

Public Comment
on 25-1474

January 22, 2026

To the Honorable Board of Supervisors of Humboldt County:

RE: Appeal; PLN-2025-19178 Henderson PMS

We respectfully request your approval of our proposed subdivision in the unincorporated Golf Course Road Neighborhood, within the Jacoby Creek Community Plan area.

The neighborhood has been recognized as a distinct rural-residential area since 1980, described as a “pocket of moderately dense hillside development extending a mile east of Old Arcata Road on Golf Course Road and including Bayside Heights subdivisions accessed via Hyland Street” (Subarea ‘A’ in the March 1980 Jacoby Creek Sewerage Facilities Planning Study). It lies outside Jacoby Creek County Water District boundaries and Sphere of Influence, and though within Arcata’s Sphere of Influence, it is not part of the City’s planned Urban Service Area.

Our property is part of a particular section of this neighborhood that includes 26 other contiguous parcels along Golf Course Road, all of which were subdivided before the JCCP. These parcels range in size from 0.34 to 3.84 acres, averaging 1.72 acres—smaller than our two proposed parcels, which would average 2.3 acres.

Our two-parcel subdivision is actually part of a larger plan to divide three neighboring assessor parcels (APNs 500-141-045 and -046, and 500-201-003)—covering a total of 11.2 acres—into four parcels averaging 2.8 acres, all served by private onsite water and sewage systems.

While this complies with the JCCP’s Residential Estate density designation (5.0 to 2.5 acres per parcel) and zoning (RS, 2.5-acre minimum), it conflicts with the JCCP’s 5-acre density restriction for parcels without public water and sewage services. This restriction was originally “predicated” on the expectation of urban service expansion [JCCP Policy 25], which is no longer planned or necessary for the area.

In 2017, the County “comprehensively updated and revised” its General Plan, adopted in 1984, to “reflect and respond to changes” that had occurred in the County [*Section 1.3, Updating the Humboldt County General Plan*].

The community area plans in effect at that time, including the 1982 JCCP, were “consolidated and incorporated” into the updated 2017 General Plan [*Appendix C, Community Area Plans Extract, Introduction*].

In the process of consolidating the Community Plans into the updated 2017 General Plan, modifications to the Community Plans were made, including the “deletion of policies that were no longer relevant” [*Part 1, Chapter 2. Public Guide*].

However, the JCCP 5-acre density requirement for public services was not deleted.

This was an obvious error, as the requirement was no longer relevant. Adopted in 1982 “predicated” on services from the City of Arcata or Jacoby Creek Service District, it became irrelevant by 2017 when those services were not available and would not be provided.

Among the numerous technical background reports providing information and detail for the 2017 General Plan update were a 2008 Community Infrastructure and Services Technical Report and LAFCO District Sphere Reports. These reports clearly showed that the services required by the JCCP were neither practical nor necessary, and that the City and District had consequently changed their plans and would not be extending the required services. The requirement became impossible to fulfill and lost its relevance, since compliance depended on services that were no longer available—or needed.

Under General Plan Policy G-P9—which allows the Planning Commission to act if an obvious error in the Plan prevents a land use decision otherwise consistent with the plan—the proposed subdivision may be approved.

The Planning Department argues that the JCCP conflict is not an error in the Plan. Instead, they view it as a “change of circumstances” that requires a formal update via the plan amendment process.

Denying the subdivision until the JCCP is amended may align with the letter of the current plan and the Planning Department’s interpretation. Nevertheless, this approach perpetuates an unworkable and unnecessary requirement that does not serve the public interest.

From all our research, we have found nothing to suggest why there would be a problem if the Board chooses to treat the area like every other suburban area in the County and allow parcels smaller than 5 acres as long as they comply with health standards. It is essential to note that due to the lack of information regarding the nexus between the special 5-acre limit set in 1984 and the prior sanitation issues, there is no lawful grounds to impose it now--unless circumstances have changed so significantly that new standards are necessary.

But the Health Department did not reject our proposed subdivision when presented with the application and required tests.

Approving the subdivision without amending the JCCP is justified in light of the changed circumstances and the broader intent of the General Plan—which supports 5.0 to 2.5-acre density with private systems everywhere else in the county. The subdivision fully complies with all health and safety standards. It is fully compatible—and therefore consistent—with the General Plan, as it does not conflict with any Plan policies aside from the no longer relevant JCCP 5-acre density restriction for parcels lacking public water and sewage services. Further, its approval would support the objectives of expanding housing opportunities and promoting efficient land use.

We urge the Board to recognize the outdated nature of the 5-acre restriction and:

- Approve the subdivision under the authority of General Plan Policy G-P9, and

- Direct staff to amend the JCCP to remove the restriction, ensuring consistency with countywide policies and current service realities.

This action will support fair and efficient land use, increase housing opportunities, and align Jacoby Creek with other suburban areas in the County.

Thank you for your consideration.

Sincerely,

Larry and Eileen Henderson

JACOBY CREEK COUNTY WATER DISTRICT
STUDY SUBAREAS

FIGURE 5-1

