2761). All existing and

proposed public facility uses shall remain as public facilities, and shall not be converted to incompatible commercial uses. [MCCP]

CD-S7 Central Avenue Pedestrian Crossing. The Town Center area in the McKinleyville USA shall identify implementation alternatives associated with a Central Avenue pedestrian crossing. The alternatives should contain solutions which ease pedestrian traffic, including longer time frames at the crosswalk light, funding mechanisms for a pedestrian bridge over Central Avenue, and traffic calming measures as illustrated herein. [MCCP]

Implementation Measures

CD-IM1. Figures for Building Orientation and Building Standards. Develop figures in the implementing ordinance to demonstrate how to orient commercial and mixed use buildings toward the street or the central open space areas. Also develop figures to show how the ground-level façade can be made be transparent and be articulated to human scale to create pedestrian-oriented sidewalks.

CD-IM2. Establish Build To Lines. Promote a more uniform streetscape by establishing build to lines rather than setback lines, or a combination of the two.

CD-IM3. Establish Maximum Parking Standards. In the zoning ordinance, develop standards that limit the maximum number of off-street parking spaces that can be developed in commercial and/or mixed use areas.

CD-IM4. Review of Design Review Ordinance and Areas. Comprehensively review and update the Design Review standards of the zoning ordinance and maps of areas subject to design review.

CD-IM5. Review the Sign Ordinance. Comprehensively review and update the standards for signs in the zoning ordinance.

CD-IM6. Simplify the Zoning Ordinance with Illustrations and Matrices. Modify the zoning ordinance to incorporate the use of illustrations and matrices to simplify communicating the allowed uses, development standards, and other information in these formats.

CD-IM7 Revisions to the Non-Conforming Use and Structures Standards. Revise the Non-Conforming Use and Non-Conforming Structure sections of the zoning ordinance to encourage compatible mixed uses, and to be made more clear and easy to understand.

CD-IM8. Revisions to the Zoning Ordinance to Regulate Big Box Commercial Uses. Revise the zoning ordinance to incorporate the selected standards for Big Box commercial uses.

CD-IM9. Adult Entertainment Ordinance. Establish standards in the zoning ordinance for adult entertainment establishments to ensure they do not locate near existing schools, and to ensure they will be compatible with neighboring uses.

McKinleyville Urban Study Area

CD-IM10. Town Center Ordinance. The County shall adopt a Town Center Area ordinance to identify permitted land uses and standards for the Town Center area identified on the McKinleyville Community Plan Zoning Map. [MCCP]

NOTE: the section below will fall out of the 'final' version found in the GP, but will be critical to the process of review.

8.4 Staff Analysis and Alternatives

State Guidelines

According to the State Office of Planning and Research, the primary purpose of this section of the plan is to recommend policies and programs which will guide physical development of the planning area. The subjects are both public and private interests, and the issues should reflect the changing community and the factors that form its existing identity.

The following list of basic issues are provided for consideration:

- **Neighborhood Structure:** Favorable features that characterize the neighborhoods in the planning area. Street types, parks, landscaping, lot sizes, boundary elements, and architectural types all contribute to the sense of place.
- **Commercial/Industrial Connections:** Office buildings and office and industrial parks may include patterns and features that enhance or detract from the existing community or the general plan vision of the future.
- **Community Form:** Elements that define the character of the community (e.g., viewsheds, parks, open space, airport, freeways, ridgelines, rivers, etc.).
- **Community Conservation:** Patterns of open space, circulation, and landmarks provide identity to the planning area and neighborhoods, making them more livable. The positive attributes of existing neighborhoods should be preserved and utilized in planning for revitalization with common or related themes.

Staff Recommendation

Development of Individual Lots

Development of individual lots is permitted based on whether or not it complies with the land use plan and the implementing ordinances. The plan's land use maps and zoning maps (an implementing ordinance) divide communities into a series of mapped districts, then assigns a permitted use (or uses) to each district. There are single-family residential zones, multi-family residential zones, commercial zones, industrial zones, and so on.

The theory behind the zoning model used by the County is that by cleanly delineating permitted land uses, and by keeping them separate, compatibility between neighboring development might be insured. In many ways, this has proven to be effective. For example, the County does not often receive complaints about new industrial noise sources because these uses are typically separated from residential uses by an appropriate distance on the land use maps.

However, separation of uses sometimes has unintended effects of encouraging overly car-dependent, disconnected and dysfunctional suburban patterns. Increased vehicle traffic on

county roads, for example, results from a jobs/housing imbalance, where people live in areas far removed from their work sites, and commute back and forth each day.

Humboldt County's zoning districts are elaborated upon in the zoning ordinance. The County's zoning ordinance couples the land use restrictions with dimensional requirements. Dimensional requirements regulate things like the massing and bulk of buildings, and the allowable places for buildings on their lots. Example dimensional requirements include: minimum front, side, and rear setbacks; maximum height restrictions; minimum lot width, and minimum lot size (square footage).

One form of development where the segregation of uses and dimensional requirements proves problematic is in older communities which grew up during or before zoning. Historic neighborhoods in the County often feature the very design characteristics not well supported by the County's zoning model: a rich mix of land uses, building types, and housing prices; higher densities and mixed densities; narrow streets with trees close to the road; shallow setbacks; and low parking ratios (to name a few).

Properties that have historically supported a mixture of commercial and residential uses can be difficult to adapt to changing conditions if the zoning supports only residential or only commercial uses. And existing development that cannot meet the dimensional requirements of the zone is considered "non-conforming" to the standards. Expansions, additions or other structural alterations to these buildings can be a permitting nightmare for the builder. The section of the County's zoning ordinance for non-conforming uses has undergone numerous revisions to change the rules for specific uses, and with each revision, it grows more complicated.

Policies in the Land Use Element encouraging mixed uses in existing commercial areas will help provide for a richer mix of land uses, building types, and mixed densities.

Policies in this Element direct revisions to the Non-Conforming Use and Non-Conforming Structure ordinance to encourage compatible mixed uses, and to be made more clear and easy to understand.

Combining Zones

One way the County accommodates special situations is with combining zones. This is a special zone, which has its own unique, additional standards, which automatically supplement or replace the requirements in the conventional zoning ordinance. It allows the County to essentially carve out one area for a different set of rules without affecting other areas in the zone. For example, areas near airports are given an "Airport Safety" combining zone, which regulates building height, residential densities, and open space requirements near airports to help ensure fewer conflicts between land uses on the ground and aircraft.

The combining zone tool is applied two ways. The most common approach in the County makes mandatory special standards that address only the items which are different from the underlying zoning. An example is the "D-Design Control" combining zone, which requires additional findings to be made for new development. The stated purpose of the zone is:

“to provide controls and safeguards to preserve and enhance areas of historical, scenic, civic or cultural values of the County. The D Zone is also combined with principal zones to preserve and enhance architectural and recreational aspects of designated areas of the County. Such appearance and design of buildings, sites, structures and signs should form a substantial contribution to the desirability of the zone...”

Another approach makes the overlay district standards optional, offered to the applicant as alternatives to the conventional standards. Incentives might be offered to induce the developer to choose the alternative standards (such as shallower setbacks which increase buildable area). This is the approach taken with the GO-Gulch-Greenway Open Space combining zone, which reduces minimum lot sizes in exchange for protection of gulch habitat areas in the Eureka Community Plan area.

Planned Unit Developments (PUD's)

Another approach is used to overcome conventional zoning's rigidity on a case-by-case basis. The PUD process is typically used on large, suburban sites (although it can also be applied on urban sites). It usually involves a larger, unified parcel that will have a customized master plan and rules of its own for its internal development-- the many smaller projects contained within will be "planned as a unit."

With PUD's, the details of lot configuration and net density is judged in light of the overall effect, not lot by lot, and as long as the overall effect is acceptable, the particular rules in the underlying zoning may be waived.

For comparison, examine two systems under which the same parcel of land could be developed. Under the "by-right" conventional zoning, the parcel might be permitted for uniform subdivision into a certain number of similar, large-lot single-family houses. Under the PUD, the same parcel might be approved instead with a specific plan for a more compact combination of small lots, a few large lots, and townhouses, adding up to the same number of units overall. The shared open space made possible by the more compact PUD scheme might be judged an overall civic and environmental benefit. The mixture of dwelling types, likely to diversify the economic stature and age of the households within, might also be socially beneficial (but sometimes isn't popular with neighboring subdivisions).

In theory, the overall master planning might lead to other benefits and efficiencies, such as an integrated circulation pattern, trail network, or shared recreational facilities. The Planning Commission reviews the master plan, negotiates with the developer to optimize the project where possible, and grants or denies approval. In typical cases, the approval allows exceptions to the setbacks, lot sizes, lot widths, and street standards that would have been required under the by-right zoning.

If a developer is meeting the County's large-scale goals in an overall way within a big project, why should the smaller details be confined to the limited palette in the conventional zoning? The PUD is a way of allowing greater flexibility for creative solutions. It makes it possible to mix uses and increase density, albeit with a case-by-case approval. Certain items, however, cannot be varied, such as the setbacks to adjacent lots.

The County's PUD ordinance allows PUD's on parcels as small as ½ an acre. Some towns allow very small PUD's even those with no minimum size for PUD's. In those instances, they are a more palatable approach than variances, for which hardship must be proved, and more fair than spot-zoning, a caprice for which the courts have little patience.

The PUD can be judged on its merits of how it fit with the neighborhood. The PUD can "fit" a place much better than a homogenous application of the underlying zoning would have permitted.

Like the overlay district, the PUD offers developers a way to do things which make common sense but which wouldn't be legal under standard zoning. The approach is far from failsafe, however. Some jurisdictions have received slick presentations and then badly misjudged the quality of plans; the proposals were poorly visualized, and the impacts of proposals were poorly foreseen. The same discretionary process that lets a developer propose an "improved" approach lets the local government approve an inferior one. Planning staff, elected and appointed officials come and go, and can be inexperienced. The PUD tool is a neutral technique; it does not guarantee the results. Good results require a good design.

Streetscapes

Policies in the Circulation Element support orientation of the streetscape to become more pedestrian and bicycle friendly. They do encourage narrow streets with trees close to the road, which is a feature of desirable historic areas in the County, so policies are included in this Element to fill that void.

Policies in this Element encourage shallow setbacks to better define the streetscape in commercial and mixed use zones by establishing a "build to" line for properties with frontage on streets. The build to line is an imaginary line, drawn parallel to the street frontage, along which some portion of the building front must be built. It is different from the setback line: an imaginary line, drawn parallel to the front property line which limits how closely the building can be situated toward the street. As long as the building is further back than the setback line, it can be anywhere else on the lot, so the use of front yard setbacks do not make certain the creation of any coherent street space for lots fronting on streets.

Policies in this Element also provide for low parking ratios in mixed zoned areas.

Open Space

Policies in this Element support maintaining the existing open spaces in shopping centers, such as public seating areas. It identifies Farmer's Markets as a principally permitted use in commercial and mixed use parking areas. It also includes policies to support the Cullen Ball Fields in the Eureka area, the Garberville Town Square, and the Southern Humboldt Community Park.

Other Community Design Considerations

Three other considerations for the Community Design Element are 1) simplifying and streamlining the development review process, 2) controlling Big Box development, and 3) developing standards for adult entertainment.

Simplifying and Streamlining the Development Review Process

Policies are proposed to simplify the zoning ordinance by making the standards more prescriptive, rather than proscriptive, by establishing build to lines rather than setback lines. Policies will also modify the zoning ordinance to incorporate the use of illustrations and matrices. The many words in the zoning ordinance are often incomprehensible to all but the legal experts. Drawings can communicate much more clearly what is permitted under, or sought by, the code.

In a matrix format, the content of the ordinance is organized into rows and columns according to subjects and situations. Users find it easier to locate the rules they're after in the matrix format. Perhaps more importantly, they more easily remember where they found it, for future reference. The matrix format takes advantage of the intuitive, visual ways we remember things, in the same way that windows, icons and so forth on personal computers make them easier to use. Some information is presented in tables, but the ordinance could be made more understandable by incorporating more of the information into tables, particularly the permitted uses and development standards.

The matrix format is most useful in a poster size. With this format, the designer can post the whole code (or the most important parts of it) right above the desk, for quick reference. The Planning Division can post copies near the permitting counter, and use them to explain the rules to applicants.

The matrix approach, which requires clear-cut organization and simplicity, will obviously work best when the rules are few and straightforward. The matrix with its limited sheet size inspires discipline. The best approach is to choose relatively few basic things to regulate carefully; express those things clearly; leave out the superfluous things; and resist the temptation to add more and more rules. While this Element takes steps in the right direction, policies in the Housing Element that address government constraints will be the basis for moving the zoning ordinance further in the direction of simplicity and clarity.

Big Box Development

In 1998, there arose a hotly contested debate locally regarding the appropriate location and conditions for allowing Big Box development. An action was taken by the Board of Supervisors on September 22, 1998 to recognize that Big Box retail stores are more than 50,000 – 75,000 square feet in size, and that the use is not enumerated in the zoning ordinance, and so require conditional use permit in all commercial areas. This determination is being carried forward in this Element with policies and standards that apply to Big Box development consistent with the Board's direction.

Adult Entertainment

In 1998, there was considerable public reaction to a proposed adult entertainment establishment (the "Tip Top Club") that is not specifically regulated in the Plan or zoning ordinance. Opposition to the project centered on the perception that the project would increase crime in the neighborhood, lower property values, and conflict with neighboring uses, including a school

In approving this project, the County found their authority to regulate adult entertainment businesses was limited by constitutionally guaranteed freedoms of expression. The courts have held that local jurisdictions cannot deny the issuance of a permit to an adult entertainment business based on a general permit finding that the business would be detrimental to the public health, safety and welfare because this finding is unconstitutionally vague and over-broad in that it confers upon local jurisdictions unlimited authority to deny applications.

Courts have, however, preserved local jurisdictions ability to regulate adult entertainment businesses through the ordinance process. The ordinance must contain narrow, objective and definite regulatory standards and must be supported, at least in part, by local research. For example, an ordinance could effectively prevent an adult entertainment business from locating within a specified distance of a school or residential area, if local research demonstrated that the specification did not eliminate all possible adult entertainment locations in the jurisdiction.

A policy and implementation measure in this Element directs adoption of an adult entertainment ordinance. In the standards section, a suite of regulations are proposed to control the location, hours of operation, and other aspects of this type of business. Several options are presented for each standard.

Alternatives

Community design policies in Plan Alternative A supports achieving the community vision for future development within Urban Study Areas through a more visual development code which would address all three components of community design: development on individual lots, the streetscape, and open spaces. It would take the illustrations and matrices of the zoning ordinance in Plan Alternative B to a new level by establishing a “form-based” code for the mixed use areas.

Form-Based Code

The form-based code of Plan Alternative A places primary emphasis on the physical form of the built environment with the end goal of producing a specific type of “place”. The base principle of form-based coding is that design is more important than use. Simple and clear graphic prescriptions for building height, how a building is placed on site, and building elements (such as porches and awnings) are used to guide development. Land-use is not ignored, but instead, it is regulated using broad parameters that can better respond to market economics, while also prohibiting undesirable uses.

Form-based codes are becoming increasingly popular with jurisdictions because of their simplicity and because they do a better job of ensuring a community gets the type of development it wants. Also, form-based codes have been successful in stimulating development in some areas because of the more simplified development review process..

State law specifically provides for form-based codes in Section 65302.4 of the Government Code - Expressions of Community Intentions Regarding Urban Form and Design:

“The text and diagrams in the land use element that address the location and extent of land uses, and the zoning ordinances that implement these provisions, may also express community intentions regarding urban form and design. These expressions may differentiate neighborhoods, districts, and corridors, provide for a mixture of land uses and housing types within each, and provide specific measures for regulating relationships between buildings, and between buildings and outdoor public areas, including streets.”

The key components of the form-based code are a map of uses, building function standards, building envelope standards, and street sections.

Map of Uses

The map of uses is the key to the form-based code. Like the land use and zoning maps, it describes what uses are allowed where. But the form-based map of uses includes more information than a land use or zoning map – it goes into detail about every street, block and building type, or mix of building types. It also defines required build to lines, and describes how development on individual lots relate to the public spaces (streets, squares, parks, etc.) and surrounding properties in more detail than a land use or zoning map.

Building Function Standards

This section identifies the allowed uses in each zoning district. It would be a simplified version of the matrices described in Plan Alternative B.

Building Envelope Standards

The building envelope standards regulate future buildings in three (3) ways in cross-sectional drawings (typically on one sheet for each building type): 1) *Height* - maximum number of floors; also minimum needed for a proper street wall; 2) *Siting* - placement of structures in relation to streets and adjacent lots; front, side and rear building limits; and standards for entrances, parking and yards; and 3) *Elements* - dimensions of porches, balconies, stoops and so on. Additional issues, such as lighting, glare and signage are also addressed through the building envelope standards.

Street Sections

These are diagrams that define dimensions from travel and parking lanes through sidewalks, medians and planting strips. The road standards in the Circulation Element (Chapter 8) would be the basis for the street sections.

These form based code describes what the community will look like, physically, and derive its development regulations from that "vision." In other words, the regulations are designed to catalyze or attract certain desirable changes, rather than merely controlling permit-processing procedures. This approach would avoid uncertainty in knowing what the County will actually approve; avoiding the frequently the bruising public debates that leave both developers and wary citizen participants exhausted and suspicious.

Alternative A Policies and Implementation Measures

CD-P23. Form-Based Code. Promote neighborhood cohesiveness through neighborhood- based design guidelines in a form-based code that are consistent with

existing architectural themes and that encourage compact (as opposed to strip) form, pedestrian access, and increased pedestrian traffic. Consider spatial definition, continuity of streets and pedestrian facilities, and building scale.

CD-IM6 ~~Simplify the Zoning Ordinance with Illustrations and Matrices. Form Based Code.~~ Modify the zoning ordinance to incorporate the use of illustrations and matrices to simplify communicating the allowed uses, development standards, and other information in these formats. Adopt a form based code for each USA that provides an optional, more simplified set of standards for new development in mixed use areas. Review the form-based code approach with the regular Housing Element updates, and consider expanding the areas covered by the form-based code if it has been more effective than conventional zoning in promoting development consistent with neighborhood character.

Alternative C...

Plan Alternative C recognizes that while encouraging new development to consider community design principles in form and layout, requiring conformance to the new standards of the other alternatives is a change from the existing review process that is not required by the State. Accordingly, Alternative C modifies and deletes some of the recommended new policies, standards and implementation measures to minimize the changes from the existing Framework Plan as shown in the following Plan Alternatives Comparison Chart. It would allow “Bix Box” stores outside USA’s, and would not adopt standards for adult entertainment.

Plan Alternatives Comparison Chart

The “Vote” column is provided for the user to indicate a policy preference. Enter a **R**etain, **D**elete or **M**odify.

<i>Plan Alternative</i>			<i>Goals</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	CD-G1 Community Design. To create a people-friendly urban environment in town centers and surrounding urban and suburban areas, conserving land and energy through reduced automobile usage..		
A	B	C	CD-G2 Diverse Communities. To create more diverse communities, with a variety of building types, street types, open spaces, and land uses providing for people of all ages and every form of mobility.		
A	B	C	CD-G3 Sustainable Communities. To make communities more resilient, sustainable and adaptable over time to improved public transit and to changing economic conditions.		

Plan Alternative				Goals (continued)	Staff Remarks	Vote: R, D, M
A	B	C	D	CD-G4 Unique Identity of Towns. To establish a unique identity for McKinleyville <u>communities</u> through the development of a viable town center, serving as a community focal point and providing a center for social/community interaction. [MCCP]		
A	B	C	D	CD-G5 Mixture of Land Uses. To develop an area of mixed land uses <u>in town centers</u> which encourages bicycle and pedestrian travel, yet allows for convenient and safe automobile access. [MCCP]		
				<i>Policies</i>		
A	B	C		CD-P1. Sites for Commercial Development. On the Land Use Maps, provide sites for neighborhood and community scale commercial development of sizes and at locations that offer both choice and convenience for County residents and shoppers while sustaining a strong retail base for the County.		
A	B	C	D	CD-P2. Mixed Use Zoning. Mixed Use Zoning. Utilize mixed-use zoning to help create town centers that <u>are community focal points.</u> The Town Center Area <u>mixed use zone</u> shall permit mixed-use categories of zoning, including higher density urban housing in concert with retail commercial uses, <u>day care centers</u> and shopfronts, and shall include an abundance and variety of open spaces. [MCCP]	<i>The existing policy only applies in the McKinleyville Community Plan. Alternative A and B would make this policy apply to a USA's</i>	
A	B	C		CD-P3. Mixed Use Buildings. Encourage buildings in mixed-use zones with commercial uses on the ground or lower floors and residential uses on upper floors.		
A	B	C		CD-P4. Village Character. Encourage pedestrian-oriented village character in mixed use and commercial areas, rather than strip malls.		
A	B	C		CD-P5. Building Fronts On Streets. Encourage shops in mixed use areas to front on streets rather than parking lots.		
A	B	C		CD-P6. Central Open Space in Commercial and Mixed Use Areas. With new commercial and/or mixed use developments, encourage developers to place buildings in such a way to create a central open space, or plaza, where passive activity can occur.		

Plan Alternative			Policies (continued)	Staff Remarks	Vote: R, D, M
A	B	C	CD-P7. Building Orientation and Building Standards. Encourage orientation of buildings toward the street or the central open space areas. The ground-level façade should be transparent and be articulated to human scale to create pedestrian-oriented sidewalks.		
A	B	C	CD-P8. Location of Off-street Parking Areas. Encourage parking areas to the side or rear of commercial and mixed uses in neighborhood centers; they should not be located between buildings and the street edge.		
A	B	C	CD-P9. Reduce Parking Requirements. Reduce the County's off-street parking requirements for all land uses consistent with best engineering practices acceptable to the Department of Public Works.		
A	B	C	CD-P10. Minimize Excess Off Street Parking Areas. Discourage development of more parking spaces than necessary in commercial and/or mixed use areas.		
A	B	C	CD-P11. Location of On-street Parking Areas. On-street parking should be allowed on local roads and minor collectors to assist in traffic calming.		
A	B	C	CD-P12. Uniform Streetscape. In commercial and/or mixed use areas, encourage a uniform setback of structures from the street.		
A	B	C	CD-P13. High Density Uses Near Parks. In the Land Use Element, encourage higher density mixed-uses and/or commercial uses adjacent to major parks to create safe and live atmosphere.		
A	B	C	CD-P14. Historic Structures. Encourage historic structures to be used as a focal point of communities.		
A	B	C	CD-P15. Pedestrian Oriented Neighborhoods. Promote more pedestrian oriented neighborhoods with homes that have front porches, front gardens, and windows overlooking front yards and sidewalks.		
A	B	C	CD-P16. Alleys. Support use of an alley system and courtyards to minimize driveways facing the street.		
A	B	C	CD-P17. Siting of Garages. Ensure that garages do not dominate streetscapes by creating incentives for setting them back from the front of houses, or locating them in the rear.		

Plan Alternative			Policies (continued)	Staff Remarks	Vote: R, D, M
A	B	C	CD-P18. Street Design. In the Circulation Element implement measures to ensure local streets will accommodate both vehicular traffic and pedestrians. Strategies include minimizing the number of curb cuts along streets, encouraging landscaped sidewalks and medians, on-street parking, traffic slowing measures, and pedestrian-scale outdoor lighting.		
A	B	C	CD-P19. Discourage Cul-de-sacs. Discourage the creation of new cul-de-sacs and dead-end roads; cul-de-sacs and dead-end roads should only be allowed when critical areas inhibit the possibility of a through-road.		
A	B	C	CD-P20. Encourage Public Open Space on Private Lands. Support owners of the Cullen Ball Fields, Garberville Town Square, Southern Humboldt Community Park, and other private landowners that establish and maintain public open space areas.		
A	B		CD-P21. Big Box Retail Uses. Prohibit large format (“Big Box”) retail establishments outside USA’s, and require a specific zoning overlay for areas within USA’s where they will be conditionally permitted to ensure compatibility with neighborhood design and community character.	See revised wording for Alternative C	
		C	CD-P21. Big Box Retail Uses. Prohibit large format (“Big Box”) retail establishments outside USA’s, and Require a specific zoning overlay for areas within USA’s where <u>they large format (“Big Box”) retail establishments</u> will be conditionally permitted to ensure compatibility with neighborhood design and community character.	Revised wording for Alternative C	
A	B		CD-P22. Adult Entertainment Establishments. Allow adult entertainment establishments in areas where they will not conflict with schools, and identify standards to ensure they will be compatible with neighboring uses.		
A			CD-P23. Form-Based Code. Promote neighborhood cohesiveness through neighborhood- based design guidelines in a form-based code that are consistent with existing architectural themes and that encourage compact (as opposed to strip) form, pedestrian access, and increased pedestrian traffic. Consider spatial definition, continuity of streets and pedestrian facilities, and building scale.		

<i>Plan Alternative</i>				<i>Standards</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	D	<p>CD-S1. Allowed Uses in Mixed Use Areas. The Town Center area <u>Mixed Use zoned areas</u> shall offer a full range of commercial, offices and civic activities. Allowable uses may include, but are not limited to, an expanded grocery store, additional shops, a department store, hardware home supply, restaurants, office space, medical and dental clinic, a movie complex, town green for athletic and civic events, civic buildings, library, high density residential, laundromat, farmers market, residences above shopfronts, child care facilities, and art galleries. <u>All public facility uses currently identified in the Public Facility land use designations shall be allowed.</u> <u>Drive thru restaurants shall not be allowed.</u> [MCCP]</p>		
A	B	C		<p>CD-S2. Central Open Space Standards in Commercial and Mixed Use Areas. A plaza must be bounded by streets on at least three sides and shall front on a main street. Where new commercial and/or mixed use developments are proposed on lots greater than 5 acres, central open space shall have a minimum area of 20,000 sq ft.</p>		

Plan Alternative		Standards (continued)	Staff Remarks	Vote: R, D, M
A	B	<p>CD-S4. Standards for Adult Entertainment Establishments. Adult entertainment establishments shall required to operate in conformance with the following standards: <i>(pick which options should be included)</i></p> <p><u>Location</u></p> <p>e) Unrestricted; or f) prohibited within 1/2 mile of any existing public school; and/ or g) allowed in the following commercial zone districts: (identify commercial zoning districts); and/ or h) allowed in the following mixed use zone districts: (identify commercial and mixed use zoning districts)</p> <p><u>Hours of Operation</u></p> <p>f) unrestricted; or g) 11 AM to 3 AM Monday through Saturday, closed Sundays; or h) 4 PM to 3 AM weekdays to avoid daily school operations, 11 AM to 3 AM Saturdays, closed Sundays; or i) 6 PM to 3 AM weekdays to avoid daily school and some after school operations, 11 AM to 3 AM Saturdays, closed Sundays; or j) 4 PM to 10 PM weekdays, weekends 11 AM to 2 AM</p> <p><u>Security</u></p> <p>c) have on-site security by a commercial security firm; or d) have business employees serve as security</p> <p><u>Signage</u></p> <p>c) 8' x 10' free standing sign; 2' x 6' sign attached to the building; 4' x 8' sign (freestanding or attached) to show hours of operation; and open/ closed sign not to exceed 2' x 4'; or d) restricted to the standards of the zoning ordinance (maximum of 300 square feet, both sides)</p> <p><u>Fencing and Screening</u></p> <p>d) no visibility into the interior of the building from the exterior of the building; or e) no visibility of the entrance of the building from the public road; or f) no visibility of the parking area from the public road</p> <p><u>Noise</u></p> <p>c) no noise from the interior of the building detectable at the property line; or d) conformance with General Plan standards (60 dba (ldn) at nearest residence)</p> <p><u>Lighting</u></p> <p>conformance with General Plan standards (no direct lighting beyond property boundaries); or limited hours for outside lighting related to the hours of operation</p>		

<i>Plan Alternative</i>				<i>Standards (continued)</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	D	<p>McKinleyville Urban Study Area CD-S5. Town Center Uses. The Town Center area <u>in the McKinleyville USA</u> shall have no additional drive-thru restaurants, and no large “big-box” department stores, as defined. Rather, the department stores should be divided into several separate rooms or buildings to avoid the look of the giant retail, department store [MCCP]</p>		
A	B	C	D	<p>CD-S6. Public Facilities in the Town Center. The Town Center area <u>in the McKinleyville USA</u> shall permit all public facility uses currently identified in the Public Facility land use designation in the Humboldt County Framework Plan (chapter 2761). All existing and proposed public facility uses shall remain as public facilities, and shall not be converted to incompatible commercial uses. [MCCP]</p>		
A	B	C	D	<p>CD-S7. Central Avenue Pedestrian Crossing. The Town Center area <u>in the McKinleyville USA</u> shall identify implementation alternatives associated with a Central Avenue pedestrian crossing. The alternatives should contain solutions which ease pedestrian traffic, including longer time frames at the crosswalk light, funding mechanisms for a pedestrian bridge over Central Avenue, and traffic calming measures as illustrated herein. [MCCP]</p>		
				<i>Implementation Measures</i>		
A	B			<p>CD-IM1. Figures for Building Orientation and Building Standards. Develop figures in the implementing ordinance to demonstrate how to orient commercial and mixed use buildings toward the street or the central open space areas. Also develop figures to show how the ground-level façade can be made be transparent and be articulated to human scale to create pedestrian-oriented sidewalks.</p>		
A	B			<p>CD-IM2. Establish Build To Lines. Promote a more uniform streetscape by establishing build to lines rather than setback lines, or a combination of the two.</p>		
A	B			<p>CD-IM3. Establish Maximum Parking Standards. In the zoning ordinance, develop standards that limit the maximum number of off-street parking spaces that can be developed in commercial and/or mixed use areas.</p>		

Plan Alternative			Implementation Measures (continued)	Staff Remarks	Vote: R, D, M
A	B	C	CD-IM4. Review of Design Review Ordinance and Areas. Comprehensively review and update the Design Review standards of the zoning ordinance and maps of areas subject to design review.		
A	B		CD-IM5. Review the Sign Ordinance. Comprehensively review and update the standards for signs in the zoning ordinance.		
	B		CD-IM6. Simplify the Zoning Ordinance with Illustrations and Matrices. Modify the zoning ordinance to incorporate the use of illustrations and matrices to simplify communicating the allowed uses, development standards, and other information in these formats.	See revised wording for Alt. A	
A			CD-IM6 Simplify the Zoning Ordinance with Illustrations and Matrices. Form Based Code. <u>Modify the zoning ordinance to incorporate the use of illustrations and matrices to simplify communicating the allowed uses, development standards, and other information in these formats. Adopt a form based code for each USA that provides an optional, more simplified set of standards for new development in mixed use areas. Review the form-based code approach with the regular Housing Element updates, and consider expanding the areas covered by the form-based code if it has been more effective than conventional zoning in promoting development consistent with neighborhood character.</u>	Revised wording for Alt. A	
A	B		CD-IM7 Revisions to the Non-Conforming Use and Structures Standards. Revise the Non-Conforming Use and Non-Conforming Structure sections of the zoning ordinance to encourage compatible mixed uses, and to be made more clear and easy to understand.		
A	B	C	CD-IM8. Revisions to the Zoning Ordinance to Regulate Big Box Commercial Uses. Revise the zoning ordinance to incorporate the selected standards for Big Box commercial uses.		
A	B		CD-IM9. Adult Entertainment Ordinance. Establish standards in the zoning ordinance for adult entertainment establishments to ensure they do not locate near existing schools, and to ensure they will be compatible with neighboring uses.		

<i>Plan Alternative</i>				<i>Implementation Measures (continued)</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	D	McKinleyville Urban Study Area CD-IM10. Town Center Ordinance. The County shall adopt a Town Center Area ordinance to identify permitted land uses and standards for the Town Center area identified on the McKinleyville Community Plan Zoning Map.[MCCP]		

10.5 Preliminary Environmental Impact Analysis

This Element will help to minimize the aesthetic and visual impacts of new development by applying standards to ensure they are more compatible with the existing neighborhood. Policies, standards and implementation measures in this Element are also intended to reduce automobile use, improve air quality, and reduce greenhouse gas emissions by promoting community design that is more centered, and by discouraging sprawl.

Glossary and Definitions

Adult Entertainment Establishments Businesses where persons may appear in a state of nudity for the purpose of entertaining the patrons of such establishments.

Bix Box Store A large – usually in excess of one acre floor area – commercial structure where, under one proprietor or a set of discrete franchises, retail sales and services are offered in a centralized, warehouse-like setting intended to serve a regional area. Due to their large area requirements compared to the more traditional pattern of decentralized specialty shops, this class of development can have adverse effects (i.e., traffic, lighting, and stormwater runoff from expansive parking areas; visual resource impacts from structural bulk) if not appropriately sited and mitigated. [MCCP]

Build To Line An imaginary line, drawn parallel to the street frontage, along which some portion of the building front must be built

Form-Based Code A regulatory document that controls land use by placing primary emphasis on the physical form of the built environment with the end goal of producing a specific type of “place”.

Mixed Use Areas Areas that allow a mixture of uses, typically commercial and residential uses.

Non-conforming Use A use that does not comply with the present zoning standards.

Off Street Parking Parking areas outside the street right of way.

On Street Parking Parking areas within the street right of way.

Pedestrian and Bicycle Facilities Sidewalks, walking trails, bike paths, bike lanes, and other facilities for the mobility of pedestrians and bicyclists.

Setbacks An imaginary line, drawn parallel to the property line which limits how closely the building can be situated to the property line.

Sprawl A form of development that makes large amounts of land available for low density development, encouraging automobile use, and discouraging other forms of travel, such as walking or biking.

Streetscape View of the street

USA's Urban Study Areas