

RESOLUTION NO. 190-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA AUTHORIZING THE FILING OF AN ANNEXATION APPLICATION TO THE HUMBOLDT COUNTY LOCAL AGENCY FORMATION COMMISSION FOR THE CREEKSIDE ANNEXATION PROJECT

WHEREAS, the City of Arcata desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for a change of organization consisting of the annexation of territory to the City of Arcata; and

WHEREAS, pursuant to Section 56654 of the California Government Code, notice of intent to adopt this resolution of application was given to the Humboldt County Local Agency Formation Commission, interested agencies and subject agencies at least twenty-one (21) days before the adoption of this resolution; and

WHEREAS, on December 18, 2019, this Council conducted a public hearing based upon this notification; and

WHEREAS, the principal reasons for the proposed reorganization are as follows:

1. The proposed annexation of the Creekside Development was initiated by the applicant in order to connect to City water and wastewater services; and
2. The proposed annexation of the Ennes Park parcel was initiated by the City in order to provide services to the site, and apply and enforce use regulations arising under the City of Arcata Municipal Code in these areas.

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
City of Arcata	Jurisdictional Boundary
Humboldt County—Flood Control; Roads; Parks & Rec	Jurisdictional Boundary; Tax receiving entity
Arcata Elementary School District	Tax receiving entity
Jacoby Creek Elementary School District	Tax receiving entity
Northern Humboldt Union High School District	Tax receiving entity
Redwoods Community College District	Tax receiving entity
Arcata Fire Protection District	Tax receiving entity; Fire Protection Services
Humboldt Bay Harbor, Recreation & Conservation District	Tax receiving entity
Humboldt Bay Municipal Water District	Tax receiving entity
Northern Humboldt Recreation & Park District	Tax receiving entity

WHEREAS, the annexation of the subject properties is not in conflict with General Plan policy GM-2c; and

WHEREAS, the project site was identified by the City as a potentially viable site for annexation in the General Plan 2020 Environmental Impact Report; and

WHEREAS, the development of the site would help meet the City's need for additional residential units, and will redevelop a site historically used for industrial purposes located directly adjacent to existing residential uses; and

WHEREAS, Foster Avenue LLC submitted a complete application for the development of the Creek Side Homes Project in 2016, which requires annexation of the parcel into the City; amendments to the General Plan and Land Use Code; approval of a Planned Development Permit and Design Review Permit; and approval of a minor and major subdivision; and

WHEREAS, the project as proposed also includes the annexation of a City-owned parcel intended to expand the existing Ennes Park, which will assist the City in providing and maintaining open space in the project area; and

WHEREAS, an Environmental Impact Report (EIR) has been prepared, circulated, and adopted by the City Council (SCH #2016022083).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arcata as follows:

1. This Resolution of Application is hereby adopted and the Local Agency Formation Commission of Humboldt County is hereby requested to take proceedings in the matter of the annexation of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
2. The environmental impacts of the annexation have been analyzed through an EIR, adopted by the Arcata City Council on December 18, 2019 (SCH #2016022083) by Resolution No. 190-37.
3. Staff is directed to submit an application for annexation of the area included within Exhibit 1, attached hereto and incorporated herein, to the Humboldt County Local Agency Formation Commission.
4. The Engineering Department Director is hereby authorized to confirm the annexation parcels legal descriptions substantially conform to the mapped areas in Exhibit 1.

DATED: February 5, 2020

ATTEST:

APPROVED:



City Clerk, City of Arcata



Vice Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 190-39, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, held on the 5th day of February, 2020, by the following vote:

AYES: PITINO, PEREIRA, WATSON

NOES: NONE

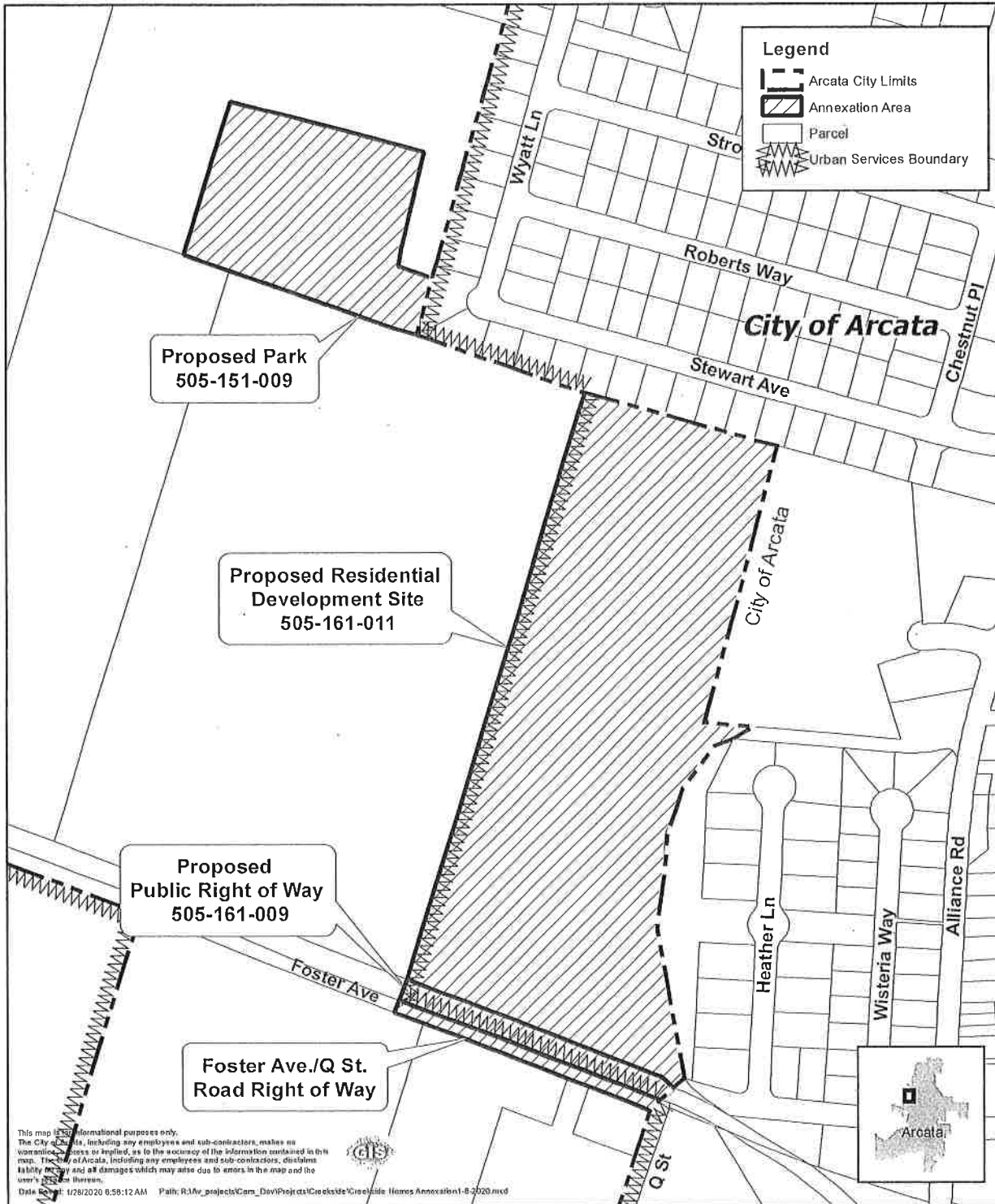
ABSENT: ORNELAS, WINKLER (Recused)

ABSTENTIONS: NONE



City Clerk, City of Arcata

**EXHIBIT 1
Annexation Map**




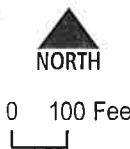
 <p>City of Arcata</p>	<p align="center">Creek Side Homes Annexation Parcels</p> <p align="center">1/28/2020</p>	<p align="center">NORTH</p> <p align="center">0 100 Feet</p> 
--	--	---

EXHIBIT 1

That real property situate in the County of Humboldt, State of California, described as follows:

That portion of the Southeast Quarter of the Southwest Quarter of Section 20, and the East Half of the Northwest Quarter of Section 29, Township 6 North, Range 1 East, Humboldt Meridian, described as follows:

BEGINNING at a point located North 76 degrees 23 minutes West, 508.03 feet from the quarter section corner on the North line of said Section 29, said point also being the Northeast corner of the parcel of land described in Parcel One of the Deed to D.S. Norris, et al, recorded August 22, 1951 in book 179 of Official Records, Page 639;

thence North 76 degrees 23 minutes West along the Northeasterly line of said lands, 449.27 feet to the Northwest corner thereof;

thence South 15 degrees 26 minutes West along the Northwesterly line of said lands, 1452 feet, more or less, to the South line of a County Road, as it existed in 1910, running along the North line of what was known as the "Old Dodge Place" in the Northwest Quarter of said Section 29;

thence Easterly, along the South line of said County Road, to the West line of Bottom Road, said point being on the West line of the City Limits of the City of Arcata, as described in Resolution No. 72-8 of the City of Arcata;

thence North 17 degrees East, along said West line, to the North line of the Arcata and Mad River Railroad;

thence Easterly along said line to the Southwest corner of the land described in the Deed from Van DeNor Lumber Company, Inc., a corporation, to Chester H. Spiering and wife, recorded March 30, 1961, in Book 629 of Official Records, Page 300, Humboldt County Records;

thence along the Northwesterly line of said last mentioned lands, the following courses and distances:

North 11 degrees 26 minutes 12 seconds West, 371.67 feet;

North 08 degrees 02 minutes 06 seconds East, 100.72 feet;

North 03 degrees 35 minutes 26 seconds East, 98.41 feet;

North 16 degrees 10 minutes 21 seconds East, 115.61 feet;

North 34 degrees 17 minutes 23 seconds East, 117.76 feet;

North 62 degrees 51 minutes 05 seconds East, 105.44 feet to the Southwesterly line of the land described in Parcel One in the Deed to Westwood Developers, a limited partnership, recorded July 6, 1966, in Book 889 of Official Records, Page 12, Humboldt County Records;

North 86 degrees 50 minutes West along said Southwesterly line 118.03 feet to the Southwest corner of said lands; and

North 13 degrees 27 minutes 44 seconds East along the Northwesterly line of said last mentioned lands, 639.72 feet to the point of beginning.

Prepared by:

Michael J. O'Hern

Michael J. O'Hern LS 4829 Dated: MAY 14, 2020



Ennes Park

All that real property in the southwest quarter of Section 20, Township 6 North, Range 1 East, Humboldt Meridian, in the County of Humboldt, State of California, being Parcel Eight described in Humboldt County Recorder's Instrument No. 1991-15567-7, more particularly described as follows:

That real property situate in the County of Humboldt, State of California, described as follows:

BEGINNING at the Southeast corner of Northwest Arcata Subdivision Unit No. 1, according to the Map thereof on file in the office of the Humboldt County Recorder, in Book 13 of Maps, Page 18;

- thence North 13 degrees 40 minutes East, 135.15 feet;
- thence North 76 degrees 15 minutes West, 100 feet;
- thence North 13 degrees 40 minutes East, 256.05 feet;
- thence North 76 degrees 15 minutes West, 450 feet;
- thence South 13 degrees 40 minutes West, 355.79 feet;
- thence South 72 degrees 34 minutes East, 551.19 feet to the point of beginning.