

ORDINANCE NO. 1377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE, TITLE IX, TO REPLACE THE LAND USE AND DEVELOPMENT GUIDE (LUDG) WITH A COMPREHENSIVE LAND USE CODE (LUC) AND TO AMEND THE EXISTING ZONING MAP

WHEREAS, the City finds it necessary to replace the existing Land Use and Development Guide (LUDG) with a new comprehensive Land Use Code (LUC) to provide consistency with the goals, policies, and direction of the adopted General Plan: 2020; and

WHEREAS, the City finds it necessary to replace the existing Land Use and Development Guide (LUDG) with a new comprehensive Land Use Code (LUC) to provide an updated implementation tool for the adopted General Plan: 2020; and

WHEREAS, the Land Use Plan Map and Zoning Map has been amended from time to time since the original adoptions; and

WHEREAS, the City of Arcata adopted a combined General Plan Land Use and Zoning Map, by Ordinance 1262 on May 7, 1997; and

WHEREAS, the City finds it necessary to amend the 1997 Land Use and Zoning Map into a new Zoning Map that would change zoning designations to be consistent with the adopted and anticipated amended General Plan: 2020 Land Use Plan Map; and

WHEREAS, the City of Arcata has an adopted General Plan: 2020 and the City finds it necessary to amend the General Plan: 2020 to be consistent with an adopted comprehensive Land Use Code (LUC); and

WHEREAS, pursuant to the requirements of state and local law, the Planning Commission conducted eighty duly noticed public hearings to consider the proposed comprehensive Land Use Code, associated mapping, and General Plan: 2020 amendments, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission, following said hearings did adopt resolutions, thereby recommending that the City Council approve and adopt the recommended direction on a new comprehensive Land Use Code, amended Zoning Map, amended Land Use Plan Map, and amended General Plan: 2020; and

WHEREAS, pursuant to the requirements of state and local law, the City Council conducted six duly noticed public hearings to consider the proposed comprehensive Land Use Code, associated mapping amendments, and General Plan: 2020 amendments, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council approves the pertinent Land Use Plan (Arcata General Plan: 2020) text and mapping amendments as well as adopts the pertinent Implementation Plan (Zoning Map and Land Use Code) amendments by numbered ordinance, with accompanying copies of the final approved amendments; and

WHEREAS, the City intends to transmit the Local Coastal Program (LCP) amendment application to the California Coastal Commission, for certification review. This review includes the Arcata General Plan: 2020 and Land Use Map as amended, the Arcata Zoning Map as amended, and the Arcata Land Use Code as adopted; and

WHEREAS, the LCP amendments include changes to the City's LCP Land Use Plan through amendments to the plan designations for various properties; and

WHEREAS, the City LCP will take effect automatically upon California Coastal Commission approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arcata does hereby ordain as follows:

SECTION 1. Land Use Code Adoption

Title IX of the Arcata Municipal Code is hereby amended through the replacement of the Land Use and Development Guide (LUDG) with a comprehensive Land Use Code (LUC) as identified and shown in Exhibits 1, 5, 6, 7, and 8.

SECTION 2. Zoning Map Amendments

Title IX of the Arcata Municipal Code is hereby amended through the replacement of the 1997 Land Use and Zoning Map with the amended Zoning Map as shown in Exhibit 2.

SECTION 3. General Plan: 2020 Text and Mapping Amendments

General Plan: 2020 and the associated Land Use Plan Map are hereby amended to reflect consistency with the adopted Land Use Code and the amended Zoning Map as shown in Exhibits 3 and 4.

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: September 3, 2008

ATTEST:

APPROVED:

/s/ Michael M. Hackett
City Clerk, City of Arcata

/s/ Mark E. Wheatley
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1377**, 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 September, 2008, by the following vote:

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

NOES: **NONE.**

ABSENT: **NONE.**

ABSTENTIONS: **NONE.**

/s/ Michael M. Hackett
City Clerk, City of Arcata