

ORDINANCE NO. 1374

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 LANDMARK HISTORIC STRUCTURE (:LHS) DESIGNATION TO A PARCEL AT 3501 BOYD ROAD (A.P. No. 507-521-001) CONTAINING THE POINSETT PLACE HOUSE AND GARAGE.

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 properties identified as project site on Exhibit 1 are hereby rezoned from Residential Medium-High Density with Planned Development Combining Zone (R-M:PD) to Residential Medium-High Density with Planned Development and Landmark Historic Structure Combining Zones (R-MH:PD:LHS). The properties are described as follows: Poinsett Place House and Garage; 3501 Boyd Road; A.P. No. 507-521-001; with features to be preserved and conditions to be met as described in the attached Exhibit 2.

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 California Government Code section 65860.
2. The public health, safety, and general welfare require the adoption of the proposed amendment.

SECTION 3. Categorical Exemption from CEQA

The City Council hereby determines that the project qualifies for a Categorical Exemption from the California Environmental Quality Act (CEQA) per Section 15331 of the CEQA Guidelines. This section exempts ". . . projects *limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.*" (Weeks and Grimmer, 1995).

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: March 5, 2008

ATTEST:

/s/ Michael Hackett
City Clerk, City of Arcata

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

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1374**, 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 March, 2008, by the following vote:

AYES: WHEETLEY, MACHI, GROVES, PITINO

NOES: NONE

ABSENT: STILLMAN

ABSTENTIONS: NONE

/s/ Michael Hackett
City Clerk, City of Arcata

POINTSETT L.H.S.

Robert J & Glendine D King
 File #056-002-LHS
 APN 507-521-001
 3501 Boyd Road

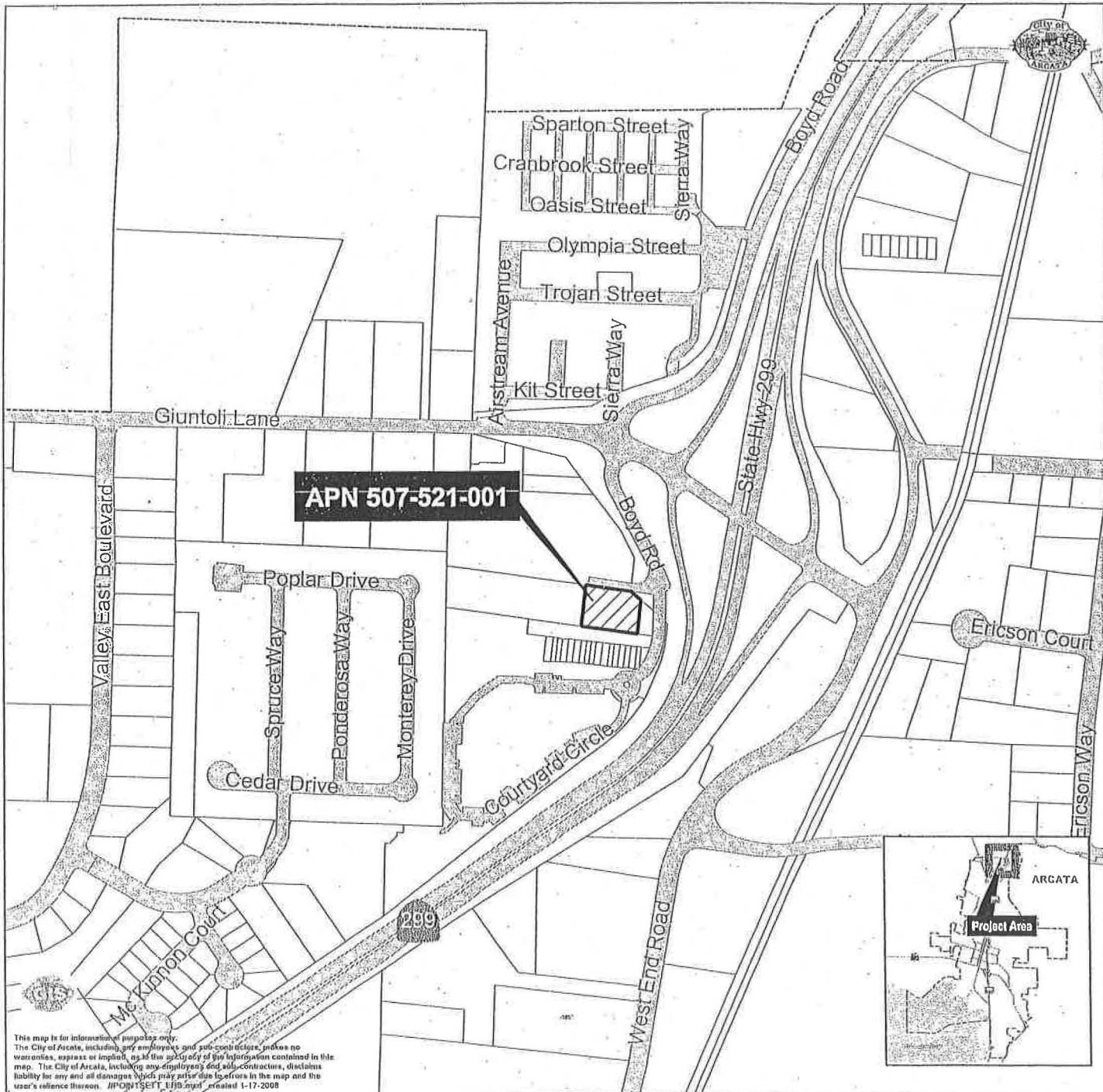


EXHIBIT 2

File # 056-002-LHS
Poinsett :LHS Designation

POINSETT HOUSE FEATURES TO BE PRESERVED. The Landmark Historic Structure Combining District shall be applied to the Poinsett Place house at 3501 Boyd Road, formerly 1101 Guintoli Lane, on parcel AP# 507-521-001, with the features to be preserved, as noted by Cultural Resources Consultant, Kathleen Stanton, and Historical Resources Consultant, Susie Van Kirk, in the Historical Resources Report prepared in April of 2001 as follows:

1. Four-square form (two rooms wide, two rooms deep).
2. Symmetrical façade.
3. Original cove shiplap siding.
4. Mansard roof covered front porch with flat scalloped trim and boxed cornice with a wide frieze board.
5. Low pitch hipped roof shape with square, flat deck at the top.
6. Front paired bay windows with double hung windows and narrower sash windows on the sides for a total of four windows per bay.
7. Boxed cornice at the roof-wall junction.
8. Ornamentation including: square medallion decoration below the Bay Window, and simple scalloped ornamentation above the windows.
9. Original paired double hung windows.
10. Original single pane sash windows with wide, slanted sill and shelf lintel.

GARAGE FEATURES TO BE PRESERVED. The Landmark Historic Structure Combining District shall be applied to the garage at 3501 Boyd Road, formerly 1101 Guintoli Lane, on parcel AP# 507-521-001, with the features to be preserved, as noted by Cultural Resources Consultant, Kathleen Stanton, and Historical Resources Consultant, Susie Van Kirk, in the Historical Resources Report prepared in April of 2001 as follows:

1. Shiplap siding.
2. Exposed rafters and gable ends with extended eaves with fascia boards.
3. Sliding door on the north side of the building.
4. Small fixed multi-pane windows on the south, east and west walls.

CONDITIONS:

1. DESIGN REVIEW APPROVAL. Design Review Commission approval will be required for changes proposed to the exterior of the structure per the Secretary of the Interior Standards, or for any development proposed on the parcel.

2. **DISCOVERY OF PREHISTORIC OR ARCHAEOLOGICAL RESOURCES.** Should concentrations of archaeological or paleontological materials be encountered during construction or grading operations, all ground-disturbing work shall be temporarily halted on the site and the Community Development Department contacted. Work near the archaeological finds shall not be resumed until a qualified archaeologist has evaluated the materials and offered recommendations for further action. Prehistoric materials which could be encountered include: obsidian or chert flakes or tools, locally darkened midden, groundstone artifacts, depositions of shell, dietary bone, and human burials. Should human remains be uncovered, State law requires excavation is halted in the immediate area and that the County Coroner be contacted immediately. Should the Coroner determine that the remains are likely those of a Native American, the California Native American Heritage Commission must be contacted within 24 hours of identification. The Heritage Commission consults with the most likely Native American descendants to determine the appropriate treatment of the remains.