ORDINANCE NO. 1370

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 PLANNED DEVELOPMENT (:PD) DESIGNATION ON THE
SCHMIDBAUER PROPERTY AT 1695 TENTH STREET
(AP# 021-223-006 AND A PORTION OF AP# 021-211-006
THAT IS NORTH OF THE COASTAL ZONE BOUNDARY)

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 project site on Exhibit 1 is hereby rezoned from Industrial Commercial (I-C) to Industrial Commercial with a Planned Development Combining Zone (I-C:PD). The property is described as follows: Schmidbauer property at the southeast corner of 10th and "Q" Streets, 1695 Tenth Street; AP# 021-223-006 and a portion of AP# 021-211-006 that is north of the Coastal Zone Boundary.

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

SECTION 3. 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 4. 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 5. Effective Date

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

DATED: December 05, 2007

ATTEST:

/s/ Michael Hackett
City Clerk, City of Arcata

/s/ Harmony Groves
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1370**, 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 December, 2007, by the following vote:

AYES: GROVES, WHEETLEY, MACHI, PITINO, STILLMAN

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

/s/ Michael Hackett
City Clerk, City of Arcata