



## AGENDA ITEM 7A

**MEETING:** May 19, 2021  
**TO:** Humboldt LAFCo Commissioners  
**FROM:** Colette Santsche, Executive Officer  
**SUBJECT:** **Proposed Mitchell Road Annexation to the Humboldt Community Services District**

The Commission will consider a proposal submitted by resolution of application from the Humboldt Community Services District (HCSD) for annexation of approximately 37.03 acres (2 parcels), generally located at the terminus of Mitchell Road in the Mitchell Road/Pigeon Point area. The proposed annexation is within the District's sphere of influence. In addition, the proposal has 100% property owner consent. Staff recommends approval with conditions incorporated.

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LAFcos are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as district annexations, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. LAFcos are authorized with broad discretion in amending and conditioning changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

### BACKGROUND

LAFCo has received a proposal submitted by resolution of application from the Humboldt Community Services District (HCSD) for annexation of two parcels (APNs 303-161-012 and -013) totaling approximately 37 acres, generally located at the terminus of Mitchell Road in the Mitchell Road/Pigeon Point area and within the District's current sphere of influence. This proposal has 100 percent property owner consent to annexation, to waiver of notice and hearing, and to waiver of protest proceedings.

HCSD currently provides water, wastewater, and recreation services to the greater Eureka area. In the Mitchell Road area, HCSD provides only water services whereas wastewater is provided by onsite septic systems. One of the two parcels in the proposed annexation area currently receives water from HCSD (APN 303-161-013) and the other is served by an onsite well (APN 303-161-012).

The owner of APN 303-161-012 is requesting water service due to frequent repairs and high-cost maintenance associated with the onsite well system. The new service connection will be served by a single service lateral off the existing water main located in the Mitchell Road right of way.

According to the Humboldt County Planning Department, certificates of subdivision compliance were issued for these parcels in May 2011. A Joint Timber Management Plan (JTMP) was prepared in 2012 which stated that the two parcels could be separately managed for timber production. Building permits were issued by the County for construction of single-family dwellings for APNs 303-161-012 and -013 in 2013 and 2012, respectively. Building Permit records show public water was determined to be available to 303-161-013 and the application reflects that a connection was made. Water was determined not to be available to 303-161-012, and the building was constructed using onsite water following Alternative Owner/Builder standards. An application was received in December of 2020 to adjust lot lines between these two parcels to reflect current development pattern and utilize road for property line and a Registered Professional Forester determined the lot line adjustment would still allow separate timber management of the two parcels consistent with the Joint Timber Management Plan<sup>1</sup>.

## **DISCUSSION**

### ***Reasons for Proposal***

According to the application, the principal reasons for the proposed annexation are as follows:

1. Revise HCSD boundary to include one existing water service customer/property (APN 303-161-013).
2. Provide a future public water service to the current property owner of an adjacent occupied parcel (APN 303-161-012).
3. The District has requested that annexation occur before any additional water services are allowed in this area.
4. The District is the appropriate entity to make an application to LAFCo.

### ***Land Use and Zoning***

Land uses within the annexation area are subject to the Freshwater Community Plan (FWCP). The parcels within the annexation area are planned Timberland (T) and zoned Timber Production Zone (TPZ). Zoning for adjacent parcels surrounding the proposed annexation area include TPZ to the south (outside of HCSD boundary and SOI), Agricultural General (AG-B-6) to the east, AG-B-5 to the west, and RS-B-5 to the north.

The parcels to the north, west and east are within the District and generally planned and zoned for rural residential uses (all or portions of 13 nearby parcels within the Humboldt CSD are planned and zoned for timber production and some portion of 25 parcels other Humboldt CSD parcels are zoned Agriculture Exclusive, two of which also have some portion zoned TPZ). In the Mitchell Road area, the southern boundary of the Humboldt CSD generally follows Public Land Survey boundaries, with the exception of the notch formed by the proposed annexation area. Parcels to the south are very large

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<sup>1</sup> Humboldt County Planning and Building comment letter, March 30, 2021.

industrial timber lands owned by the Green Diamond Resource Company or the Humboldt Redwood Company and average over 250 acres in size<sup>2</sup>.

The Timber (T) designation applies to land that is primarily suitable for the growing, harvesting, and production of timber. According to the land use designation, no use shall be permitted in Timber Production that significantly detracts from or inhibits the growing and harvesting of timber. Compatible uses under this designation include low density single-family dwellings and normal accessory uses. The proposed annexation parcels are residential in nature with living units and supporting structures such as garages and sheds already present on both parcels that are comply with these low density standards.

The following table provides current land use and service information for each parcel:

**Table 1: Annexation Area Parcels**

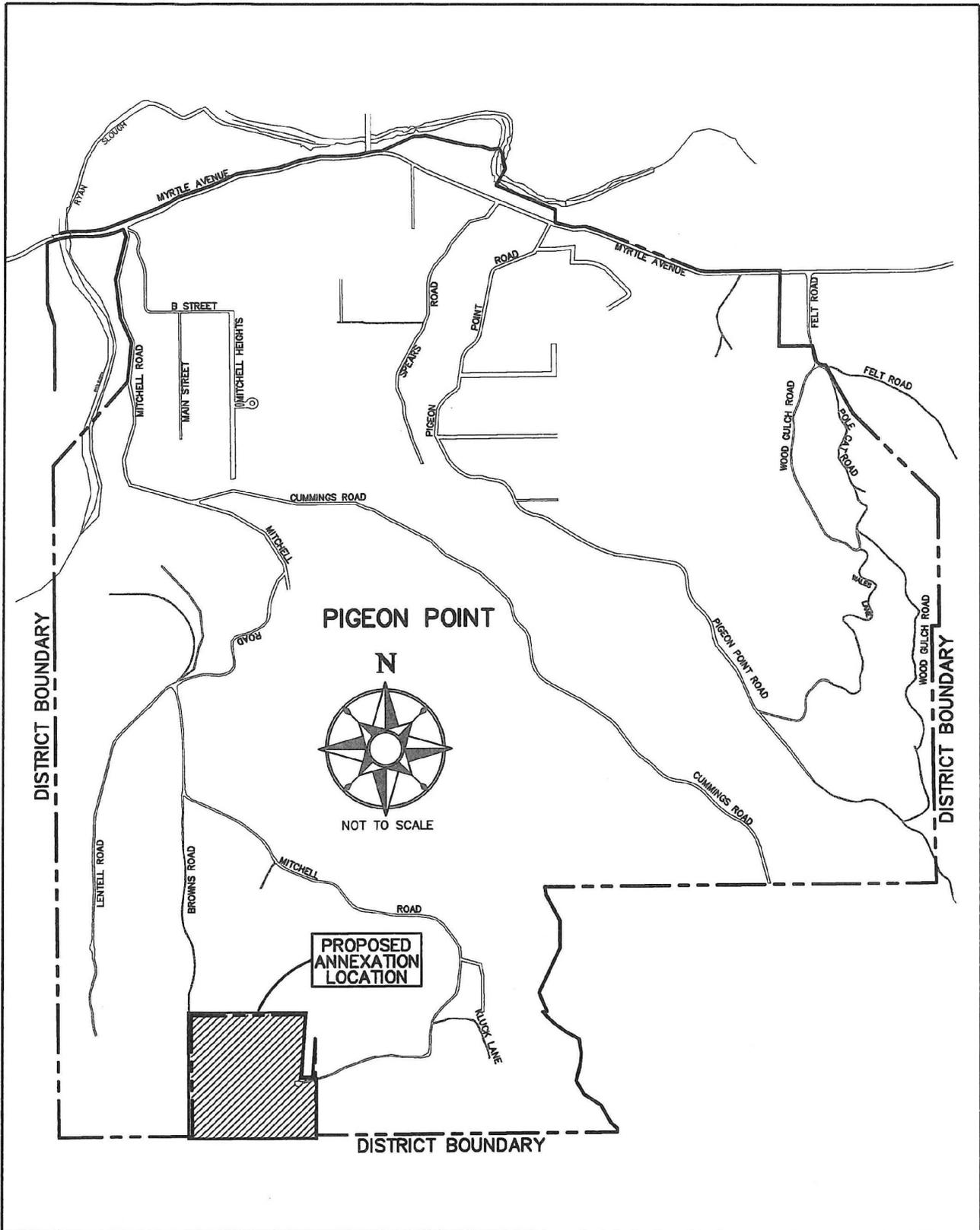
<b>APN</b>	<b>GIS Acres</b>	<b>Current Use</b>	<b>Land Use Designation</b>	<b>Zoning Designation</b>	<b>Current Service</b>
303-161-012	17.86 acres	Improved, Rural Residential	T	TPZ	None
303-161-013	19.17 acres	Improved, Rural Residential	T	TPZ	Water only

As noted in the Humboldt County Planning Department's comment letter (Attachment C), extension of public services to TPZ areas is typically discouraged as it may lead to an intensification of the non-timberland use of the site and detract from the timber productivity. However, annexation of these two properties into the HCSD for the purpose of providing public water is not likely to affect the existing timber resource use because these two TPZ parcels are already developed with single family residences and one is already provided with Humboldt CSD services. Also, a Joint Timber Management Plan and Timber Management Guide was prepared for these parcels to guide the management and harvesting of timber on these smaller TPZ ownerships. In addition, the proposed annexation creates a more stable service district boundary connecting the district boundary to the north of the subject property in a straight line to the district boundary to the south following the Public Land Survey boundary. Given the facts identified above, the Planning and Building Department does not oppose the proposed annexation provided LAFCo's administrative record contains substantial evidence supporting a finding the annexation will not detract from the current or future timber productivity of the site<sup>3</sup>.

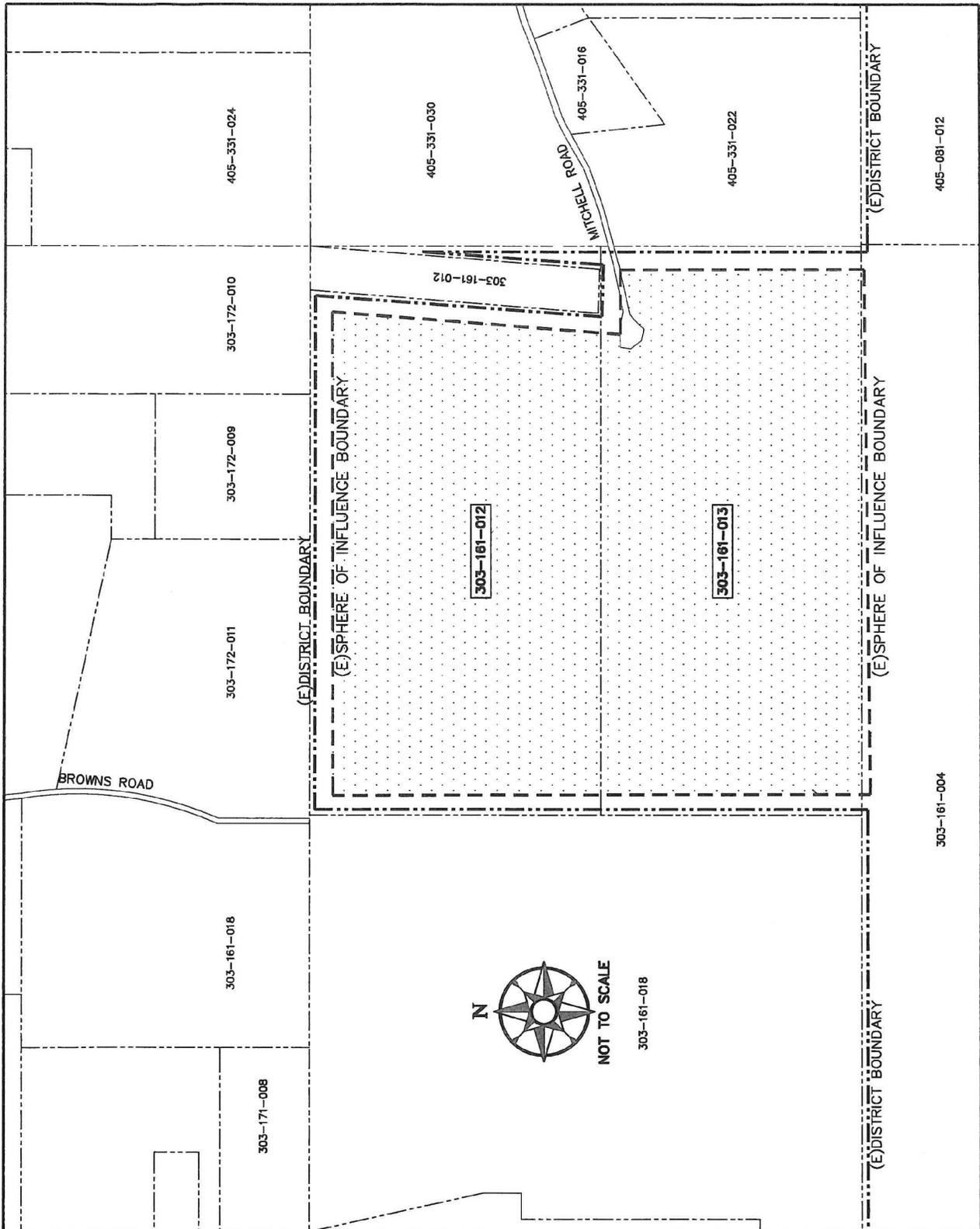
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<sup>2</sup> Humboldt County Planning and Building comment letter, March 30, 2021.

<sup>3</sup> Ibid.



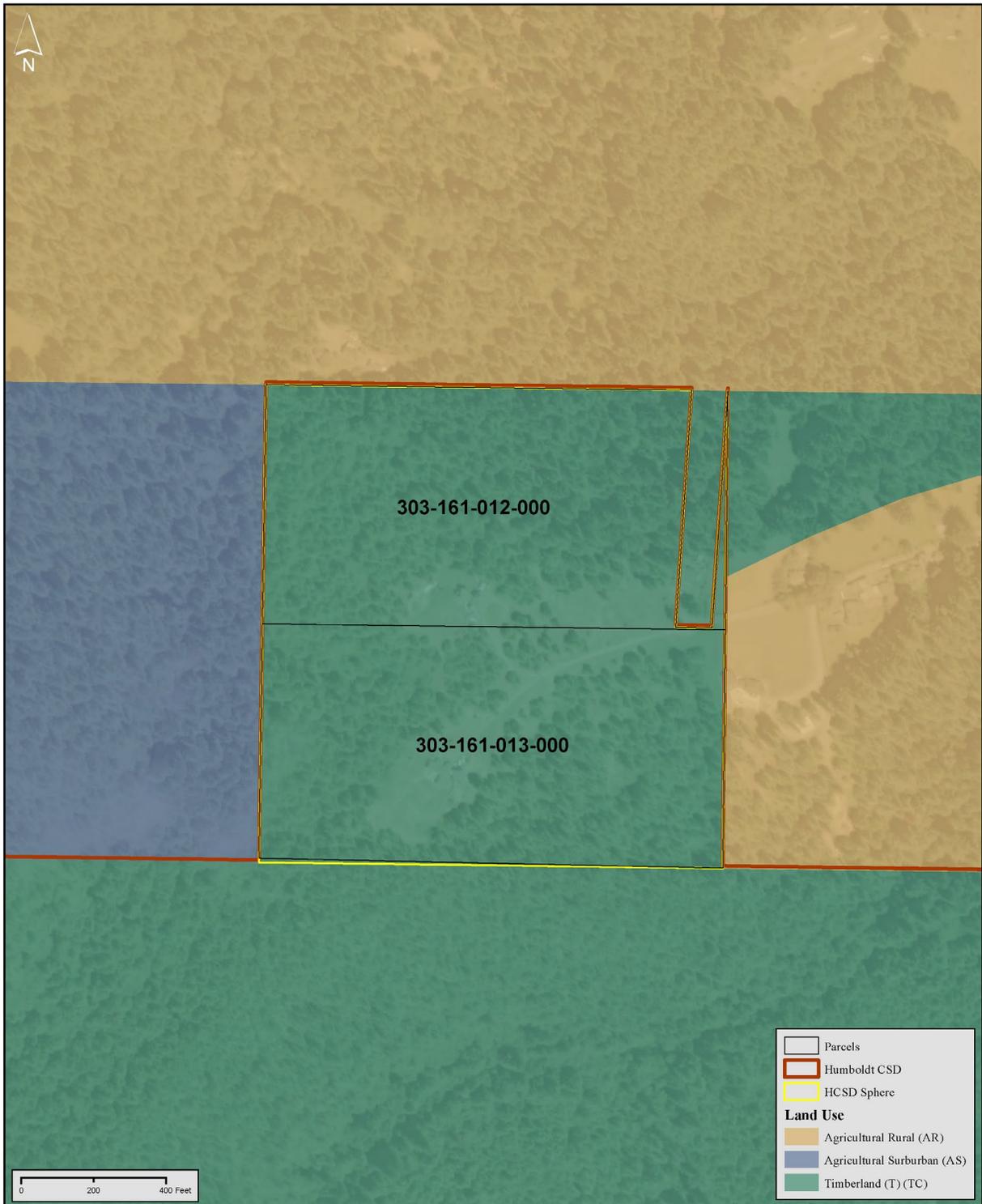
<p><b>HUMBOLDT COMMUNITY SERVICES DISTRICT</b></p>	<p><b>APN 303-161-012, 303-161-013</b> <b>LOCATION MAP</b></p>	<p>DATE: JANUARY 2021</p>
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**HUMBOLDT COMMUNITY SERVICES DISTRICT**

**PROPOSED ANNEXATION OF PARCELS  
APN 303-161-012, 303-161-013**

DATE: JANUARY 2021



## **ANALYSIS**

The analysis of the proposal is organized into two sections. The first section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCoS review boundary changes. The second section considers issues required by other applicable State statutes in processing boundary changes, such as environmental compliance with the California Environmental Quality Act.

### ***Required Factors for Review***

G.C. Section 56668 requires the Commission to consider 17 specific factors anytime it reviews proposals for a change of organization or reorganization involving special districts. The majority of the prescribed factors focus on the impacts of the proposed boundary changes on the service and financial capacities of the affected agencies. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process.

A summary of key statements and conclusions generated in the review of the mandated factors for the proposal follows, with a complete analysis provided in Attachment A.

- The annexation area is considered uninhabited (less than 12 registered voters). Total assessed value of properties (land and improvements) is \$813,396.
- HCSD operates and maintains a local water system and district wells in addition to purchasing water from the Humboldt Bay Municipal Water District (HBMWD). The District has an average daily water consumption of 2.43 million gallons. The addition of one new service lateral in the annexation area is expected to have a minimal impact on overall system demand.
- Wastewater services in the proposed annexation area are provided by individual on-site septic systems.
- The parcels within the annexation area are planned Timberland (T) and zoned TPZ. Extension of public services to TPZ lands is typically discouraged. However, General Plan supports the protection of high quality timber lands for continued resource production (FR-P8. Protection of High Quality Timberlands) and recognizes the right to construct residences on TPZ lands, to the extent that it does not detract from the growing and harvesting of timber and associated compatible uses (FR-P9. Residential Construction on TPZ Zoned Parcels). Considering the two properties are already developed with single family residences and one is already provided with Humboldt CSD services, it is unlikely to affect the existing timber resource use. Therefore, the area will continue to be utilized for timber production and existing low density residential as allowed by the Humboldt County General Plan and zoning regulations.

## **Other Considerations**

- LAFCo Boundary Change Policies

Humboldt LAFCo has adopted Boundary Change Policies governing common applications and LAFCo studies considered by the Commission. Specifically, staff finds that the proposal is in conformance with the Commission's policy objectives and standards for the evaluation of proposals.

- Agency Comments

Upon receiving the application, LAFCo staff circulated a Notice of Filing (referral) to interested and subject agencies (see Attachment B). LAFCo received comments on the proposal from the Humboldt County Planning and Building Department indicating they are not opposed to the annexation provided LAFCo's administrative record contains substantial evidence supporting a finding the annexation will not detract from the current or future timber productivity of the site (see Attachment C).

- Property Tax Exchange

HCSD would rely on connection fees and service fees to fund District services in the annexation area. As such, the proposed annexation would not be subject to a tax exchange agreement between the County and HCSD.

- Environmental Review

All matters that involve discretionary actions are subject to the applicable provisions of the California Environmental Quality Act (CEQA). HCSD, as lead agency, has determined that the proposed annexation is categorically exempt from further review pursuant to CEQA Guidelines Section 15301 (Class 1), 15303 (Class 3), 15304 (Class 4) and 15319 (Class 19), which exempts existing facilities and the construction and location of water mains and other utility extensions of reasonable length to serve such construction.

- Conducting Authority Proceedings

All proposed boundary changes approved by the Commission are subject to conducting authority proceedings (i.e., a protest hearing) unless waived in accordance with criteria outlined under G.C. Section 56662. All landowners have provided their written consent and no written opposition to a waiver of protest proceedings has been received by an affected local agency. Therefore, staff recommends the Commission waive the conducting authority/protest proceedings.

## **RECOMMENDATION**

The proposed annexation to HCSD appears appropriate relative to the factors required by statute for consideration. It is recommended the following conditions of approval be applied with delegation to the Executive Officer to determine when the requested actions have been sufficiently satisfied before proceeding with a recordation.

- Completion of the 30-day reconsideration period provided under G.C. Section 56895.

- Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization.
- Payment of any outstanding fees as identified in the Commission's adopted fee schedule.

### **Alternatives for Commission Action**

Staff has identified three options for Commission consideration with respect to the proposal. These options are summarized below.

- Alternative Action One (Recommended):  
Adopt the draft resolution identified as Attachment D, approving the proposal with the recommended conditions along with any desired changes as requested by the Commission.
- Alternative Action Two:  
Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.
- Alternative Action Three:  
Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved within 30 days of Commission action.

### **Procedures for Consideration**

This item has been agenzized for consideration as part of a noticed public hearing. The following procedures are recommended with respect to the Commission's consideration of this item:

- A. Receive verbal report from staff.
- B. Open the public hearing and invite testimony.
- C. Discuss item and – if appropriate – close the hearing and consider action on recommendation:

*"I move to adopt Resolution No. 21-08, approving the Mitchell Road Annexation to the Humboldt Community Services District, as described in the staff report, subject to the recommended conditions".*

### **Attachments**

Attachment A: Required Factors for Review  
Attachment B: LAFCo Notice of Filing (referral)  
Attachment C: Agency Comment Letters  
Attachment D: Draft Resolution 21-08

**Cc:** TK Williams, HCSD General Manager  
Mickey Hulstrom, HCSD Community Services Manager

**ATTACHMENT A  
ANALYSIS OF REQUIRED FACTORS**

Government Code Section 56668 requires the Commission to consider 17 specific factors anytime it reviews proposals for a change of organization or reorganization involving special districts. The purpose in considering these factors is to help inform the Commission in its decision-making process.

**1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**

Parcels APN 303-161-012 and 303-161-013 are located on a small ridge directly north of Guptil Gulch with steep slopes generally on the western and southern edges of the annexation area and moderate slopes to the north. Land uses within the annexation area are subject to the Freshwater Community Plan (FWCP). The parcels within the annexation area are zoned Timber Production Zone (TPZ) and the land use is Timber. Adjacent parcels surrounding the proposed annexation area to the south are zoned TPZ and unoccupied. Adjacent properties to the east are occupied (having living units) and Zoned AG-B-6<sup>1</sup>. Property to the west is unoccupied and zoned AG-B-5<sup>2</sup>. Property to the north is zoned RS-B-5<sup>3</sup>. Two of the three properties to the north are occupied (having living units) and one is vacant. The annexation area is classified as uninhabited (less than 12 registered voters). Total assessed value of properties (land and improvements) is \$813,396. The proposed annexation has 100% landowner consent.

Due to current TPZ zoning designations and steep slopes it is unlikely that the area will see further development within the next 10 years. The water main that serves Mitchell Road will not be extended and therefore will not be able to support additional growth. Only the existing home on APN 303-161-012 will be served with a lateral connection.

**2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

The need for expanded community services within the affected territory includes water services only. An analysis of the availability and adequacy of services relative to projected needs of the annexation area follows.

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<sup>1</sup> Agricultural Special Building Site: lot size is as specified on the subdivision map; yard setbacks are not to be less than B-4 (one acre).

<sup>2</sup> Agricultural special Building Site: lot size designated by zoning map but not less than B-4 (one acre).

<sup>3</sup> Residential Suburban Special Building Site: lot size designated by zoning map but not less than B-4 (one acre).

- Water

Humboldt CSD operates and maintains a local water system and district wells, and also purchases water from Humboldt Bay Municipal Water District (HBMWD) and the City of Eureka. HCSD water infrastructure includes 3 wells, 550 fire hydrants, 13 water booster pumping stations, 10 water storage reservoirs containing 5 million gallons of storage capacity, 14 pressure zones, 115 miles of water mains, and 7,545 service connections (Capital Improvement Program FY 2019/20). The water system currently has a peak daily water consumption of approximately 2.41 million gallons, and an average daily water consumption of approximately 2.01 million gallons.

According to the District, the proposed water service connection to APN 303-161-012 would be served by a lateral connection from the main-line services that run along Mitchell Road. No improvements or upgrading of HCSD infrastructure will be needed. This connection will be available immediately following the annexation process and once the property owner files for a building permit. The demand created from the additional connection will have a minimal impact on demand. APN 303-161-013 is already served by a lateral connection to the HCSD water main and will therefore not create any increase in demand.

- Wastewater

Wastewater services are provided by individual onsite septic systems. No municipal wastewater services are provided in the Freshwater area.

- Fire Protection

Fire Protection services are provided by Humboldt Bay Fire. No change is necessary.

**3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**

The proposed annexation to the HCSD will not substantially expand District boundaries. In addition, it will only allow water service to existing residential units. The annexation would have no perceived effect on adjacent areas, mutual social or economic interests or county government structure.

**4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.**

The annexation does not involve significant changes to the type or level of services provided, would not convert agricultural land or open space uses, and does not propose to change land uses or land use patterns. Therefore, the proposal does not conflict with G.C. Section 56377.

**5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.**

The proposed annexation would not convert agricultural land or involve the construction of or alteration to structures, grading, or other site disturbing activities on land planned for agriculture and does not propose to change land uses or land use patterns.

**6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.**

The annexation area is adjacent to the current jurisdictional boundary of the HCSD. The proposed annexation creates a more stable service district boundary connecting the district boundary to the north of the subject property in a straight line to the district boundary to the south following the Public Land Survey boundary. The annexation area boundaries have been drawn to follow Assessor's parcel lines.

**7) A regional transportation plan adopted pursuant to G.C. Section 65080.**

The Humboldt Regional Transportation Plan (RTP) was last updated in 2017 and is a long-range transportation planning document for Humboldt County. No specific projects are included in the RTP involving the affected territory.

**8) Consistency with city or county general and specific plans.**

Land uses within the annexation area are subject to the Freshwater Community Plan (FWCP), in addition to the Framework General Plan and Zoning Ordinance. The TPZ use is consistent with the density standards included in Policy 7 of the FWCP, as provided below:

FWCP-P7 Development Timing. No development shall be permitted in the portion of the planning area served by the Humboldt Community Services District at a density greater than one unit per two and one-half (2-1/2) acres until the area is sewered.

Additionally, no further development of the area is proposed. Only the existing residences will be served by water from HCSD. Both parcels maintain onsite septic systems and are not proposed to be sewered.

The County General Plan contains policies for the protection of timberland including:

FR-P8 Protection of High Quality Timberlands: Timberlands planned and zoned for timber production should be retained for timber production, harvesting and compatible uses, and reclassification of the Timberland Production Zones (TPZ) shall be done in accordance with the statutory requirements.

It also contains policies for allowance of residential units on TPZ land:

FR-P9 Residential Construction on TPZ Parcels: Recognize the right to construct a residence and accessory buildings under a ministerial permitting process subject to County standard consistent with other Elements of the General Plan when the use does not detract from the growing and harvesting of timber and associated compatible uses.

Both of the parcels included in the annexation proposal are part of a Joint Timber Management Plan that was prepared in 2012. Annexation of these two properties into the HCSD for the purpose of providing public water is not likely to affect the existing timber resource use because these two TPZ parcels are already developed with single family residences and one is already provided with Humboldt CSD services. The existing dwellings comply with County standards and no other development is being proposed. As such, the annexation would not detract from the current or future timber productivity of the site.

**9) *The sphere of influence of any local agency which may be applicable to the proposal being reviewed.***

The proposed annexation is within HCSD's sphere of influence. Therefore, the annexation is consistent with the planned future service area of HCSD, as determined by the Commission.

**10) *The comments of any affected local agency or other public agency.***

Upon receiving the application, LAFCo staff circulated a Notice of Filing (referral) to interested and subject agencies (see Attachment B). LAFCo received comments from the Humboldt County Department of Planning and Building indicating they are not opposed to the proposed annexation provided LAFCo's administrative record contains substantial evidence supporting a finding the annexation will not detract from the current or future timber productivity of the site (see Attachment C).

**11) *The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.***

HCSD would include the subject territory into its water service area. The District would rely on connection fees and service fees to fund District services. According to the District's FY2020-21 budget, in FY2018-19 and FY2019-20 there was a budget surplus of over \$1.3 million. The current FY2020-21 budget has planned for a deficit of approximately \$5,000 due to expenditures for capital improvements. This indicates that the District has the financial capability to take on the additional connection.

**12) *Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.***

HCSD currently provides water services to one of the two parcels in the proposed annexation area (APN 303-161-013). Parcel APN 303-161-012 would be served by a single

new service lateral from an existing water main located in the Mitchell Road right-of-way. No improvements or upgrading of HCSD infrastructure will be needed. These connections will be available immediately following the annexation process.

**13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.**

The proposal would not impact any local agencies in accommodating their regional housing needs.

**14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.**

The HCSD has received 100% landowner consent for the proposed annexation. No other comments have been received by surrounding landowners, voters, or residents.

**15) Any information relating to existing land use designations.**

Land uses within the annexation area are subject to the Freshwater Community Plan (FWCP). The parcels within the annexation area are zoned TPZ and the land use is Timber. Adjacent parcels surrounding the proposed annexation area to the south are zoned Timber Production Zone and unoccupied. Adjacent properties to the east are occupied (having living units) and Zoned AG-B-6. Property to the west is unoccupied and zoned AG-B-5. Property to the north is zoned RS-B-5. Two of the three properties to the north are occupied (having living units) and one is vacant. There are no plans for land use or zoning changes associated with the annexation.

As noted in the Humboldt County Planning Department's comment letter, the County typically discourages extension of public services to areas zoned TPZ as it is often growth inducing and can detract from use as a timber production area. However, the proposed additional water connection to APN 303-161-012 does not involve construction of new water mains. The connection will be served by a single new lateral from an existing water main in the Mitchell Road right of way. Further extension of services is not proposed and is unlikely due to the adjacent large timberland parcels and steep creek valleys to the south. Additionally, the other surrounding parcels are currently within the HCSD boundary and are utilized for low density residential development.

**16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.**

The proposal would not result in inconsistencies with environmental justice safeguards. The proposed annexation is intended to clearly define service responsibilities for the benefit of neighboring service providers, land use officials, and the public. No minority

populations or otherwise disadvantaged communities will be adversely affected by the proposed annexation.

***17) In the case of district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.***

HCSD has been providing water services to one of the two parcels in the proposed annexation area for many years. Only one new parcel will receive a water connection, and future demands for services are expected to be similar to the current service demands. There is limited development potential within the annexation area. The proposed annexation would establish district boundaries that clearly define service responsibilities for the benefit of neighboring fire service providers, land use authorities, the public, and other service providers.



1125 16<sup>th</sup> Street, Suite 202, Arcata, CA 95521  
(707) 445-7508 / (707) 825-9181 fax  
www.humboldtlafo.org

## NOTICE OF FILING

**DATE:** March 17, 2021

**TO:** City of Eureka  
Humboldt Bay Fire Authority  
Humboldt Bay Municipal Water District  
Humboldt County Administrative Office  
Humboldt County Assessor's Office  
Humboldt County Auditor's Office  
Humboldt County Environmental Health  
Humboldt County Elections Office  
Humboldt County Planning and Building Department  
Humboldt County Public Works Department

**Cc:** TK Williams, HCSD General Manager  
Mickey Hulstrom, HCSD Community Services Manager

**FROM:** Krystle Heaney, LAFCo Clerk

**SUBJECT:** APPLICATION RECEIVED – Proposed Mitchell Road Annexation to the Humboldt Community Services District

### APPLICATION INFORMATION

**Project:** HCSD Mitchell Road Annexation  
**Location:** Mitchell Road/Pidgeon Point Area – see Exhibit A  
**APNs:** 303-161-012, and -013  
**Notice:** The above referenced proposal has been submitted to LAFCo and this notice of filing is being issued in accordance with Government Code Section 56658(b)(1). If you wish to receive a copy of the application and supporting documents, please contact LAFCo at (707)445-7508. We request agency comments by **March 31, 2021**.

LAFCo has received a proposal submitted by resolution of application from the Humboldt Community Services District (HCSD) for annexation of approximately 37 acres (2 parcels), generally located at the end of Mitchell Road. The proposed annexation is adjacent to the District's boundary and is within the District's sphere of influence. In addition, the proposal has 100% property owner consent.

HCSD currently provides water service to one of the two parcels within the annexation area. Wastewater service is provided by onsite septic systems. Fire Protection services are provided by Humboldt Bay Fire (specifically, the annexation area is located within the jurisdictional boundary of the Humboldt No. 1 FPD, a member agency of Humboldt Bay Fire Authority).

### **Reasons for Proposal**

According to the application, the principal reasons for the proposed annexation are as follows:

1. HCSD currently provides water service (out of district connection) to one of the two parcels within the annexation area.
2. The property owner of APN 303-161-012 has requested a water service connection to serve an existing developed single-family residence at the subject parcel.
3. Both the District and LAFCo desire annexation before any additional water services are allowed.
4. Annexation of these parcels would establish District boundaries that align with property boundaries and service areas.
5. The District is the appropriate entity to make an application to LAFCo.

### **Existing and Proposed Service**

As discussed above, HCSD currently provides residential water services to one of the parcels within the annexation area. The unserved parcel (APN 303-161-012) contains an existing single-family residence. Water service to the subject parcel would be via a single service connection from an existing water main located in the Mitchell Road right-of-way. No mainline extension is needed and no additional services are requested.

### **Land Use Designation**

Land uses within the annexation area are subject to the Freshwater Community Plan (FWCP). All parcels within the annexation area are Timberland and are zoned with a 40-acre minimum lot size. While APN 303-161-012 is less than the 40-acre minimum lot size, the density provisions allow for one dwelling unit per existing parcel if zoning and building standards can be met.

The following table provides current land use and service information for each parcel:

**Table 1: Annexation Area Parcels**

<b>APN</b>	<b>GIS Acres</b>	<b>Current Use</b>	<b>Land Use Designation</b>	<b>Zoning Designation</b>	<b>Current Service</b>
303-161-012	17.86 acres	Improved, Rural Residential	T	TPZ	None
303-161-013	19.17 acres	Improved, Rural Residential	T	TPZ	Water only

### **Funding Sources**

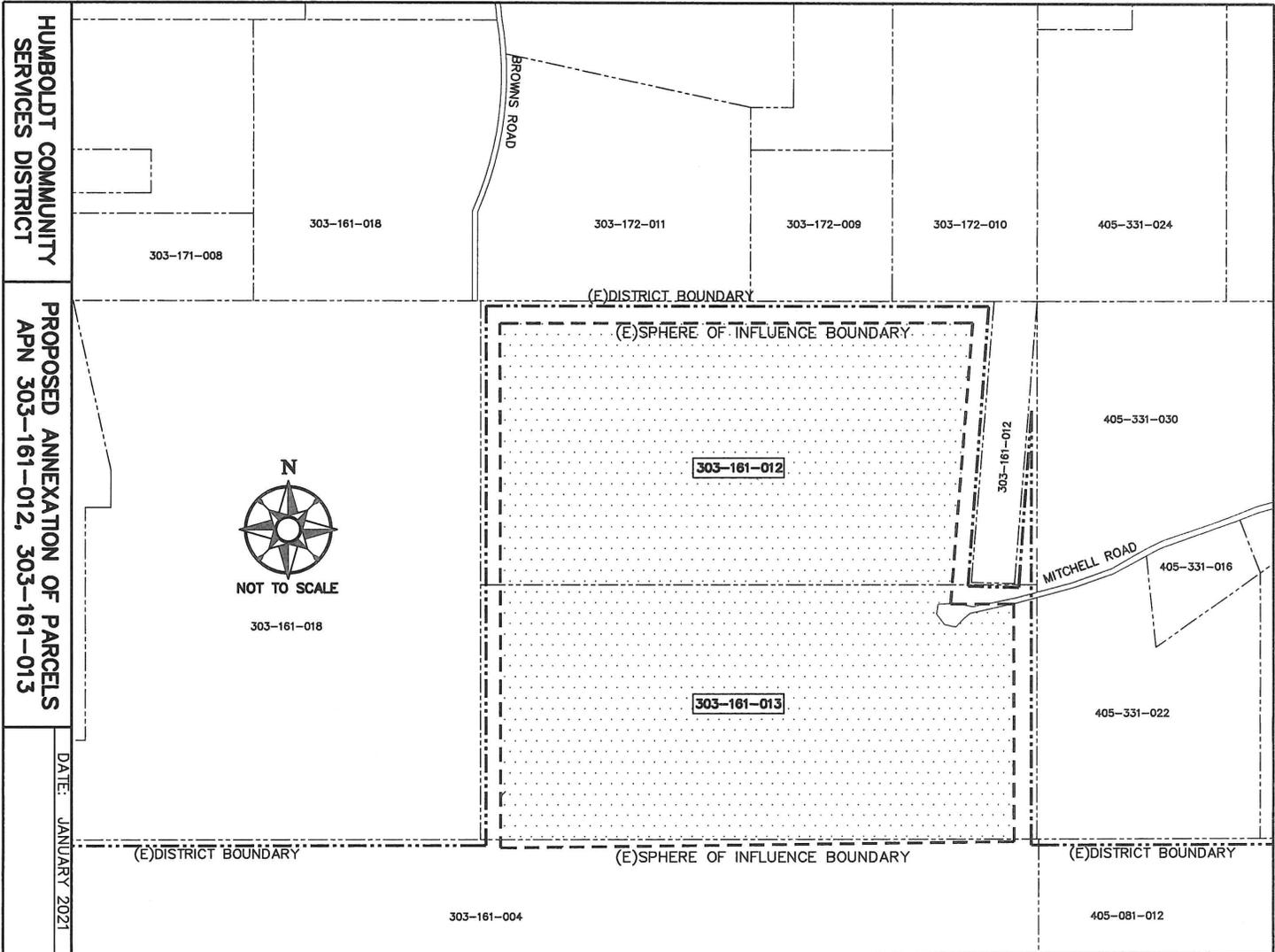
HCSD would rely on connection fees and service fees to fund District services in the annexation area. As such, the proposed annexation would not be subject to a tax exchange agreement between the County and HCSD.

## **Environmental Review**

All matters that involve discretionary action are subject to the applicable provisions of the California Environmental Quality Act (CEQA). HCSD, as lead agency, has determined that the service extension is categorically exempt pursuant to CEQA Guidelines Section 15301 (Class 1), 15303 (Class 3), 15304 (Class4) and 15319 (Class 19), which exempts existing facilities and the construction and location of water mains and other utility extensions of reasonable length to serve such construction.

The application described above is pending LAFCo review. Please review and respond with any comments, conditions, or recommendations by March 31, 2021. If you have any questions or wish to request a copy of the application, please contact LAFCo Clerk, Krystle Heaney at [krystleh@humboldtlaftco.org](mailto:krystleh@humboldtlaftco.org) (preferred) or (707) 445-7508.

Exhibit A: Annexation Area Figure





The parcels to the north west and east are within the district and generally planned and zoned for rural residential uses (as noted above, all or portions of 13 nearby parcels within the Humboldt CSD are planned and zoned for timber production and some portion of 25 parcels other Humboldt CSD parcels are zoned Agriculture Exclusive, two of which also have some portion zoned TPZ). In the Mitchell Road area, the southern boundary of the Humboldt CSD generally follows Public Land Survey boundaries, with the exception of the notch formed by the proposed annexation area. Parcels to the south are very large industrial timber lands owned by the Green Diamond Resource Company or the Humboldt Redwood Company and average over 250 acres in size.

Humboldt County generally discourages the provision of urban services, including municipal water service, to timberlands and the annexation of lands planned T – Timberland and/or zoned TPZ to community services districts because providing those services may lead to an intensification of the non-timberland use of the site and detract from the timber productivity. However, annexation of these two properties into the HCSD for the purpose of providing public water is not likely to affect the existing timber resource use because these two TPZ parcels are already developed with single family residences and one is already provided with Humboldt CSD services. Also, a JTMP and Timber Management Guide was prepared for these parcels to guide the management and harvesting of timber on these smaller TPZ ownerships. In addition, the proposed annexation creates a more stable service district boundary connecting the district boundary to the north of the subject property in a straight line to the district boundary to the south following the Public Land Survey boundary. Given the facts identified above, the Planning and Building Department does not oppose the proposed annexation provided LAFCo's administrative record contains substantial evidence supporting a finding the annexation will not detract from the current or future timber productivity of the site.

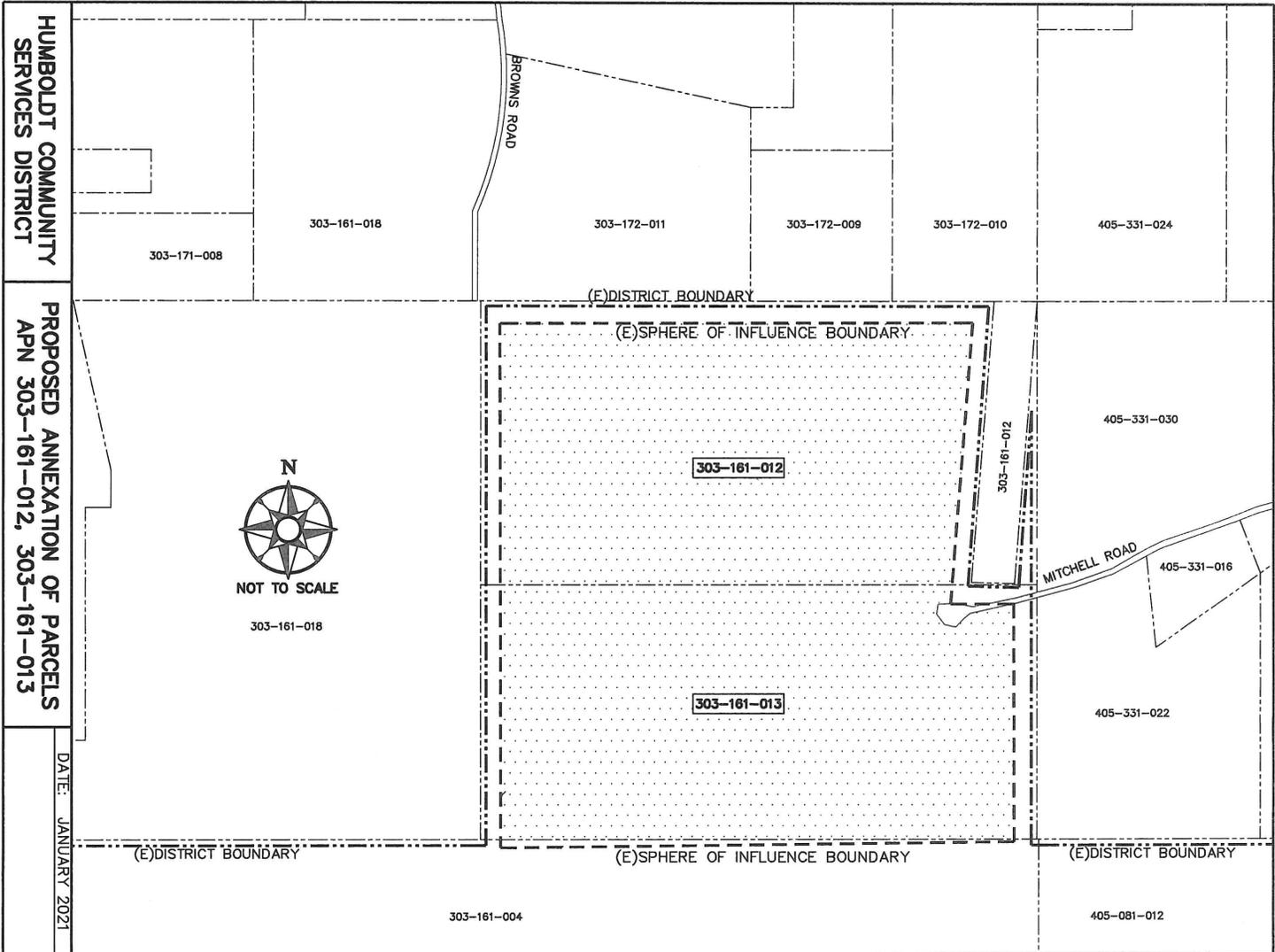
Please feel free to contact me if you have any questions.

John

John Miller, Senior Planner  
Long Range Planning  
Humboldt County Planning & Building  
(707) 268-3781  
[jpmiller@co.humboldt.ca.us](mailto:jpmiller@co.humboldt.ca.us)

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Exhibit A: Annexation Area Figure



**RESOLUTION NO. 21-08**

**APPROVING THE MITCHELL ROAD ANNEXATION  
TO THE HUMBOLDT COMMUNITY SERVICES DISTRICT**

WHEREAS, the Humboldt Local Agency Formation Commission, hereinafter referred to as the "Commission," is responsible for regulating boundary changes affecting cities and special districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Humboldt Community Services District, hereinafter referred to as "HCSD" or "District," filed an application with the Commission by resolution of application; and

WHEREAS, the proposal seeks Commission approval for annexation of two parcels (APNs 303-161-012 and -013) totaling approximately 37 acres of unincorporated territory located adjacent to the District boundary in the Mitchell Road/Pigeon Point area; and

WHEREAS, the annexation is located within the District's sphere of influence; and

WHEREAS, the subject territory is uninhabited as defined in Government Code Section 56046; and

WHEREAS, all property owners have signed letters consenting to annexation and consenting to waiver of notice and hearing and to waiver of protest proceedings; and

WHEREAS, the Executive Officer's report and recommendations on the proposal were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a regularly scheduled Commission meeting on May 19, 2021; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED** by the Humboldt Local Agency Formation Commission as follows:

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report.
2. The Commission, as Responsible Agency, hereby determines that the proposal is categorically exempt from further review pursuant to CEQA Guidelines Section 15301 (Class 1), 15303 (Class 3), 15304 (Class 4) and 15319 (Class 19), which

exempts existing facilities and the construction and location of water mains and other utility extensions of reasonable length to serve such construction.

3. The Commission waives conducting authority (protest) proceedings in accordance with Government Code Section 56662 given the affected territory is uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by an affected local agency.
4. The Commission approves the proposal, contingent upon the satisfaction of following terms and conditions as determined by the Executive Officer:
  - a) Completion of the 30-day reconsideration period provided under G.C. Section 56895.
  - b) Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization (Exhibit "A").
  - c) Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
5. The proposal is assigned the following distinctive short-term designation:

HCSD Mitchell Road Annexation 21-08
5. Annexation of these parcels would establish district boundaries that align with property boundaries and service areas.
6. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
7. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges and fees that were lawfully enacted by the District for the provision of water services. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the District.

**PASSED AND ADOPTED** at a meeting of the Humboldt Local Agency Formation Commission on the 19<sup>th</sup> day of May 2021, by the following roll call vote:

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

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Virginia Bass, Chair  
Humboldt LAFCo

Attest:

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Colette Santsche, Executive Officer  
Humboldt LAFCo

DRAFT

**EXHIBIT A**

