



# HUMBOLDT

Local Agency Formation Commission

## CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION FORM

### Proposal Description

1. Type of proposal:

	Subject Agencies (Cities and/or Special Districts)	Related Jurisdictional Changes (Annexation, Detachment, Sphere Amendment, etc.)
1.	City of Arcata	Annexation

2. Title of proposal:

*Creekside Homes Annexation Project (CEQA title: The Creekside Annexation Project)*

3. Who initiated the proposal? (LAFCo proposals may be initiated by resolution of application adopted by an affected city, county or special district, or by petition of landowners or registered voters of the affected area. In both cases, a notice of intent must be submitted to LAFCo.)

*The annexation was initiated by the City of Arcata to include City owned park property into the city limits. The property owner (Foster Avenue LLC) of APNs 505-161-009 and 505-161-011 requested their property be included in the annexation process.*

The following is attached to this application form:

- Agency Resolution of Application
- Landowner Petition (Foster Ave. LLC, APNs 505-161-011, -009)
- Registered Voter Petition

4. Does the proposal have 100 percent consent of all property owners? (If so, please submit a letter of consent from each property owner to process the application without public notice or hearing.)

- Yes
- No

5. Applicant:

City/District/Chief Petitioner	City of Arcata
Street Address	736 F Street
City/State/Zip	Arcata, CA 95521

6. Designated Contact Person:

Name	Delo Freitas, Senior Planner
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Telephone	707-822-2213
E-mail	dfreitas@cityofarcata.org

## General Information

1. Explain in detail the reasons for the proposal and why it is necessary.

*The proposed project entails the annexation of four parcels of land into the City of Arcata boundary. A justification for each parcel is included below.*

1. *Creekside Homes residential development site (APN 505-161-011); owned by Foster Avenue, LLC*
2. *Ennes Park site (APN 505-151-009); owned by City of Arcata*
3. *Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009); owned by Foster Avenue, LLC*
4. *Foster Ave ROW (no assigned APN); owned by County of Humboldt*

1. *Creekside Homes Residential Site.*

*The Creekside Homes parcel is currently owned by Foster Avenue, LLC. The planned use for the property is residential. The property sits at the far western boundary of the City of Arcata, and the plan for development relies upon development into the City and connection to City utilities (water, sewer, etc.). The City is supportive of the incorporation as it will create new housing units and supportive facilities that will serve Arcata residents. The proposed residential units have been counted towards the City's 2019-2027 Regional Housing Needs Allocation (RHNA) as part of the 6th Cycle of the City's adopted Housing Element.*

2. *Ennes Park Site.*

*Ennes Park is currently owned by the City of Arcata and currently operates as a community park. The property has been owned by the City of Arcata since the 1970s and was purchased with park bond funds for the express purpose of use by the City of Arcata for Arcata's residents. Although the City currently manages the parkland and retains control of the land, it is not in City limits. Annexing the land would bring full control of the site to the City of Arcata.*

- 3,4. *The Foster Avenue ROW and Previous Railroad ROW.*

*The Foster Avenue ROW is owned by the County of Humboldt. The old Railroad ROW is owned by Foster Avenue, LLC and was rezoned for residential use in the past by the County. Both parcels are now proposed to be annexed into the City as "unzoned" land and together will comprise the new City-owned road ROW. Both parcels are integral to the City's planned improvements for Foster Avenue, which will include connecting the west and east section of Foster Avenue, accompanied by a variety of infrastructure improvements intended to increase pedestrian safety and encourage multi-modal transportation in the vicinity of the project site.*

*The historic railroad ROW will be converted to a Class I protected bicycle/pedestrian trail parallel to Foster Avenue, and will serve as an extension to the Hammond Trail. The Foster Avenue ROW will be improved by the City to connect east and west portions of Foster Avenue, which will include installation of a roundabout at the intersection of Foster and Alliance (within current City limits). As a result of the annexation, this roadway connection*

*project and its ongoing maintenance will be under the purview of the City. The County has expressed interest in the City annexing the full road ROW west to Janes Road, in order to facilitate ongoing maintenance as well as future pedestrian safety improvements necessitated by the Creekside Homes project (see Attachment N).*

2. Describe the general location and physical features of the subject territory.

*The subject parcels located on unincorporated lands adjacent to the western boundary of the City of Arcata. The City is approximately 7.25 square miles in size and is situated on a coastal terrace at the north edge of Humboldt Bay, the second largest marine embayment in California. The subject territory is not located within the Coastal Zone.*

*Arcata's natural landforms include forested hillsides to the east; a sloping coastal terrace in the central area of town; a river corridor to the north; and flat bottomlands known as the Arcata Bottom, forested coastal dunes, bay front and tidelands to the west and south. Arcata is bordered by the Mad River to the north, Arcata Bay to the south, the Arcata Bottom to the west, and Fickle Ridge to the east. These features form distinctive natural edges to the City's planning area and are some of its most important aesthetic resources.*

*Janes Creek forms the southeastern boundary of the residential development site. The 100-year floodplain for Janes Creek covers a small area in the southeast portion of the site. According to the Arcata General Plan, under Protected Watercourses, Janes Creek is a Class 1, fish-bearing stream. The City of Arcata Land Use Code (Section 9.59.050) establishes a Stream Protection (SP) Zone for undeveloped areas that requires a minimum setback of 100-feet from the top of bank. The City restricts development activities within the stream protection zone.*

3. What is the current population of the subject territory?

*The current population of the subject territory is zero. There are no current inhabitants residing on the future Creekside Homes development site. Parkland and road/railroad ROW are not intended for residential use.*

4. If the proposal includes development, what is the estimated population of the subject territory?

*The Creekside project will add 89 new dwelling units and a 100-bed memory care facility. The Housing Element is relying on the Creekside Annexation to satisfy a portion of its RHNA allocation. This measure is intended to create 5 very low, 20 low, 32 moderate, and 32 above moderate units. See the tentative site plan in Attachment D-Project Maps.*

5. Number of registered voters within the subject territory.

*There are no registered voters in the subject territory. See #3 above.*

6. Number of parcels within the subject territory.

The proposed annexation consists of four parcels, as outlined below.

1. Creekside Homes residential development site (APN 505-161-011) = 16 acres
2. Ennes Park site (APN 505-151-009) = 4.22 acres
3. Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009) = 0.44 acres
4. Foster Ave ROW (no assigned APN) = 0.94 acres

## Proposal Boundaries

1. A map and geographic description of the proposal area meeting State Board of Equalization requirements must be submitted.

The following is attached to this application form:

- Vicinity Map-see Attachment D.
- Boundary Map- see Attachment D.
- Boundary Description-see Attachment E.

2. Describe how the boundaries of the proposal were determined.

*The boundary of the site was determined by evaluating the developer's interest in annexation in City limits, the City's interest in incorporating a City-owned park into the City limits, and by also evaluating the relevant public ROW adjacent to the project site. As noted above, the County of Humboldt has expressed interest in the City incorporating further portions of road ROW. The City is moving forward with its original preferred boundary, but understands the boundary may be updated by LAFCo staff based on their analysis.*

## Land Use Information

1. What is the total assessed value of properties (land and improvements) within the subject territory? (Note: you are encouraged to provide this information along with any existing assessments in a separate spreadsheet).

1. Creekside Homes residential development site (APN 505-161-011) = \$470,719
2. Ennes Park site (APN 505-151-009) = \$0 (considered Public Land, Schools, Non Taxable Entities)
3. Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009) = \$2,796
4. Foster Ave ROW (APN 505-161-009) = \$0 (considered Public Land, Schools, Non Taxable Entities)

2. Describe the existing uses within and surrounding the subject territory. Be specific regarding existing commercial corridors, residential communities, relevant structures, etc.

### Creekside Homes residential development site

*The residential development site's street address is 2000 Foster Avenue (APN 505-161-011); it is located near the intersection of Foster Avenue and "Q" Street, west of the Sunset Neighborhood in the City of Arcata. The site is north of Foster Avenue, west of Heather Lane and Westwood Lane, and south of Stewart Avenue. Janes Creek runs along the southeastern boundary of the site.*

Surrounding uses include single-family and multi-family residential development to the north and east, agriculture uses to the west including Sun Valley Floral Farms, and a mix of single-family residential and agricultural uses to the south. The former Simpson Mill spur tracks are located along the southern boundary of the residential development site adjacent to the north edge of the Foster Avenue right-of-way. The railroad bed is now inactive and privately-owned. Foster Avenue is a two lane County roadway with a 40-foot right of way.

The residential development site was used as a lumber mill and whole-log chipping facility in the past, but has not been used for this purpose since the 1980s. The site contains remnants of the former mill structures as well as the western bank of Janes Creek and associated riparian corridor, fill materials and gravel, blackberry bushes, grasses, and other low growing shrubs. The site is essentially flat, sloping slightly from the northeast to the southwest. The site is surfaced with river run gravel fill interspersed with vegetation.

#### Ennes Park site

The proposed park site (Ennes Park Expansion), which totals approximately 4.69 acres, would be located on City owned parcels 505-151-009, 505-284-009, and 505-284-010. Parcel 505-151-009 is currently located in the County and parcels 505-284-009 and 505-284-010 are located within City limits. The majority of the proposed park site is currently vacant but was used historically for agriculture and contains prime agricultural soils. The park site currently contains a graveled driveway access that is used for an adjacent community supported agriculture (CSA) operation on parcel 505-151-008. Ennes Park serves the single-family residential neighborhood to the north of the residential development site and was recently redeveloped by the City to contain a jungle gym, wiggle board, spinner pod, a see-saw type structure, and a corn hole court.

#### Previous Railroad ROW/ Proposed Hammond Trail extension

The proposed Hammond Trail section that will be developed by the applicant will be located on parcel 505-161-009 (no address assigned) which totals approximately 0.94 acres (0.74 acres in County jurisdiction and 0.20 acres within City limits). This parcel is located along the southern boundary of the residential development site. This parcel historically contained the Simpson Mill spur tracks which have been inactive for several decades. The property is privately owned and is planned to be developed as a section of the Hammond Trail and has been identified as such in the 2010 Arcata Pedestrian and Bicycle Master Plan.

#### Foster Avenue ROW

The proposed Foster Avenue connection will be located within the City of Arcata public right-of-way and on parcels 505-161-009, -030, and 505-162-010. The Foster Avenue connection will cover an approximately 0.21-acre portion of these parcels and the existing road right-of-way (180 feet long by 50 feet wide). The majority of the Foster Avenue connection will occur in the Foster Avenue public right-of-way and on parcel 505-161-009. The area proposed for this road connection contains an existing rail bed crossing over Janes Creek with an undersized culvert that is in disrepair. The right-of-way crosses Janes Creek and is bordered by parcels 505-161-009 (railroad bed) and 505-341-037, the residential development site, and Westwood Manor Park.

### 3. What is the current land use and zoning designation(s) within the subject territory?

The current land use and zoning of the subject parcels do not currently match. This is due to the fact that the County of Humboldt recently undertook a General Plan Update which altered the land use of parcels at the City's boundary; associated zoning has yet to be updated.

Current Land Use (per County Web GIS)

1. Creekside Homes residential development site (APN 505-161-011) = UR/RM ( Urban Reserve, Railroad overlay)
2. Ennes Park site (APN 505-151-009) = PF (Public Facility)
3. Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009) = UR/RM (Urban Reserve, Railroad overlay)
4. Foster Ave ROW (APN 505-161-009) = AE (Agriculture Exclusive)

Current Zoning (per County Web GIS)

1. Creekside Homes residential development site (APN 505-161-011) = ML (Limited Industrial), R-4/Q (Apartment Professional, "Qualifying" overly), R-1 (Residential One-Family).
  2. Ennes Park site (APN 505-151-009) = AG (Agriculture General, AE (Agriculture Exclusive)
  3. Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009) = ML (Limited Industrial)
  4. Foster Ave ROW (APN 505-161-009) = ML (Limited Industrial)
4. Describe any proposed change in land use or zoning as a result of the proposal. (For city annexations, attach a copy of the adopted pre-zoning ordinance).

Proposed Land Use

1. Creekside Homes residential development site (APN 505-161-011) = RL/PD; Residential-Low Density, Planned Development overlay
2. Ennes Park site (APN 505-151-009) = PF; Public Facility (no change)
3. Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009) = undesignated
4. Foster Ave ROW (APN 505-161-009) = undesignated

Proposed Zoning

1. Creekside Homes residential development site (APN 505-161-011) = RL/PD; Residential-Low Density, Planned Development overlay
  2. Ennes Park site (APN 505-151-009) = PF; Public Facility (no change)
  3. Previous Railroad ROW/ Proposed Hammond Trail extension (APN 505-161-009) = undesignated
  4. Foster Ave ROW (APN 505-161-009) = undesignated
5. Is the proposal consistent with city or county general plans, specific plans, and or other adopted land use policies?

*The proposal has been found by the Arcata Planning Commission and Arcata City Council to be consistent with the City's General Plan and adopted land use policies. An in-depth analysis of these findings can be reviewed in the adopted City Council Resolution 190-44 (Project Findings) attached as Attachment O to this application.*

6. Will the proposal result in development of property now or in the near future? Describe the type of development proposed (type of business or industry, single-family or multi-family

residential, etc., and the number of units or facilities).

*The project is planned for residential use. A subdivision will follow annexation to allow the development of single-family residences, a senior assisted living and memory care facility, and senior-restricted neighborhood cottage units. Between the 89 housing units and 100-bed care facility it is anticipated the project would provide housing for approximately 269 residents on parcel 505-161-011 (see Attachment D for preliminary site plan). All other parcels are planned for public use, and will not include housing.*

*The Creekside Homes development will generally consist of 32 single-family residential units and 32 accessory dwelling units, an assisted living and memory care facility with 100 care beds, and 25 senior-restricted neighborhood cottage units.*

*The remaining parcels will not be developed for residential or commercial use, but will remain either parkland or public right-of-way.*

7. If development is proposed, what discretionary approvals are needed? Be specific regarding subdivision maps, conditional use permits or other entitlements.

*The proposed development requires an annexation, re-designation/rezoning, and a minor subdivision. The rezoning has occurred as part of the Arcata City's Council's entitlement process that also authorized the City to submit a request to annex the subject parcels. A planned development overlay was also added to the development site at the time of the rezoning. The only remaining City entitlements are the minor subdivision and design review approval, which are planned to be undertaken after the subject properties are annexed into the City limits.*

8. What is the effect of this proposal on agricultural or open-space lands within and adjacent to the subject territory? If the subject territory is subject to a Williamson Act contract, please provide a copy of the contract(s) along with any amendments.

*The project area is sited on lands that were historically used for coastal agriculture, and a variety of agricultural uses, including the Deep Seeded Farm, are located within close proximity to the site. The annexation of Ennes Park will result in the conversion of land that has historically been considered agricultural lands; however, the lands are not under a Williamson Act contract. The County changed the Ennes Park site land use to public facility (PF) as part of their most recent General Plan Update, in anticipation of the requested annexation. To mitigate for the permanent conversion of 5.03 acres of prime agricultural land from the proposed project and the City proposed Ennes Park Expansion, the applicant shall dedicate a conservation easement to the benefit of the City of Arcata, on approximately 22.65 acres of parcel 505-151-001, which would result in a 4.5:1 mitigation ratio. Although the proposed project would only result in the conversion of 1.69 acres of prime agricultural land (1.35 acres for parkland and 0.34 acres for the emergency access road), the adopted Environmental Impact Report analyzed and provided mitigation for the conversion of an additional 3.34 acres from the City's proposed Ennes Park Expansion. An in-depth analysis of the project's effect on Agricultural Resources can be found starting on page 19 of the adopted Final EIR (see attachment G). The adopted agricultural-land mitigation will permanently preserve over 22 acres of prime agricultural land within the City's Sphere of Influence for future agricultural use.*

## **Public Services**

1. List which agencies presently provide public services to the subject territory, and which are proposed to provide service. If not applicable or no change, please indicate accordingly.

	<i>Present Provider</i>	<i>Proposed Provider</i>
Sewer	n/a	<b>City of Arcata</b>
Water	n/a	<b>City of Arcata</b>
Fire	<b>Arcata Fire District</b>	<b>Arcata Fire District</b>
Police	<b>County Sherriff, CA Highway Patrol</b>	<b>Arcata Police Department</b>
Recreation	n/a	<b>City of Arcata</b>
Roads	<b>County of Humboldt</b>	<b>City of Arcata</b>
Drainage	n/a	<b>City of Arcata</b>
Street Lighting	n/a	<b>City of Arcata</b>
Other-Solid Waste	n/a	<b>Recology</b>

2. How would the proposal affect the type or level of services within the subject territory?

*Please refer to the attached plan for services (Attachment C) for an in-depth discussion of the project's effect on the service types listed above.*

3. If, as a result of this proposal, increased service demand exceeds the existing capacity, describe what will be done by the service provider to increase capacity of services.

*Proposed development of the residential development site (APN 505-161-011) would include provision of site utilities. All utilities (water, sewer, gas, electricity, and telecommunications services) are located adjacent to the site and would be extended underground to serve the proposed development. The applicant is paying connection fees and impact fees to assist the City in ensuring capacity to provide required water and sewer services. Impact fees will be used to offset improvements to the City's Wastewater Treatment Facility and improvements to the Area One Water Tank. The City of Arcata, through its solid waste disposal contractor, would collect solid waste and recyclables. The project will include expansion of pedestrian/bicycle trails, and the development and dedication of public infrastructure (access roads, utilities, storm water facilities, etc.).*

4. Will the future delivery of services by any other public agency or service provider be affected by this proposal? If yes, list the agencies and indicate any comments received from these agencies. (Note: applicants must contact affected agencies prior to filing an application with LAFCo)

*The project as proposed is not anticipated to affect the ability of other agencies to provide services, with the exception of the Roads Maintenance Section of Humboldt County Public Works. Robert Bronkall, Deputy Director of Humboldt County Public Works Department, provided comments on the Creekside Annexation project on March 01, 2016. The Department's comments*

revolved around the City/County relationship regarding ongoing maintenance of Foster Avenue and "Q" Street. The County also recommended the City consider annexing a larger portion of land and taking on associated infrastructure maintenance. The City is not proposing further annexation at this time. The County's comments are included as Attachment N.

5. For proposals submitted by resolution of application by a local agency, a plan for providing services within the affected territory must be prepared pursuant to Government Code Section 56653.

A Plan for Services is attached to this application form:

- Yes  
 Not applicable

### Financial Information

1. How will public services be financed? List any assessments, taxes, fees or other charges to be levied as part of this proposal, or levied in the near future. (Note: a fiscal analysis and/or budget may be required).

*A Fiscal Impact Analysis has been prepared for the project and is included as Attachment L.*

2. Does any affected agency have existing bonded indebtedness for which the subject territory will become/remains liable? If so, please indicate taxpayer cost.

*There is no existing bonded indebtedness for which the subject territory will become or remain liable.*

3. Does the resolution of application by a local agency include documentation that the agency is in agreement with a standing Master Tax Exchange Agreement, has negotiated a tax exchange agreement pursuant to [Section 99](#) of the Revenue and Taxation Code, or has made a determination that the proposal is revenue neutral?

*The City of Arcata is in agreement with a Master Tax Exchange Agreement, which is attached to this application as Attachment I.*

### Sphere of Influence

1. Is the subject territory within the existing sphere of influence of the affected agency?  
 Yes. See Attachment K, *City Zoning and SOI Map*.  
 No
2. If the proposal includes a request for a city or district sphere of influence amendment/update, justify the proposed changes with respect to the five sphere criteria listed in Government Code Section 56425(e):
  - a. "The present and planned land uses in the area, including agricultural and open-space lands."

N/A

- b. "The present and probable need for public facilities and services in the area."

N/A

- c. "The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide."

N/A

- d. "The existence of any social or economic communities of interest in the area."

N/A

- e. "For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection...the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence."

N/A

3. If the proposal includes a city sphere of influence amendment/update, provide a written statement that describes whether an agreement on the sphere change between the city and county was achieved pursuant to Government Code Section 56425(b-d). Describe the elements of the agreement (such as, development standards, boundaries, and zoning requirements) and provide a copy of the written agreement.

N/A

4. If the proposal includes a special district sphere of influence amendment/update, provide a written statement, pursuant to Government Code Section 56425(i-j), that specifies the following: (a) the functions or classes of services provided by those districts; and (b) the nature, location, and extent of any functions or classes of services provided by existing districts.

N/A

### **Environmental Determination**

1. Copies of environmental documentation, pursuant to the California Environmental Quality Act (CEQA), prepared by the lead agency (including an initial study, technical reports, and written comments or recorded public testimony relative to the environmental documents) should be submitted with the application. Please include a copy of the Notice of Determination/Notice of Exemption showing the date filed with the County Clerk, and the environmental filing fee receipt from the California Department of Fish and Wildlife.

The following environmental document has been prepared:

- Statutory or Categorical Exemption  
 Negative Declaration  
 Mitigated Negative Declaration

Environmental Impact Report

Other:

2. Was the environmental documentation (Notice of Preparation/Notice of Intent) circulated to LAFCo prior to adoption by the Lead Agency?

Yes

No

### Notification

Provide the names and contact information of the primary persons or agents who are to receive information requests, staff reports and notices:

<i>Name</i>	<i>Telephone</i>	<i>E-mail Address</i>
Chris Dart	(707) 825-1531	cdart@danco-group.org
David Loya	(707) 825-2045	dloya@cityofarcata.org
Delo Freitas	(707) 825-2213	dfreitas@cityofarcara.org

### Indemnification Agreement

LAFCo policy requires that all applicants sign an indemnification agreement which indemnifies LAFCo in the event of litigation concerning the approval of an application.

The following is included with this application form:

Signed Indemnification Agreement

### Filing Fees

Applicants are required to pay fees in accordance with LAFCo's adopted fee schedule to cover the administrative and staff costs required to evaluate proposals. Checks must be made payable to: "Humboldt LAFCo".

The following is included with this application form:

Check for Filing Fees

Other (please explain):