



# STAFF REPORT

## PLANNING COMMISSION MEETING

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April 23, 2024

**TO:** Honorable Chair and Commissioners

**FROM:** Emily Sinkhorn, Director of Environmental Services

**PREPARER:** Brigitte Price, Administrative Specialist

**DATE:** April 17, 2024

**TITLE:** **Adopt Resolution PC-24-04 Finding the Acquisition of a Public Access Easement over a Portion of APNs 505-121-034 & 505-121-031 in Conformance with the General Plan**

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### **RECOMMENDATION:**

Staff recommends that the Planning Commission adopt Resolution PC-24-04 finding the acquisition of a public access easement, on a portion of APNs 505-121-034 & 505-121-031 in conformance with the General Plan.

### **INTRODUCTION:**

Government Code Section 65402 requires a determination of General Plan conformance for the City to dispose of or acquire property. This action would adopt Resolution PC-24-04 making the consistency determination for the proposed acquisition.

### **DISCUSSION:**

The development agreement for Open Door's Arcata Community Health Center project codified that prior to the issuance of certificate of occupancy for the project, the developer agrees to provide an up to eight-foot-wide easement to the benefit of the City for access along the western property line of APN 505-121-031 from Sunset Avenue to Foster Avenue. The Developer shall install the trail at its cost and dedicate a public egress easement to the City of Arcata. The trail improvement shall be reviewed and approved by the City Engineer prior to acceptance by the City.

On March 18, 2020 the City Council approved the Arcata Community Health Center Project and introduced the Ordinance No. 1530 approving the development agreement. At that time, Environmental Services reviewed the proposed easement and accepted future maintenance of the easement and public access path as long as the path was built to standards accepted by the City Engineer.

This proposed eight-foot-wide trail easement would be deeded from two parcels, one Public Facility-zoned parcel and one Residential Medium Density Planned Development-zoned parcel that connects Sunset to Foster Avenues in Section 29, T6N, and R1E (Attachment B). A public access easement between Sunset Avenue and Foster Avenue will ensure pedestrian connectivity through these two recent developments.

The City Council would approve acceptance of the public access easement at a later date. This recommended action is consistent with the Arcata General Plan 2020 Transportation Element Policy T-5g Pedestrian pathways and multi-use trails which states that pedestrian pathways for the exclusive use of non-motorized transportation modes should be provide and that dedication of easements for pathways through new private developments may be required.

**ENVIRONMENTAL REVIEW (CEQA):**

The trail construction and dedication was contemplated in the Environmental Impact Report for the Arcata Community Health Center (Open Door) project (SCH# 2019080313), which was certified by the City Council on March 18, 2020, via Resolution No. 190-53.

This project is Categoricaly Exempt under CEQA per Section 15325 (Class 25) Sec. 15325(f).  
*Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and*

*Historical Resources. Class 25 consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources.*

*(f) Acquisition, sale, or other transfer to preserve open space or lands for park purposes.*

The project consists of acquisition of land to provide for park access purposes.

**ATTACHMENTS:**

Resolution PC-24-04 (PDF)

OpenDoor & TerraceApts - Proposed Easement Map(PDF)