

ORDINANCE NO. 1456

An Ordinance of the City Council of the City of Arcata Amending Arcata Municipal Code Title IX—Land Use Code, Section 9.12.020, *Zoning Map*, to Establish Zoning Designations for the Sunny Brae Forest Management Unit Properties as Natural Resource-Timber Production, Effective Upon Annexation; and to Prezone the Davis Property as Residential-Very Low Density

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

SECTION 1. Zoning Map Amendment, Resource Lands.

In conformance with Land Use Code Section 9.92.060, *Prezoning*, Subsection(B)(2), the Arcata Municipal Code Title IX—Land Use Code (LUC), Section 9.12.020, *Zoning Map*, shall be amended as follows upon annexation of the Sunny Brae Forest Management Unit properties to establish the zoning designations for the affected parcels:

The Sunny Brae Forest Management Unit properties Assessor's Parcel Nos. (APN): 500-021-032, 500-032-003, 500-032-006, 500-041-031, 500-101-004, 500-101-009, 500-101-010, 500-132-026, and 500-022-004 are hereby zoned as Natural Resource-Timber Production (NR-TP).

SECTION 2. Zoning Map Amendment.

Arcata Municipal Code Title IX—Land Use Code (LUC), Section 9.12.020, *Zoning Map*, is hereby amended in conformance with Land Use Code Section 9.92.060, *Prezoning*, by the prezoning of the following assessor parcels:

Assessor's Parcel No. (APN) 500-132-001, known as the Davis property, is hereby prezoned as Residential-Very Low Density (RVL) (Exhibit 1).

SECTION 3. Findings of Approval.

Based upon the whole record, information received in public hearings, comments from responsible agencies, and the Arcata Planning Commission recommendation PC-14-05, dated February 24, 2015, the following findings are hereby adopted:

1. The unincorporated Sunny Brae Forest Management Unit properties as shown on Exhibit 1 are within the City's Sphere of Influence, but outside the City's Urban Services Boundary. No urban services are required because the subject parcels will be managed for natural resource conservation, timber management and public access as part of Arcata's forest lands.
2. The unincorporated Davis property identified as a portion of the project area and as shown on Exhibit 1 is within the City's Sphere of Influence and the City's Urban Services Boundary.
3. The proposed amendment is consistent with the General Plan;

4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
5. The Planning Commission's Resolution PC-14-05 adopted on February 24, 2015, recommended classifying the Sunny Brae Forest Management Unit properties NR-TP and the Davis property RVL;
6. All road rights-of-way will remain undesignated; and
7. The affected site is physically suitable (including absence of physical restraints, access, and compatibility with adjoining land uses, and provision of utilities) for the requested zoning designation and proposed or anticipated uses and/or development.

SECTION 4. California Environmental Quality Act (CEQA) Determination.

This Ordinance is subject to the California Environmental Quality Act (CEQA) Guidelines §15319 exemption (Class 19 – Annexations of Existing Facilities and Lots for Exempt Facilities) adopted by the Arcata City Council pursuant to Resolution No. 145-45 on April 15, 2015.

SECTION 5. 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 6. Limitation of Actions.

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within thirty (30) days of the date of adoption of this ordinance.

SECTION 7. Effective Date.

Section 1 of this ordinance shall effect upon annexation of the affected resource parcels. Section 2 of this ordinance shall take 30 days after adoption.

Attachment: Exhibit 1

DATED: May 20, 2015

ATTEST:

APPROVED:

/s/ Bridget Dory
City Clerk, City of Arcata

/s/ Michael Winkler
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1456, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 20th day of May, 2015, by the following vote:

AYES: WINKLER, PITINO, WHEETLEY

NOES: NONE

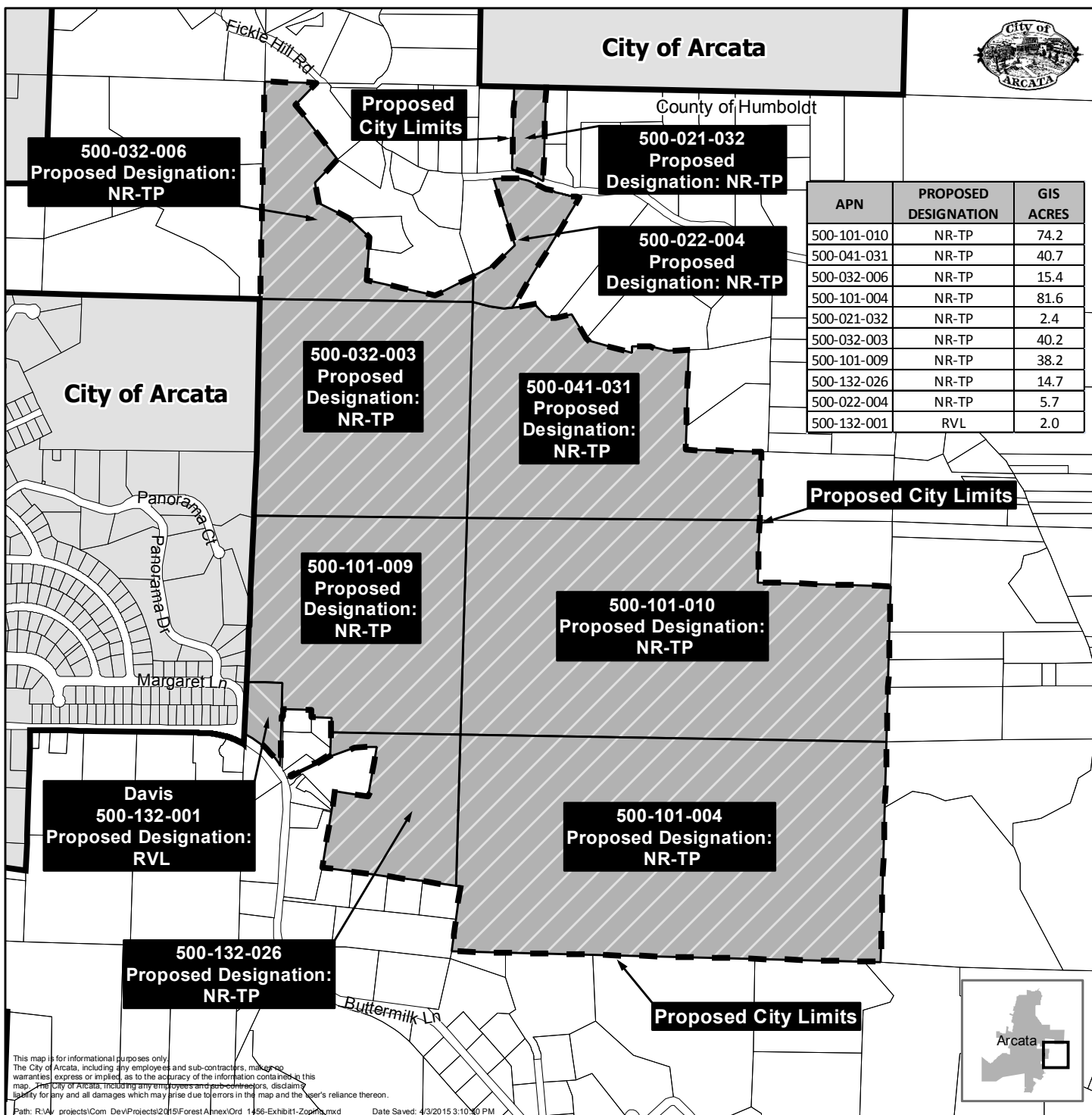
ABSENT: ORNELAS (RECUSED), PEREIRA (RECUSED)

ABSTENTIONS: NONE

 /s/ Bridget Dory
City Clerk, City of Arcata

ORDINANCE 1456

LAND USE CODE ZONING MAP AMENDMENT TO PREZONE FOR SUNNY BRAE FOREST MANAGEMENT UNIT PROPERTIES AND DAVIS PROPERTY



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Legend

- Arcata City Limits
- Proposed City Boundary Adjustment
- Davis property proposed designation: RVL
- City owned properties proposed designation: NR-TP
- Parcel

