ORDINANCE NO. 1373

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 1105 SPEAR AVENUE (A.P. No. 507-511-001) CONTAINING THE JANES SCHOOL HOUSE RESIDENCE AND A PARCEL AT 3215 St. LOUIS ROAD (AP# 507-511-002) CONTAINING THE MORRELL-ST. LOUIS HOUSE, BARN AND MILK HOUSE.

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 properties identified as project site on Exhibit 1 are hereby rezoned from Residential Medium Density with Planned Development Combining zone (R-M:PD) to Residential Medium Density with Planned Development and Landmark Historic Structure Combining Zones (R-M:PD:LHS). The properties are described as follows: Janes School House residence; 1105 Spear Avenue; A.P. No. 507-511-001; Morrell-St. Louis house, barn and milk house; 3215 St. Louis Road; A.P. No. 507-511-002; 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 California Government Code section 65860.

2. The public health, safety, and general welfare require the adoption of the proposed amendment.

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, Rehabilitating, 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 5, 2008

ATTEST:

/s/ Michael Hackett	**/s/ Mark E. Wheetley**
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. 1373**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 5th day of March, 2008, by the following vote:

AYES: **WHEETLEY, STILLMAN, MACHI, GROVES, PITINO**

NOES: **NONE**

ABSENT: **NONE**

ABSTENTIONS: **NONE**

/s/ Michael Hackett
City Clerk, City of Arcata