

**ORDINANCE NO. 1547**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF ARCATA AMENDING THE CHAPMAN  
HOUSE HISTORIC LANDMARK ORDINANCE**

**WHEREAS**, the City of Arcata desires to promote preservation of structures and sites that are representative of the various periods of the City's social and physical development, encourage owners of eligible structures to seek landmark designation, and promote interest in and appreciation of the value of Arcata's history and its heritage of historic buildings as identified in the General Plan Historic Preservation Element; and

**WHEREAS**, in 2020, the City adopted Ordinance 1528 adding the Chapman House at 974 10th Street to the Local List of Historic Landmarks, and granting associated incentives; and

**WHEREAS**, Ordinance 1528 included financial incentives to support ongoing financial viability of the historic resource; and

**WHEREAS**, the incentives included specifically allowing vacation rentals on the property in perpetuity, regardless of changes to the base zoning; and

**WHEREAS**, the City subsequently adopted Ord 1545, implementing limitations on the total number of vacation rentals in the City, which could preclude the Chapman House operating vacation rentals onsite; and

**WHEREAS**, this unintentional conflict created by Ord 1545 could impact the ability of the owners of the Chapman House to maintain the historic resource; and

**WHEREAS**, the amendment clarifies specific regulations regarding the vacation rental permit process, and if vacation rental units at the site are subject to the permit cap as determined by the Arcata City Council. This amendment would not change the allowable uses on the site. Under both current and new regulations, each individual vacation rental unit is required to apply for and receive a Short-Stay Vacation Rental Permit; and

**WHEREAS**, the Planning Commission of the City of Arcata recommended the adoption of the amendments as proposed through the adoption of PC-21-03; and

**NOW THEREFORE**, The City Council of the City of Arcata does hereby ordain as follows:

**SECTION 1. Amendment of Ordinance 1528**

Exhibit 3 of Ordinance 1528 (Incentives), is hereby amended as follows:

### EXHIBIT 3

INCENTIVES: To promote continued rehabilitation and maintenance of the ChapmanHouse in the City of Arcata, the following incentives shall apply to the site:

- Mills Act designation.
- Fee waiver for planning and building permits related to staff cost-recovery not to exceed \$8,000. Waived fees will exclude pass through, capital expense, and direct expense fees.
- Future adaptive reuse, limited to the following requested use types:

Principally permitted:

1. Vacation Rental - up to three units may be operated as vacation rentals. The units shall be exempt from the permit cap for a period of ten years, until October 1, 2031, but shall be subject to all other permit requirements and regulation established by Arcata Municipal Code Title VI, Article 3- Short-Stay and Vacation Rentals.
2. Office-Accessory, Business/Service, Government, Processing, Professional
3. Medical Service – Doctor Office
4. General Retail-less than 20,000 sf
5. Library, Museum, Gallery
6. Personal Services (non-restricted)
7. Residential Care Facility (6 or fewer clients)
8. Multifamily Housing
9. Other similar and compatible uses as determined by the Community Development Director.

Conditionally permitted:

1. Bar, Tavern, Pub
2. Restaurant, Café, Coffee shop

## SECTION 2. Findings of Approval

Based upon the whole record, information received in public hearings and the Arcata Planning Commission Resolution PC-21-03 recommending approval, the following findings are hereby adopted.

### 1. Findings required for all Historic Incentives:

- a. *Each granted incentive compensates the property owner for the rehabilitation project.*

The approved modification serves to clarify the intent of the original ordinance. Through the adoption of Ordinance 1528, the City Council found that the incentives as granted incentive would offset the costs of rehabilitating the structure, at different times in the future of operating and maintaining the site.

- b. *Approved incentives will not impair the aesthetic, architectural, or historic integrity of the resource.*

The approved modification serves to clarify the intent of the original ordinance. Through the adoption of Ordinance 1528, the City Council found that the incentives as granted incentive would not impair the aesthetic, architectural, or historic integrity of the resource. The incentives as approved will ensure the continued maintenance of the resource and will not significantly impact the exterior architectural character of the existing or adjoining properties as conditioned.

- c. *Incentives will not be detrimental to the public health, safety, or general welfare.*

As the majority of the rehabilitation work at the site has been undertaken in the last two years, it is clear based on current site conditions that the requested incentives as granted through Ordinance 1528 and further clarified through this Ordinance will not affect public health, safety, or welfare. Future use of a vacation rental onsite will continue to require a vacation rental permit, which includes site review for the purposes of determining adherence to health and safety codes.

### **SECTION 3. Environmental Review**

The project qualifies for a Class 1, section 15301 – Existing Facilities categorical exemption per the California Environmental Quality Act. The Chapman House is on a residentially zoned parcel within Arcata’s Urban Service Boundary. The project is consistent with the applicable General Plan and zoning policies, and no variances are required to approve the project. All utilities and public services are readily available to the site, and the property was not subdivided within the last two years and is not on slopes greater than 20%. The project also qualifies for a Class 31, section 15331-Historical Resource Restoration /Rehabilitation categorical exemption. This project will ensure the continued viability of maintenance of the Chapman House, a local and National-Register historic landmark.

In addition, although the property is an historic resource, this project will not have the potential to result in a “substantial adverse change” to the property, but will instead assist in ensuring the continued economic viability of its preservation in adherence with the Secretary of the Interior’s Standards. Therefore this project qualifies for this exemption and is not subject to the

