ORDINANCE NO. 1408

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE, TITLE IX,
THE LAND USE AND DEVELOPMENT GUIDE, CHAPTER I, ARTICLE 2, SECTION 1-0203,
ZONING MAP, TO AMEND THE ZONING DISTRICT TO ADD THE
LANDMARK HISTORIC STRUCTURE (:LHS) DESIGNATION TO A PARCEL AT
1188 SEVENTH STREET (ASSESSOR'S PARCEL NUMBER 021-156-005)
CONTAINING THE DEVLIN COTTAGE

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

SECTION 1. Amendment of the Zoning Map

Section 1-0203, Zoning Map, of Article 2 of Chapter 1 of the Arcata Land Use and Development Guide, 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 1 is hereby rezoned from Coastal Industrial Commercial (C-I-C) to Coastal Industrial Commercial with a Landmark Historic Structure Combining Zone (C-I-C:LHS). The property is described as follows: Devlin Cottage, 1188 Seventh Street, Assessor's Parcel No. 021-156-005, with features to be preserved and conditions to be met as described in the attached Exhibit 2.

SECTION 2. Findings of Approval

Based upon information received in the public hearing, including the staff report and attachments, the following Findings are hereby adopted:

- 1. The proposed amendment is consistent with the General Plan in accordance with the California Government Code, Section 65860;
- 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 constraints, access, compatibility with adjoining land uses, and provision of utilities) for proposed or anticipated uses and/or development.

SECTION 3. Categorical Exemption from CEQA

The City Council hereby determines that the project qualifies for a Categorical Exemption from the California Environmental Quality Act (CEQA) per Section 15331 of the CEQA Guidelines. This section exempts, "projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring and Reconstructing Historic Buildings," Weeks and Grimmer (1995).

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: March 2, 2011

ATTEST: APPROVED:

/s/ Randal J. Mendosa /s/ Susan Ornelas

Randy Mendosa Susan Ornelas
City Clerk, City of Arcata Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1408**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, held on 2nd day of March, 2011, by the following vote:

AYES: ORNELAS, WINKLER, BRINTON, STILLMAN, WHEETLEY

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

/s/ Randal J. Mendosa

Randy Mendosa

City Clerk, City of Arcata