



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

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Phone: (707) 445-7541 • Fax: (707) 268-3792

Hearing Date: February 3, 2022

To: Humboldt County Planning Commission

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

Subject: **City of Arcata General Plan Conformance Review**  
Case Number PLN-2021-17514  
Assessor's Parcel Number 507-131-091  
Guintoli Lane/Boyd Road (Arcata) Area

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Please contact Michael Richardson, Supervising Planner, at (707) 268-3723 or email at [mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
February 3, 2022	General Plan Conformance Review	Michael Richardson

**Project Description:** General Plan Conformance Review of the acquisition by the City of Arcata of approximately 0.66 acres from Eureka Ready Mix to provide enhanced river access to the Mad River from the City's adjacent Carlson Park. The Eureka Ready Mix property encompasses the bed of the Mad River and adjacent riverbank. Eureka Ready Mix will retain the remaining portion of the approximately 8-acre parcel.

**Project Location:** The property is in the northeast Arcata area along the Mad River adjacent to the Eureka Ready Mix concrete batch plant at 4945 Boyd Road, which is approximately 1,650 feet from the intersection of Guintoli Lane and Boyd Road.

**Present Plan Land Use Designations:** Industrial General (IG) and Conservation Floodplain (CF); density range: Not applicable. Slope stability: Low Instability (0).

**Present Zoning:** Limited Industrial (ML)

**Case Number:** PLN-2021-17514

**Assessor's Parcel Number:** 507-131-091

<b>Applicant:</b>	<b>Owner</b>	<b>Agent</b>
City of Arcata 736 F Street Arcata CA 95521	Eureka Ready Mix 4945 Boyd Road Arcata CA 95521	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

**CITY OF ARCATA**  
**GENERAL PLAN CONFORMANCE REVIEW**

Case No. 2021-PLN-17514  
Assessor's Parcel Number 507-131-091

**Executive Summary:** A report on conformance with the general plan is required under California Government Code Section 65402 when a public agency acts to acquire or dispose of real property or intends to construct a new public building or structure. Also, review of public works projects is required by Chapter 3 of the General Plan, Governance policy G-P19 and implementation measure G-IM8. The referenced section of the Government Code section is included as Attachment 3 to this staff report.

The City of Arcata has requested a General Plan Conformance review of the proposed purchase of approximately 0.66 acre of the Mad River. The property borders the City's Carlson Park (within Arcata city limits) on the east side and the Mad River on the north side. The City has prioritized grant writing to fund improvements to Carlson Park including playground amenities and developing river access for the Valley West neighborhood, which is a severely disadvantaged neighborhood in Arcata with limited recreational opportunities. The existing Carlson Park property has too steep of access to the Mad River, and that location is a significant distance from the proposed parking and staging area. This development of Carlson Park and Mad River access will provide the community with free river related recreational opportunities within walking and biking distance of their homes while also serving the wider region.

The conveyance of this portion of APN 507-131-091 to the City will be done utilizing the Subdivision Map Act Section 66428(a)(2) Exemptions for conveyances to or from a governmental agency. The City will record a survey and merge this 0.66 acre area with the City's adjacent Carlson Park parcel. The City plans to subsequently work towards annexation of this 0.66 acre area to bring into Arcata jurisdiction. The subject parcel is owned by Eureka Ready Mix and has been used for gravel extraction accessory to the adjacent concrete batch plant.

**Findings and Recommendations:**

For the purpose of this General Plan Conformance Review, staff is assuming the future use will allow multiple uses including public access and recreation, and watershed and resource conservation. These proposed uses are consistent with continued management of the biological resources along with the provision of new and expanded recreational opportunities for the community. The proposed uses conform to the primary or compatible uses described in the CF land use designation.

Staff believes that the Planning Commission may report that the proposed acquisition of the river access area conforms to the General Plan based on the analysis in Attachment 1. Alternatively, your Commission may make such modifications to the report as deemed appropriate.

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

**Case Number 2021-PLN-17514  
Assessor's Parcel Number: 507-131-091**

**County of Humboldt**, Guintoli Lane/Boyd Road Area of northeast Arcata. A General Plan Conformance review for the City of Arcata to purchase 0.66 acres of riverbank for a future trail access.

**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 February 3, 2022.

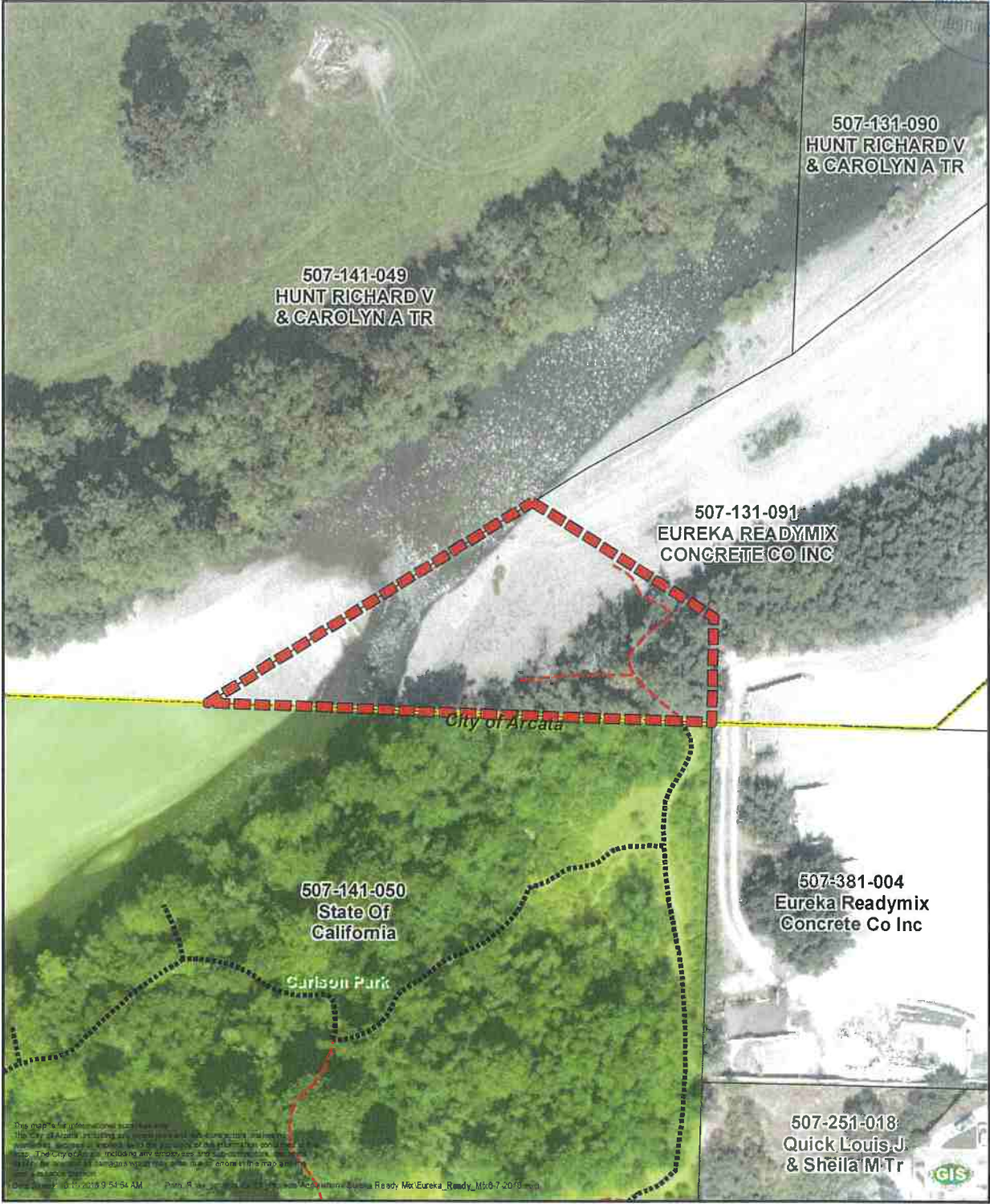
The motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

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

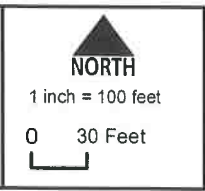
RECEIVED  
 NOV 13  
 Humboldt County  
 Planning Division



This map is for informational purposes only. The City of Arcata, including all departments and sub-departments, does not warrant, accept or endorse the accuracy of the information contained here. The City of Arcata, including all departments and sub-departments, does not warrant, accept or endorse the accuracy of the information contained here. The City of Arcata, including all departments and sub-departments, does not warrant, accept or endorse the accuracy of the information contained here. Date Printed: 02/11/2019 9:54:54 AM. Path: R:\GIS\Projects\2019\Map\Arcata\Info\Eureka\_Ready\_Mix\Eureka\_Ready\_Mix6-7-2019.mxd



**Eureka Readymix  
 Proposed Easement 0.66 acres**



**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. All applicable goals, policies, standards, and implementation measures of the General Plan remain in full force.
- B. 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 City of Arcata's acquisition of APN 507-131-091 is in conformance with all applicable policies and standards in the General Plan adopted in 2017, and the 2019 Housing Element.

<b>Relevant Plan Section(s)</b>	<b>Summary of Applicable Goal, Policy or Standard</b>	<b>Evidence Which Supports Making the General Plan Conformance Finding</b>
General Plan Land Use  Chapter 4, §4.7.3	Encourage the provision of the maximum amount of access to public lands and waterways, consistent with: A. Public safety; B. Consideration of nearby access alternatives; C. Rights of private property owners; D. Natural resource protection; E. Subdivision Map Act requirements for access to navigable waterways; and, F. Special needs of handicap and elderly persons.	The proposed acquisition is intended to create opportunities for public access and recreation which is consistent with the General Plan's land use objectives to provide the maximum amount of access to public lands and waterways (PL-P7).
General Plan Land Use  Chapter 4, §4.8	The Conservation Floodway (CF) designation is used to classify land that is primarily suitable for channels of river and streams, including the areas which carry normal flood waters or the area between existing or planned levees, dikes or other such flood control features, and in which agricultural and limited recreational uses may be desirable or permissible.	The area proposed for purchase is designated CF and is undeveloped. The area is zoned Limited Industrial reflecting the common ownership with the adjacent property used for a concrete batch plant.  Compatible uses for the "CF" land use designation include public access facilities, watershed management, and management for fish and wildlife habitat. The acquisition is consistent with the CF land use designation because it will conserve the biological resource values and create opportunities for public access and recreation.
General Plan Community Infrastructure	Goals and Policies contained in this chapter relate to adequate public infrastructure and services as a foundation for growth and	The acquisition will create a trail for public access and recreation, and watershed and resource conservation. This activity does not involve development that would create permanent

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>and Services</p> <p>Chapter 5</p> <p>Law Enforcement</p> <p>Fire Protection Services</p> <p>Water and Wastewater Systems</p> <p>Parks and Recreation</p>	<p>area essential for community health, safety and quality of life.</p>	<p>residential, commercial, or industrial development with the corresponding demand for high levels of service for public infrastructure. While the permanent infrastructure demand may be less than other forms of development, there will be demands for public safety, especially for law enforcement and fire services. Typical management plans include objectives to provide regular safety patrols with a combination of staff presence and volunteer “eyes and ears”, and coordination with fire agencies, the Humboldt County Sheriff’s Office, and mutual aid agencies. This report assumes these objectives will be incorporated into the future management plans developed by the City of Arcata.</p> <p>The subject parcel is in the State Responsibility Area meaning that CALFire will be the lead emergency responder. To facilitate timely emergency response the internal road and trail network will be used to provide access for fire-fighting and emergency response to the new public trail. Emergency response could be performed by a variety of vehicle types—fire engines, all-terrain vehicles—and modes, e.g., by foot.</p> <p>Overall, the public access is expected to provide for a multi-use trail network to meet the needs of the region with sustainable funding as required by City of Arcata policies. For all identified long-term access opportunities land owner engagement and planning will be necessary before developing these further.</p> <p>Public restrooms and trash receptacles are typically provided in community parks and included in management plans. The range of amenities at future access points would be determined as part of the planning process for those sites.</p> <p>For all the above reasons the proposed acquisition is consistent with the Community Infrastructure and Services goals, policies and standards of the General Plan.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>General Plan Circulation</p> <p>Chapter 7</p> <p>Pedestrian and Bicycle System</p>	<p>Support efforts to develop a regional trails system particularly in the greater Humboldt Bay area.</p>	<p>The public access is expected to provide a multi-use trails network to meet the needs of the region with sustainable funding as required by City of Arcata policies. The proposed acquisition is consistent with the Circulation goals, policies and standards of the General Plan.</p>
<p>General Plan 2019 Housing Element</p> <p>Chapter 8</p> <p>Statutory Findings: Gov't Code § 65863, also referenced as No-Net Loss</p>	<p>Policies, Standards, and Implementation Measures for achieving target residential densities, incentivizing affordable housing production, promoting infill development, providing an adequate supply.</p> <p>Gov't Code § 65863: Each jurisdiction shall ensure that its housing element inventory sites can accommodate, at all times throughout the planning period, its remaining unmet share of the regional housing need allocated.<sup>1</sup></p>	<p>The subject parcels are not included in the 2019 Housing Element Inventory (Appendix G). As such, the proposed acquisition will not affect the County's ability to meet its 6<sup>th</sup> cycle Regional Housing Needs Allocation (RHNA). Moreover, because the parcels are not 2019 Housing Element inventory sites, the proposed acquisition will not permit or cause a reduction of the residential density with either fewer units or a different income category. The acquisition is consistent with the 2019 Housing Element and Gov't Code § 65863.</p>
<p>General Plan Conservation and Open Space, Chapter 10</p> <p>Open Space and Parks Lands</p> <p>§ 10.2</p>	<p>To provide and adequately maintain an accessible park and recreation offering a range of recreation opportunities and a regional trails system that meets the future recreational and non-motorized transportation demands. Support acquisition, development and management of parklands and trails primarily in locations that are highly accessible to the public in order to serve the outdoor recreation and ADA needs of current and future residents, and where such uses do not reduce the agricultural capability, timber productivity and ecological services on open space lands. Also, planning objectives for a regional trails system, equestrian trails, and neighborhood connectivity.</p>	<p>The proposed public access is expected to provide a unique recreation resource that would meet the needs of the regional area with sustainable funding as required by City of Arcata policies.</p> <p>In particular, it will fulfill the policy to facilitate County acquisition, development and maintenance of parks and recreational areas to serve the outdoor recreational needs of County residents and tourists.</p> <p>The development of the trail access, will involve public outreach and participation consistent with City of Arcata requirements.</p> <p>The acquisition is consistent with the Conservation and Open Space goals, policies and standards of the General Plan for open space and parks.</p>

<sup>1</sup> The "planning period" refers to the RHNA planning period, which is 2019 to 2027.



<b>Relevant Plan Section(s)</b>	<b>Summary of Applicable Goal, Policy or Standard</b>	<b>Evidence Which Supports Making the General Plan Conformance Finding</b>
<p>General Plan Conservation and Open Space, Chapter 10</p> <p>Biological Resources, Sensitive and Critical Habitats § 10.3</p> <p>Also MCP Chapter 3 § 3400</p>	<p>The protection of sensitive or critical habitat</p>	<p>The proposed acquisition of the public trail access does not involve site disturbing activities. Formal biological resource review will be performed as part of any subsequent development proposal on the property. Streamside Management Area (SMA) buffers along the Mad River will apply to new trail development until the property is annexed to the City of Arcata.</p> <p>The acquisition is consistent with the Conservation and Open Space goals, policies and standards of the General Plan for protection of biological resources.</p>
<p>General Plan Conservation and Open Space, Chapter 10</p> <p>Cultural Resources § 10.6</p>	<p>Where new development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p>The proposed acquisition of the trail access does not involve site disturbing activities. Formal cultural resource review will be performed as part of any subsequent development proposal on the property.</p> <p>The acquisition is consistent with the Conservation and Open Space goals, policies and standards of the General Plan for cultural resources.</p>
<p>General Plan Water Resources</p> <p>Chapter 11, § 11.4</p>	<p>Maintain or enhance the quality of the County's water supply and water resources and the fish and wildlife habitat utilizing those resources.</p>	<p>The public trail access acquisition does not involve site disturbing activities that could affect water quality or quantity. In addition, management plans typically incorporate water resource protections. Formal water resource review will be performed as part of any subsequent development proposal on the property.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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>The proposed acquisition of the public access does not involve development that would permanently place people in potentially hazardous areas. Typically management plans address fire hazard public safety issues such as coordination with fire agencies, the Humboldt County Sheriff's Office, and mutual aid agencies.</p> <p>The parcel has a low fire hazard severity rating. The property is located in the State Responsibility Area and CALFire provides wildland fire services.</p> <p>The site's seismic safety and slope stability ratings reflect the presence of gentle slopes. The slope stability rating is low high instability, i.e., "0".</p> <p>The site is within areas subject to flooding hazards. The management plan will need to address these flooding hazards. Typically public access management plans do not involve development that would permanently place people in potentially hazardous areas.</p> <p>The proposed project is not incompatible with measures to protection people and property from hazards related to airport safety, geologic instability, flooding, and fire hazard.</p>

**Recommendation**

Planning Staff recommends the Planning Commission find the proposed acquisition of the public trail access to be in conformance with the General Plan.

**ATTACHMENT 2**

**APPLICATION REQUESTING GENERAL PLAN CONFORMANCE REVIEW**



**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**

<b>APPLICANT</b> (Project will be processed under Business name, if applicable.)		<b>AGENT</b> (Communications from Department will be directed to agent.)	
Business Name: <u>City of Arcata</u>	Contact Person: <u>Emily Sinkhorn</u>	Business Name: <u>City of Arcata</u>	Contact Person: <u>Emily Sinkhorn</u>
Mailing Address: <u>736 F Street</u>	City, St, Zip: <u>Arcata, CA 95521</u>	Mailing Address: <u>736 F Street</u>	City, St, Zip: <u>Arcata, CA 95521</u>
Telephone: <u>825-2163</u>	Fax: <u>825-2116</u>	Telephone: <u>825-2163</u>	Fax: <u>825-2116</u>
Email: <u>esinkhorn@cityofarcata.org</u>		Email: <u>esinkhorn@gmail.com</u>	
<b>OWNER(S) OF RECORD</b> (if different from applicant)			
Owner's Name: <u>Eureka Ready Mix</u>	Mailing Address: <u>4945 Boyd Road</u>	Owner's Name: _____	Mailing Address: _____
City, St, Zip: <u>Arcata, CA 95521</u>	Telephone: <u>443-2791</u>	City, St, Zip: _____	Telephone: _____
	Fax: <u>633-6521</u>		Fax: _____
<b>LOCATION OF PROJECT</b>			
Site Address: <u>West of Boyd Rd. Section 16, T6N, &amp; R1E</u>	Assessor's Parcel No(s): <u>507-131-091</u>		
Community Area: <u>North Arcata</u>	Parcel Size (acres or sq. ft.): <u>0.66 acre of interest</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)

The City seeks to acquire 0.66 acres of the above property from Eureka Ready Mix in order to provide enhanced river access to the Mad River from the City's adjacent Carlson Park. The property encompasses the bed of the Mad River and adjacent riverbank. Eureka Ready Mix has issued a letter of intent & commitment to provide the City first a public access easement with eventual acquisition in fee of the 0.66 acres.

**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.

Emily Sinkhorn 11/5/21  
 Applicant's Signature Date

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.

[Signature] 11/5/21  
 Owner of Record Signature Date

\_\_\_\_\_  
 Owner of Record Signature Date

**PLN-2021-17514**  
**GPC**

## 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.