

ORDINANCE NO. 1397

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE
ARCATA MUNICIPAL CODE, TITLE IX, THE LAND USE CODE BY AMENDING SECTIONS
9.12.020.A, 9.12.020.B.4 AND 9.72.030.C.2.c AND A ZONING MAP AMENDMENT
SURROUNDING U.S. HIGHWAYS 101 AND 255 CLOVERLEAF**

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

SECTION 1. Amendment of the City of Arcata Land Use Code

Title IX of the Arcata Municipal Code is hereby amended as follows:

1. Revise §9.12.020.A. and §9.12.020.B.4.—“Zoning districts established” and “Interpretation of zoning district boundaries” as specified in the attached Exhibit 1, incorporated herein;
2. Revise §9.72.030.C.2. “Categorical exclusions” as specified in the attached Exhibit 2, incorporated herein;
3. Remove the Public Facility (PF) zoning district from portions of the U.S Highways 101 and 255 cloverleaf (Exhibit 3, attached hereto and incorporated herein).

SECTION 2. Findings of Approval

Based upon information received in the public hearing, including the Arcata Planning Commission Staff Reports and Resolution PC-09-06, 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. Exemption from CEQA

The City Council hereby determines that the ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

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: November 4, 2009

ATTEST:

Acting 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. 1397**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 4th day of November, 2009, by the following vote:

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

NOES: **NONE**

ABSENT: **ORNELAS**

ABSTENTIONS: **NONE**

Acting City Clerk, City of Arcata