



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: September 5, 2019

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT General Plan
Conformance Review**
Case Number PLN-2019-15737
Assessor's Parcel Number 032-091-014
286 Sprowel Creek Road, Garberville Area

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Please contact Joshua Dorris, Planner, at (707) 268-3779 or email at jdorris@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date September 5, 2019	Subject General Plan Conformance	Contact Joshua Dorris
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Project Description: A General Plan Conformance review for the Southern Humboldt Community Healthcare District's (SHCHD) acquisition of APN 032-091-014. The site was developed with a school in 1939 and the most recent use was Redwood Playhouse community theater. The SHCHD proposes to 1) utilize the existing structure for patient care related to psychiatric care and counseling and, 2) construct two (2) buildings and a heliport at the property. The SHCHD operates the Jerold Phelps Community Hospital located in Garberville and the proposed buildings would replace the existing hospital. An airport compatibility analysis was performed to show the project is consistent with the Airport Land Use Compatibility Zone C Regulations. The parcel receives water and sewer services from the Garberville Sanitary District.

Project Location: The project is located in Humboldt County, in the Garberville area, on the south side of Sprowel Creek Road, approximately 200 feet west from the overpass of Sprowel Creek Road at Highway 101, adjacent to the Highway 101 southbound onramp, on the property known as 286 Sprowel Creek Road.

Present Plan Land Use Designations: Public Facilities (PF)/Airport Land Use Compatibility Zone Overlay (AP), Slope Stability: Low Instability (1) and Moderate Instability (2)

Present Zoning: Residential One-Family (R-1)

Case Number: PLN-2019-15737

Assessor's Parcel Number: 032-091-014

Applicant

Attn: Kent Scown
Southern Humboldt Community
Healthcare District
733 Cedar Street
Garberville, CA 95542

Owner

Same as applicant

Agent

None

Environmental Review: General Plan conformance review pursuant to Government Code Section 65402(a) is not a project pursuant to the California Environmental Quality Act.

Major Issues: None

State Appeal Status: Project is NOT appealable to the California Coastal Commission

**SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT
GENERAL PLAN CONFORMANCE REVIEW**

Case No. 2019-PLN-15737
Assessor's Parcel Number 032-091-014

A report on conformance with the general plan is required under California Government Code Section 65402 when a local agency acts to acquire or dispose of real property or intends to construct a new public building or structure. The applicable code is included as Attachment 3 to this staff report.

Executive Summary: A General Plan Conformance review for the Southern Humboldt Community Healthcare District's (SHCHD) 2017 acquisition of APN 032-091-014. The approximately 3.1-acre site was developed with a school in 1939, has operated as a theater and performing arts venue since the 1970s and has housed the Redwood Playhouse, a community theater, since 2013. The SHCHD proposes to 1) utilize the existing structure for patient care related to psychiatric care and counseling, and 2) construct two (2) new hospital and clinic buildings and a heliport at the property. The project is being proposed in order to comply with the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, which mandates all owners of acute care inpatient hospitals to "demolish, replace, or change to nonhospital use, all hospital buildings that are not in substantial compliance with the seismic standards" before January 1, 2030. Seismic retrofits have been deemed infeasible and cost-prohibitive by the SHCHD for the existing hospital and clinic buildings. Additionally, numerous limitations have been identified related to the current facilities' space and functionality, with limited space available for expansion. As a result, new hospital and clinic buildings are being proposed to replace existing facilities at Jerold Phelps Community Hospital located within the eastern portion of Garberville at 733 Cedar Street. Following the development of the new hospital and clinic buildings, the former hospital and clinic spaces would continue to be utilized by the SHCHD for skilled nursing services.

The site is located in the Public Facility (PF) and partially within the Airport Land Use Compatibility Zone C land use designations.

Public Facility

According to the General Plan, the Public Facility (PF) designation is utilized to classify land appropriate for use by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience, or welfare.

The primary and compatible uses of PF include

boating facilities, fish & wildlife habitat management, public access facilities, resource-related recreational, watershed management, wetland restoration, general agriculture, timber production, administrative, community assembly, essential services, extensive impact civic uses, public recreation and open space, solid waste disposal, caretaker's residence, surface mining, temporary RV park, similar compatible uses.

While healthcare services are not specifically enumerated in the list of primary and compatible uses, health care services constitute a public use type, pursuant to Section 314-151 Humboldt County Code (HCC) because it is "operated exclusively by a governmental agency or public agency which has the purpose of serving the public health, safety, convenience or general welfare...including...**hospitals**..." (emphasis added). Then Section

314-58.1 HCC permits public uses in any zone without the necessity of obtaining a use permit. As such, the acquisition of the site, use of the existing structure for hospital and the proposed expansion are consistent with PF land use designation and are principally permitted use in the R-1 zoning district.

Airport Land Use Compatibility Zone C

The western portion of the site, which is located approximately 2.2 miles east of the Garberville Airport, is partially located within the Airport Land Use Compatibility Zone C (see Figure 3). The 1993 Airport Land Use Compatibility Plan (ALUCP) defines the Airport Land Use Compatibility Zone for all public use airports that matches the Recommended Compatibility Zones contained in the ALUCP for Humboldt County Airports, including the Garberville Airport. The ALUCP prohibits several uses from being located within Zone C, including schools, hospitals, nursing homes, or hazards to flight. The proposed SHCHD expansion project was determined not to be consistent with 1993 ALUCP by the Humboldt County Airport Land Use Commission (ALUC) at its June 2018 hearing due to the subject site partially being located within Zone C for Garberville Airport. The County is currently updating the ALUCP using guidance of the CalTrans Division of Aeronautics' *2011 California Airport Land Use Planning Handbook*. The subject site falls outside of the safety zones based upon the 2011 Handbook guidance and it is expected that following update of the ALUCP, the site would no longer fall within the boundaries of an airport land use compatibility zone. An ALUCP consistency hearing was subsequently requested from the Federal Aviation Administration (FAA) for the proposed project. In a December 2018 response, the FAA noted an aeronautical study was conducted and stated that the proposed structures do not exceed obstruction standards and would not be a hazard to air navigation. The use of the existing structure for hospital services would also be consistent with the FAA determination.

**RECORD OF ACTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

**Case Number 2019-PLN-15737
Assessor's Parcel Number: 032-091-014**

Southern Humboldt Community Healthcare District, Garberville area. A General Plan Conformance review for the Southern Humboldt Community Healthcare District's 2017 acquisition of APN 032-091-014 a parcel approximately 3.1 acres in size proposing to 1) utilize the existing building at the property for patient care related to psychiatric care and counseling and, 2) construct two (2) new hospital and clinic buildings and a heliport at the property to replace the existing hospital and clinic facilities at Jerold Phelps Community Hospital located in Garberville.

Recommendation

- Find project to be in conformance with the General Plan based on findings in the staff report.
- Adopt finding that project does not conform with the General Plan for the reasons specified in the staff report.

Record of Action

- Adopt Planning Division's recommendation.
- Adopt Planning Division's recommendation with revisions as made by the Planning Commission.

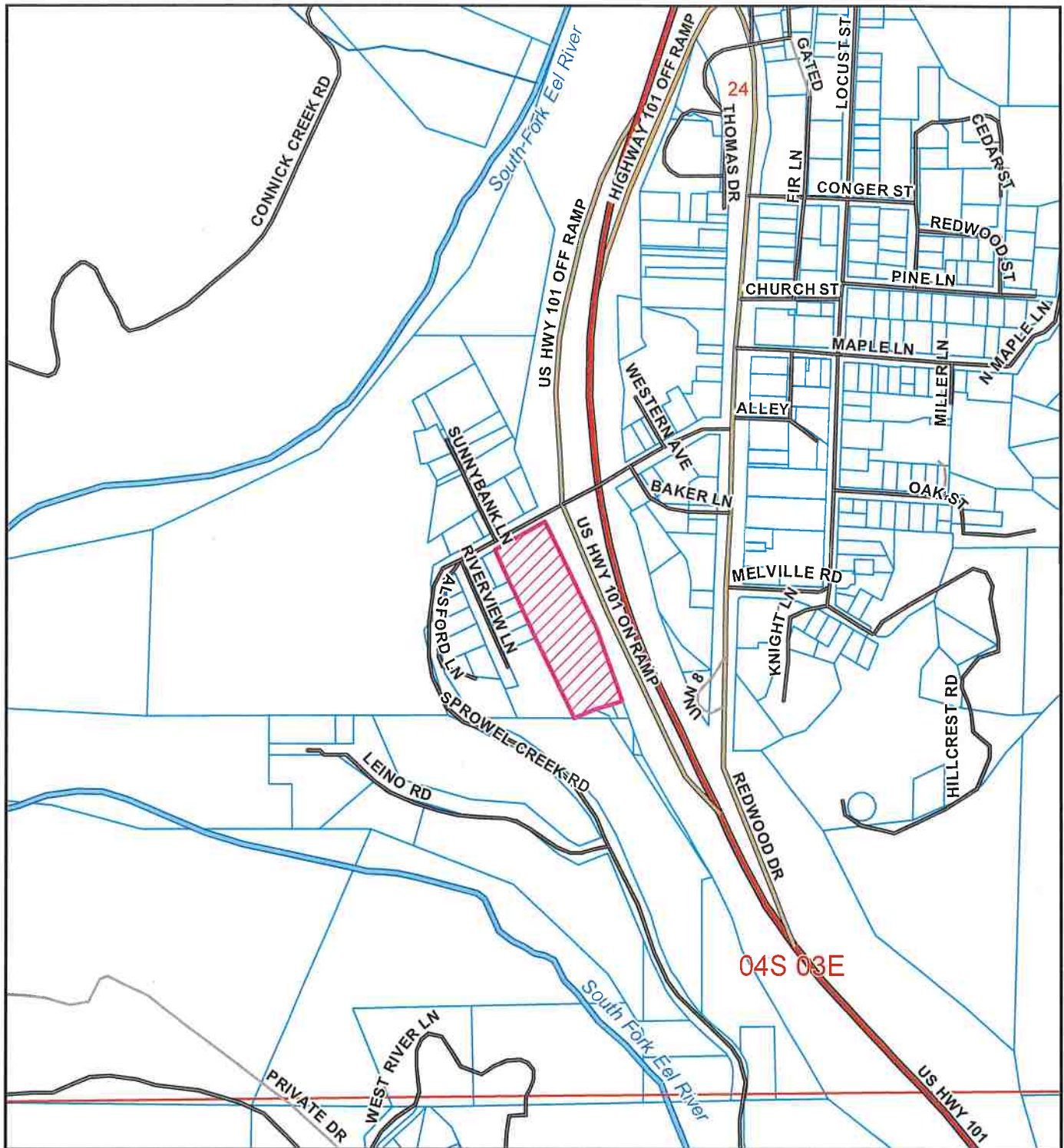
Adopted after review and consideration of all the evidence on September 5, 2019.

The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

John H. Ford, Director
Planning and Building Department



LOCATION MAP

**PROPOSED SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT
GENERAL PLAN CONFORMANCE**

GARBERVILLE AREA

PLN-2019-15737

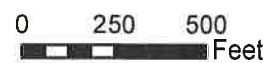
APN: 032-091-014

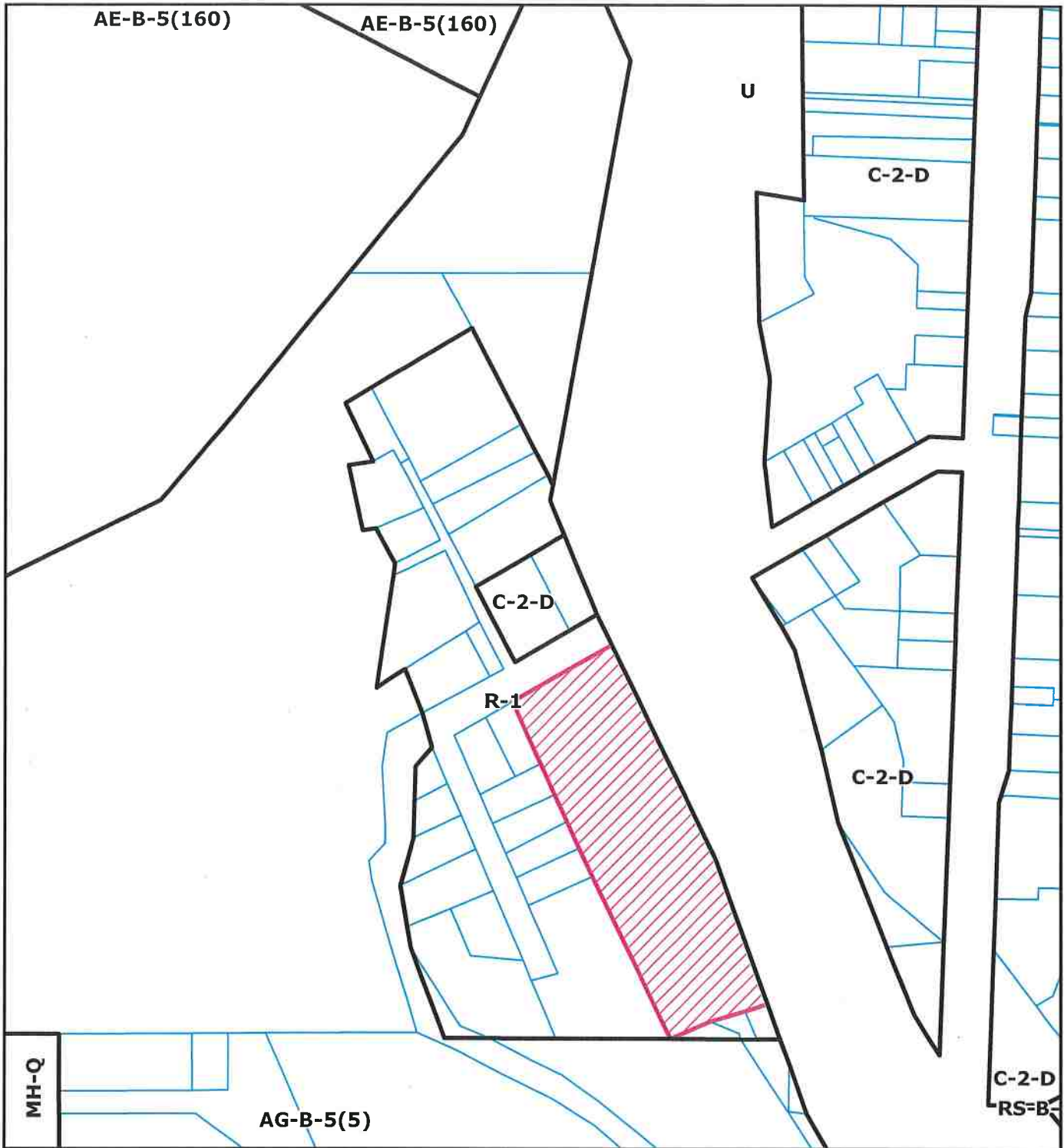
T04S R03E S24 HB&M (Garberville)

Project Area = 



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





ZONING MAP

**PROPOSED SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT
GENERAL PLAN CONFORMANCE**

GARBERVILLE AREA

PLN-2019-15737

APN: 032-091-014

T04S R03E S24 HB&M (Garberville)

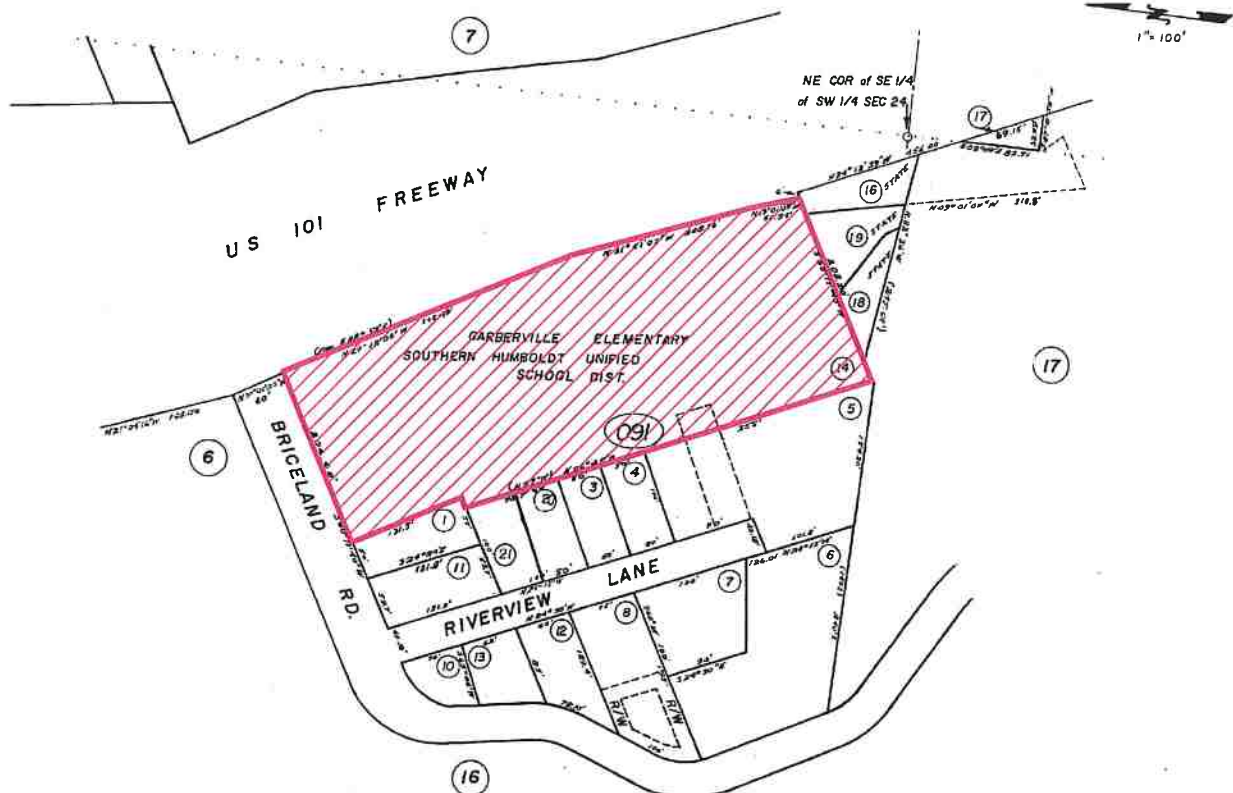
Project Area = 

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GARBERVILLE

32-09



Assessor's Maps Bk. 32-Pg.09
County of Humboldt, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

ASSESSOR PARCEL MAP

PROPOSED SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT GENERAL PLAN CONFORMANCE

GARBERVILLE AREA

PLN-2019-15737

APN: 032-091-014

T04S R03E S24 HB&M (Garberville)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

MAP NOT TO SCALE



AERIAL MAP

**PROPOSED SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT
GENERAL PLAN CONFORMANCE**

GARBERVILLE AREA

PLN-2019-15737


APN: 032-091-014

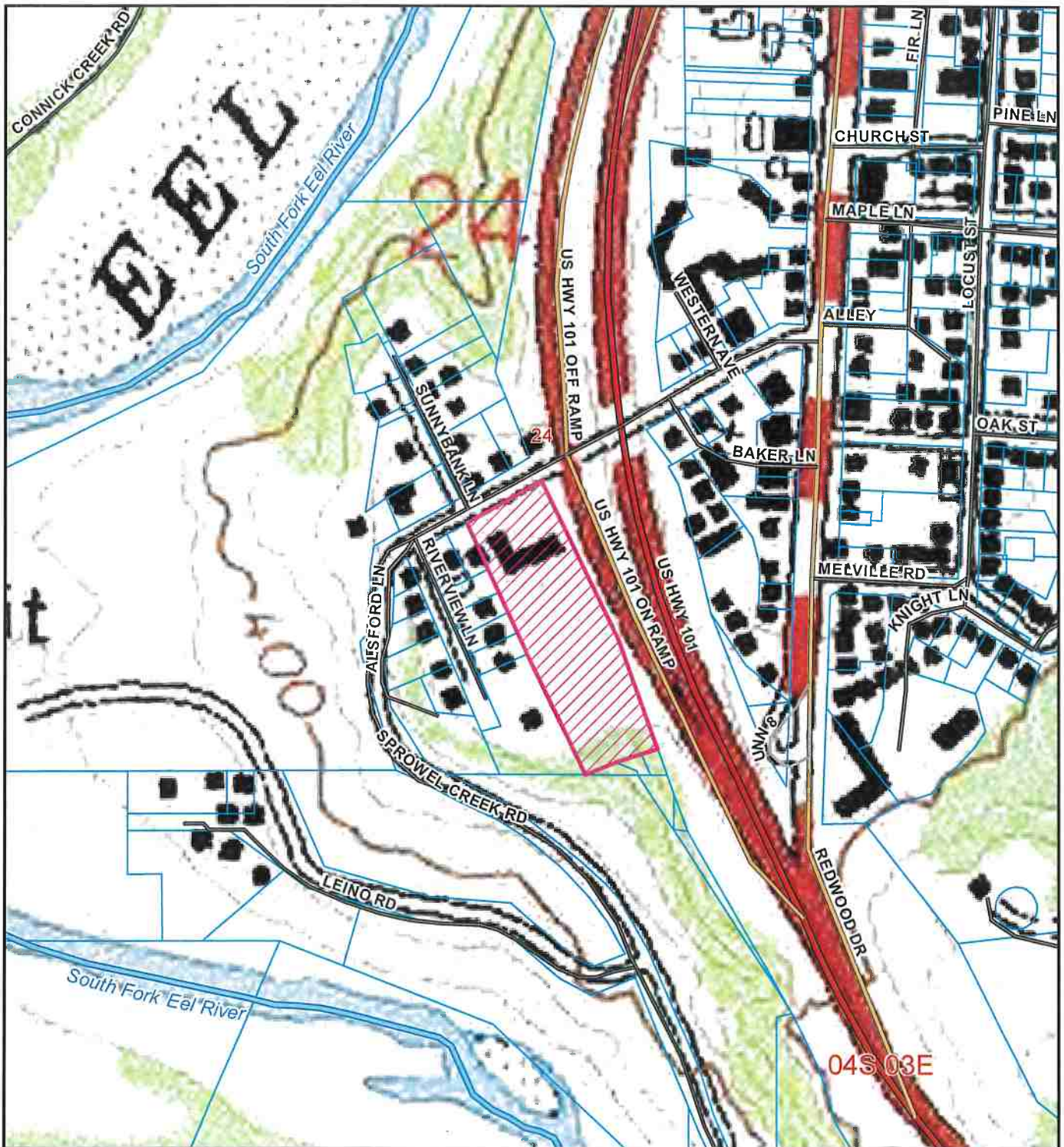
T04S R03E S24 HB&M (Garberville)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 50 100 150 200
 Feet



TOPO MAP

**PROPOSED SOUTHERN HUMBOLDT COMMUNITY HEALTHCARE DISTRICT
GENERAL PLAN CONFORMANCE**

GARBERVILLE AREA

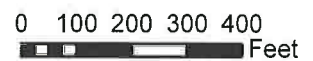
PLN-2019-15737

APN: 032-091-014

T04S R03E S24 HB&M (Garberville)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ATTACHMENT 1

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Staff believes that the Planning Commission can find that the proposed project is consistent with the 2017 Humboldt County General Plan based on the following:

- A. The proposed project is a public use, and the use of the existing structure for providing medical services and the proposed construction of two (2) buildings and a heliport would improve patient care in the Garberville community.
- B. The parcel lies within the service jurisdiction of the Garberville Sanitary District and the Garberville Fire Protection District.
- C. All applicable policies of the General Plan remain in full force.
- D. The applicant will be responsible for obtaining all necessary Federal, State, and local permits, including necessary Building Permits from Humboldt County Planning and Building Department as applicable.

The following table identifies the evidence which supports finding that the Southern Humboldt Community Healthcare District's 2017 acquisition of APN 032-091-014 is in conformance with all applicable policies and standards in the 2017 General Plan.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Public Facility (GP) §4.8	Utilized to classify land appropriate for use by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience, or welfare	The PF land use designation allows public use types by right. Health care services constitute a public use type, pursuant to Section 314-151 Humboldt County Code (HCC) because it is "operated exclusively by a governmental agency or public agency which has the purpose of serving the public health, safety, convenience or general welfare ... including... hospitals ...". Then Section 314-58.1 HCC permits public uses in any zone without the necessity of obtaining a use permit.
Community Infrastructure and Services Chapter 5	Goals and Policies contained in this chapter relate to adequate public infrastructure and services as a foundation for growth and area essential for community health, safety and quality of life.	The proposed new hospital and clinic facilities and heliport would provide much-needed services to the Garberville community and surrounding area, including expanded acute care and emergency room services, imaging, lab, and pharmacy.

<p>Conservation and Open Space</p> <p>Chapter 10</p> <p>Biological Resources Section 10.3</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and Policies contained in this Chapter guides the use and protection of all the natural resources and open space assets of the county.</p> <p>Goals and Policies contained in this Section relate to the protection of cultural heritage, including historic, prehistoric, and archaeological resources.</p>	<p>No mapped sensitive habitats exist on the subject parcel. Therefore, disturbances to habitats does not present an issue.</p> <p>The acquisition of the parcel would not impact any cultural resources. Any exterior alterations to the existing structure would need to be evaluated for historical significance prior to alteration.</p> <p>Construction of the two (2) proposed buildings and heliport would require consultation with the appropriate tribes prior to ground disturbance.</p>
<p>Safety Element</p> <p>Chapter 14</p> <p>Airport Safety</p> <p>Geologic and Seismic</p> <p>Flooding</p> <p>Fire Hazards</p>	<p>Goals and Policies contained in this Chapter identify hazards and hazard risk reduction policies to guide local decisions related to airport, geologic, flooding, and fire hazards.</p> <p>The principal airport/airspace/ land use compatibility issues at most airports are noise, airspace, safety.</p>	<p>An airport compatibility analysis performed by the Federal Aviation Administration (FAA) for the proposed project determined that it is consistent with the Airport Land Use Compatibility Zone C Regulations. In summary, the proposed structures do no exceed obstruction standards, would not be a hazard to air navigation, and use of the existing structure for hospital services are consistent with the determination.</p> <p>The site is rated "1" Low Instability and "2" Moderate Instability and does not fall within the Alquist-Priolo Fault Hazard Zone.</p> <p>The site is mapped Zone C (areas of minimal flooding) per FEMA FIRM Community Panel 060060 1835 B.</p> <p>The site is within both the State Responsibility Area and Garberville Fire Protection District.</p>

Recommendation

Planning Staff recommends the Planning Commission find both the acquisition of a parcel, and the construction of two (2) buildings and a heliport for the Southern Humboldt Community Healthcare District to be in conformance with the General Plan.

ATTACHMENT 2

APPLICATION REQUESTING GENERAL PLAN CONFORMANCE REVIEW

PLN-2019-15737



APPLICATION FORM
Humboldt County Planning and Building Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4484
 Phone (707) 445-7541 Fax (707) 268-3792



INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

SECTION I

APPLICANT (Project will be processed under Business Name, if applicable.)		AGENT (Communications from Department will be directed to agent)	
Business Name: <u>Southern Humboldt Community Healthcare District</u>	Business Name: <u>SHCHD</u>	Contact Person: <u>Kent Scown</u>	Contact Person: <u>Kent Scown</u>
Mailing Address: <u>733 Cedar Street</u>	Mailing Address: <u>-same</u>	City, St, Zip: <u>Gardenville, CA 95542</u>	City, St, Zip: <u> </u>
Telephone: <u>707 923 2721</u> Fax: <u>923 1456</u>	Telephone: <u> </u> Fax: <u> </u>	Email: <u>KSCOWN@SHCHD.ORG</u>	Email: <u> </u>
OWNER(S) OF RECORD (If different from applicant)			
Owner's Name: <u> </u>	Owner's Name: <u> </u>	Mailing Address: <u> </u>	Mailing Address: <u> </u>
City, St, Zip: <u> </u>	City, St, Zip: <u> </u>	Telephone: <u> </u> Fax: <u> </u>	Telephone: <u> </u> Fax: <u> </u>
LOCATION OF PROJECT			
Site Address: <u>280 Spruce Creek Road</u>	Assessor's Parcel No(s): <u>032 091 014</u>	Community Area: <u>Gardenville CA</u>	Parcel Size (acres or sq. ft.): <u>3.1 acres</u>
Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

SECTION II

PROJECT DESCRIPTION
 Describe the proposed project (attach additional sheets as necessary): This project is for change of use of an existing building which has been functioning as a school since 1939. The proposed use is an OSHPD 3 building code outpatient facility associated with the J. Harold Phelps Community Hospital Debrae

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed, and may result in denial or revocation of approvals.

Applicant's Signature: [Signature] Date: 07/31/2019

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

Owner of Record Signature: Date:

Owner of Record Signature: Date:

ATTACHMENT 3

GOVERNMENT CODE SECTION 65402

- (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body. If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonment for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonment for street widening, or alignment projects are of a minor nature.
- (b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.
- (c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such

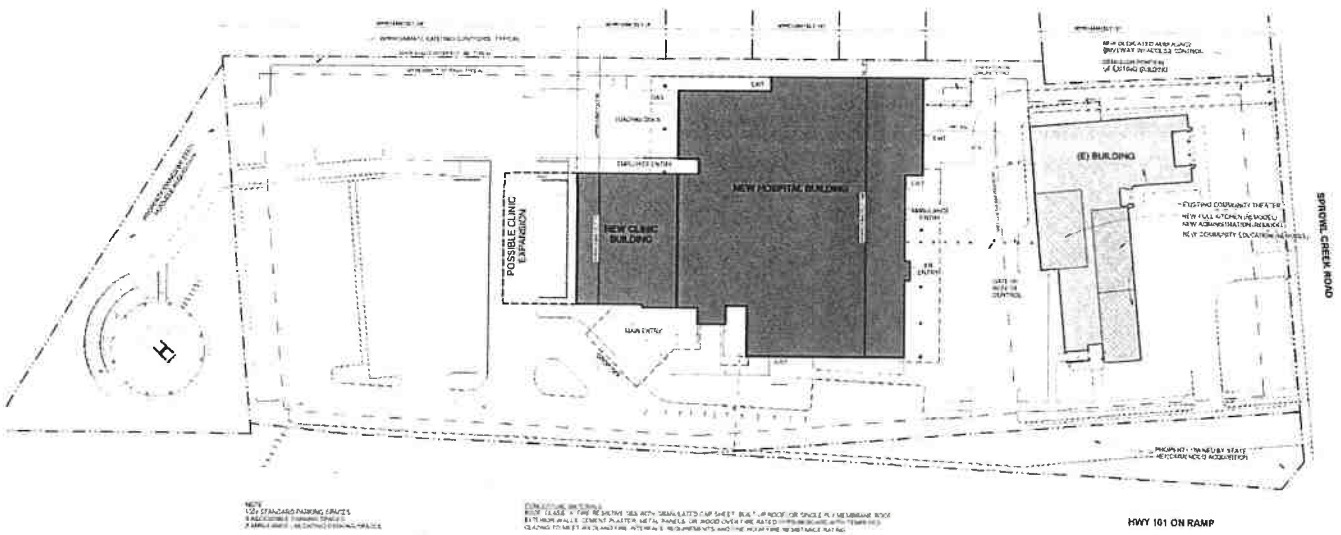
acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency. Local agency as used in this paragraph (c) means an agency of the state for the local performance of governmental or proprietary functions within limited boundaries. Local agency does not include the state, or county, or a city.

ATTACHMENT 4 CONCEPTUAL SITE PLAN

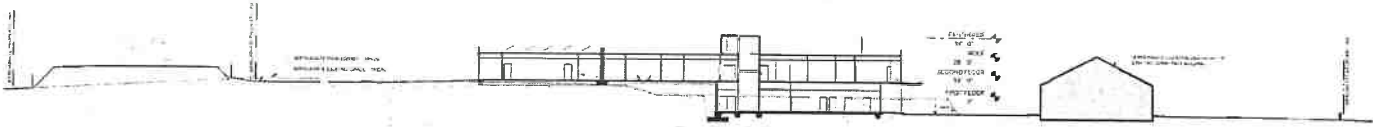
Preliminary Architectural Request

Conceptual Site Plan - 286 Sprowl Creek Rd, Garberville CA, Humboldt County

Figure 2



Conceptual Site Section



March 7, 2019