ORDINANCE NO. 1422

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE, TITLE IX, THE LAND USE CODE, BY AMENDING THE ZONING MAP TO ADD THE PLANNED DEVELOPMENT COMBINING ZONE (:PD) TO THE INDUSTRIAL LIMITED ZONING DESIGNATION (IL) TO A PARCEL LOCATED AT 1250 GIUNTOLI LANE, ARCATA, (ASSESSOR'S PARCEL NUMBER 507-141-036)

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

SECTION 1. Amendment of the Zoning Map

Section 9.12.020, Zoning Map and Zoning Districts, of Chapter 9.12 of the Arcata Land Use Code, Title IX of the Arcata Municipal Code, said section being the Zoning Map, is hereby amended as follows:

> The property identified as the project area on Exhibit "A," attached hereto and incorporated herein, is hereby rezoned from Industrial Limited (IL) to Industrial Limited with a Planned Development Combining Zone (IL:PD). The property is described as follows: 1250 Giuntoli Lane, Arcata, Assessor's Parcel Number 507-141-036.

SECTION 2. Findings of Approval

Based upon the whole record, information received in public hearings, comments from responsible agencies, and the Arcata Planning Commission recommendation on July 10, 2012, the following findings are hereby adopted.

1. The proposed amendment is consistent with the General Plan;

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

3. The affected site is 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 3. CEQA Determination

Based upon an Initial Study, State Clearinghouse review, information received in public hearings, comments from responsible agencies, and the Arcata Planning Commission recommendation on July 10, 2012, the City Council hereby adopts a Negative Declaration of environmental impact for the project per the California Environmental Quality Act.

SECTION 4. 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 5. 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 ninety (90) days of the date of adoption of this ordinance.

SECTION 6. Effective Date

This ordinance shall take effect thirty (30) days after its adoption by the City Council.

DATED: October 3, 2012

ATTEST:

/s/ Randal J. Mendosa
City Clerk, City of Arcata

APPROVED:

/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. 1422**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 3rd day of October, 2012, by the following vote:

AYES: **WINKLER, BRINTON, ORNELAS, STILLMAN, WHEETLEY**

NOES: **NONE**

ABSENT: **NONE**

ABSTENTIONS: **NONE**

/s/ Randal J. Mendosa
City Clerk, City of Arcata