

ORDINANCE NO. 1448

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE, TITLE IX—LAND USE CODE, CHAPTER 9.32—AFFORDABLE HOUSING REQUIREMENTS; AND SECTION 9.24.070—RESIDENTIAL SPECIAL CONSIDERATIONS

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

Section 1: Title IX—Land Use Code, Chapter 9.32—Affordable Housing Requirements of the Arcata Municipal Code is hereby deleted.

Section 2: Title IX—Land Use Code, Section 9.24.070—Residential Special Considerations, is hereby amended as shown by the following strikethrough and underscore:

9.24.070—Residential Special Considerations

Proposed development and new land uses on parcels within the SCR (Special Considerations-Residential) combining zone shall comply with the following requirements, as applicable, in compliance with General Plan Table LU-3.

SCR Zone	Area	SCR Zone Requirements
1	Spear Av. & St. Louis Rd.	Residential development shall include a mix of housing types and shall be clustered to maintain stream course and riparian areas as open space.
2	Sunset at Baldwin APN's 505-121-026	Residential development shall be clustered to preserve Jolly Giant Creek watercourse and wetland areas as open space, and to reserve right-of-way for the future extension of Foster Avenue to Sunset Avenue. Baldwin should be extended to intersect with the extension of Foster. Access to residential development should be from Foster and Baldwin. <u>The City shall allow an alternative unit density as approved through a Type A Planned Development permit for a maximum of 143 one bedroom and/or efficiency units. Density bonus shall not apply to this alternative development option. [Twin Parks property]</u>
3	North of Wiyot Way & south of Mustang Lane	On APN 507-291-032, north of Wiyot Way, a residential special consideration shall be placed on this site that would allow for development of hospital related housing, including, but not limited to: life care facilities, assisted living facilities, medical related group quarters, medical services - extended care facilities, temporary housing for family members of hospital patients, or housing for doctors nurses, and hospital staff per PC Resolution 08-11.
4	Shirley Blvd, Park Ave., Park Place Annexation (Portion) APN's 503-092- 003, 503-103-008, 503-103- 019, 503-103-023, 503-104- 001, 503-104-002, 503-104- 003, 503-104-004, and 503- 104-011.	These assessor parcels are substandard in size and do not meet the 20,000 s.f. minimum parcel size required by the RVL zoning district. The :SCR applied to these parcels will allow the continued non-conformity pertaining to parcel size without further action on the part of the property owner(s) per PC Resolution 13-01.

Section 3: Severability. If any section, subsection, sentence, clause or phrase if this ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

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: California Environmental Quality Act. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 6: Effective Date. This ordinance shall take effect thirty (30) days after its adoption by the City Council.

DATED: October 1, 2014

ATTEST:

APPROVED:

/s/ Bridget Dory
City Clerk, City of Arcata

/s/ Michael Winkler
Vice Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1448**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 1st day of October, 2014, by the following vote:

AYES: WINKLER, ORNELAS, STILLMAN

NOES: NONE

ABSENT: WHEETLEY

ABSTENTIONS: NONE

/s/ Bridget Dory
City Clerk, City of Arcata