

## ORDINANCE NO. 1477

### An Ordinance of the City Council of the City of Arcata Amending Arcata Municipal Code Title IX – Land Use Code, Section 9.12.020, *Zoning Map*, to Rezone the Lima Property, 25 California Avenue, APN 503-291-009

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

**SECTION 1. Zoning Map Amendment.** Arcata Municipal Code Title IX – Land Use Code (LUC), Section 9.12.020, *Zoning Map*, is hereby amended in conformance with LUC Section 9.92.050, *Findings for Zoning Map and Land Use Code Text Amendments*, as follows:

Proposed Parcels 1 and 2 identified as the project area on Exhibit 1, attached hereto and incorporated herein, is hereby rezoned from Natural Resource-Timber Production (NR-TP) to Residential Very Low Density (RVL).

### **SECTION 2. Findings of Approval**

Based upon the whole record, information received in public hearings, comments from responsible agencies, and the Arcata Planning Commission recommendation dated September 13, 2016 (Resolution PC 16-04), the following findings are hereby adopted:

1. The proposed amendment is consistent with the General Plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The affected site is physically suitable (including absence of physical restraints, access, and compatibility with adjoining land uses, and provision of utilities) for the requested zoning designation and proposed or anticipated uses and/or development.

### **SECTION 3. California Environmental Quality Act (CEQA) Determination**

This Ordinance is subject to a CEQA Negative Declaration adopted by the Arcata City Council pursuant to Resolution No. 167-15 on October 5, 2016.

### **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 thirty (30) days of the date of adoption of this ordinance.

### **SECTION 6. Effective Date**

This ordinance shall take effect 30 days after adoption.

Attachment: Exhibit 1

DATE: October 19, 2016

ATTEST:

/s/ Kara Newman-Ferdolage  
Deputy City Clerk, City of Arcata

APPROVED:

/s/ Paul J. Pitino  
Mayor, City of Arcata

#### **CLERK'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1477, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 19<sup>th</sup> day of October, 2016, by the following vote:

AYES: **PITINO, PEREIRA, WHEETLEY, WINKLER**

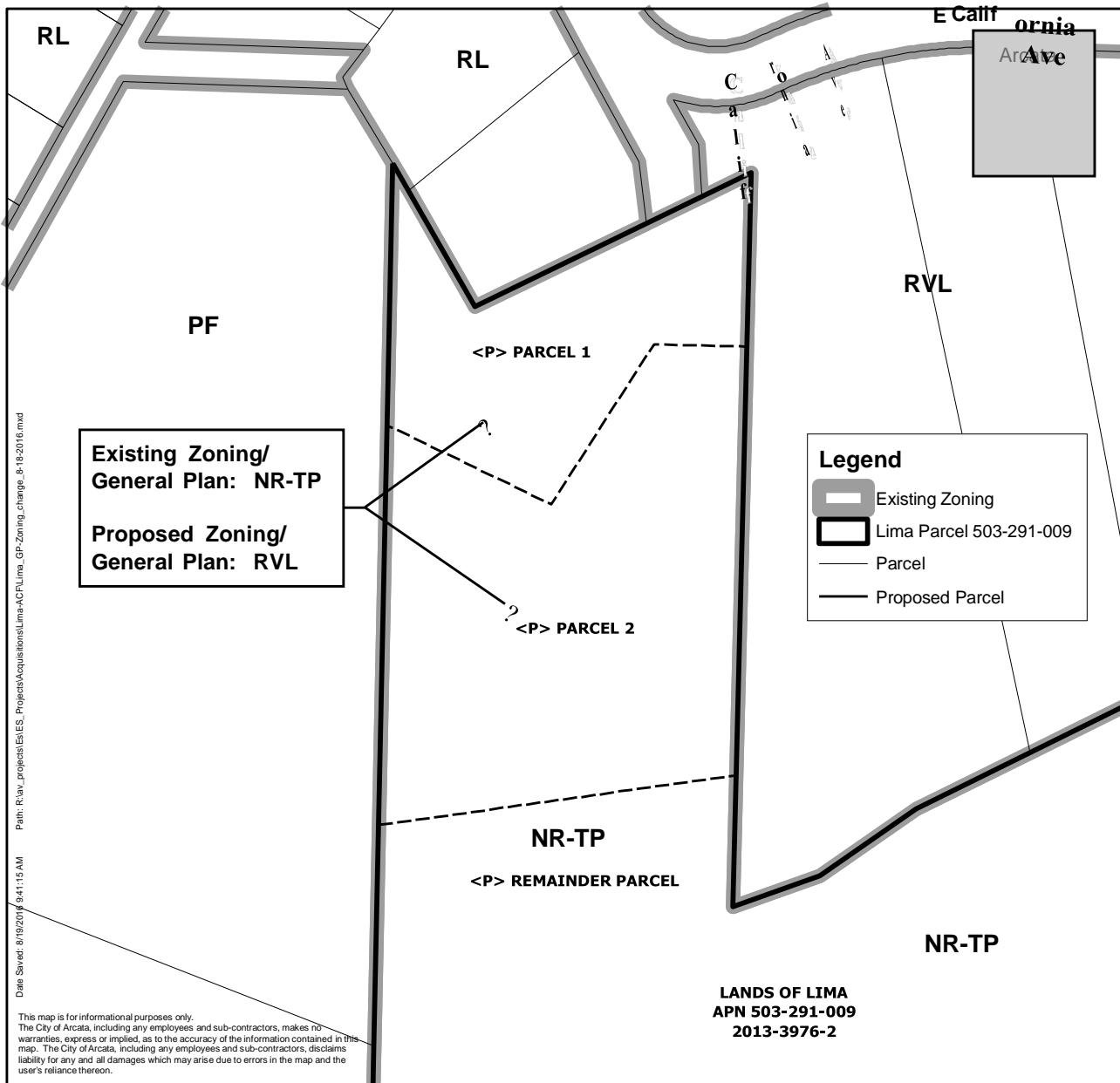
NOES: **NONE**

ABSENT: **ORNELAS**

ABSTENTIONS: **NONE**

/s/ Kara Newman-Ferdolage  
Deputy City Clerk, City of Arcata

## Exhibit 1



## City of Arcata *Environmental Services*

## General Plan & Zoning

**Lima Parcel Map Subdivision/General Plan & Zoning Map  
Amendment/Hillside Development Permit/  
Urban Services Boundary Modification**

