

## ORDINANCE NO. 1485

### 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 PREZONE 1705 BUTTERMILK LANE, ASSESSOR'S PARCEL NO. 500-131-006 AS AGRICULTURE RESIDENTIAL UPON ANNEXATION

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 Land Use Code Section 9.92.060, *Prezoning*, by the prezoning of the following assessor parcel:

Assessor's Parcel Number (APN) 500-131-006, located at 1705 Buttermilk Lane, and owned by Walter Hall, (the "Hall Property"), is hereby prezoned as Agriculture Residential (AR) (as depicted on Exhibit 1, attached hereto and incorporated herein).

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

Based upon the whole record, information received in public hearings, comments from responsible agencies, and the Arcata Planning Commission Resolution PC-17-01, adopted January 10, 2017, the following findings are hereby adopted:

1. The unincorporated Hall Property is within the City's Sphere of Influence and the City's Urban Services Boundary.
2. The proposed amendment is consistent with the General Plan based on City Council of the City of Arcata Resolution No. 167-31.
3. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
4. The Planning Commission's Resolution PC-17-01 adopted on January 10, 2017, recommended classifying the Hall property Agriculture Residential (AR);
5. 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 the California Environmental Quality Act (CEQA) Guidelines §15319 exemption (Class 19—Annexations of Existing Facilities and Lots for Exempt Facilities).

#### **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

DATED: February 15, 2017

ATTEST:

APPROVED:

/s/ Bridget Dory  
City Clerk, City of Arcata

/s/ Susan Ornelas  
Mayor, City of Arcata

**CLERK'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1485, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 15<sup>th</sup> day of February, 2017, by the following vote:

AYES: **ORNELAS, PEREIRA, PITINO, WINKLER**

NOES: **NONE**

ABSENT: **WHEETLEY**

ABSTENTIONS: **NONE**

/s/ Bridget Dory  
City Clerk, City of Arcata

