

David Loya

From: Matthew Simmons
Sent: Tuesday, January 31, 2023 5:01 PM
To: David Loya
Subject: Land Use Element Zoning Map Question

Hi David,

Would you mind sharing the following with my fellow commissioners and putting it in the packet for our next meeting?

Thanks,
Matt

Fellow Planning Commissioners,

In preparing for the discussion of the Land Use Element, I found myself considering the possibility of allowing more density and types of uses within additional neighborhoods in our city. We have been so focused on the proposed Gateway Area that I feel we are overlooking additional areas of our city that could benefit from allowing more density and mixed use development.

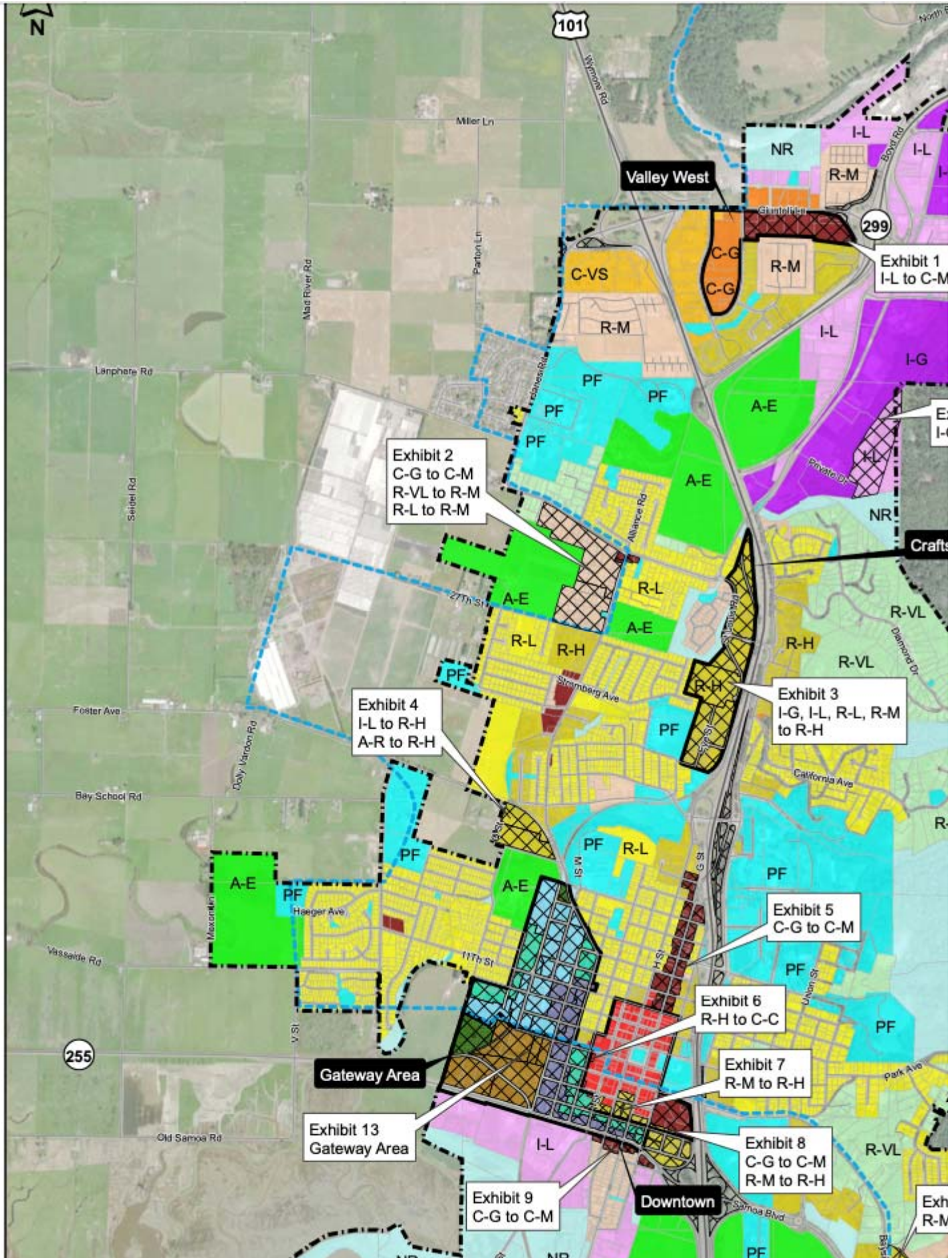
Increasing density and allowing for mixed use development in walkable areas will allow more Arcatans to walk, bike, or take transit to school and work, reducing our carbon footprints and allowing more people to live healthier lives. Increasing the density will also help produce more housing which we desperately need in order to tackle the housing crisis. I also believe that allowing for more density in more areas of the city will help spread out new development in a way that is more equitable. More Arcatans should be allowed to live in communities that are designed to protect the climate and give everyone a home. Replacing exclusionary zoning with zoning that allows more density and types of uses will also help diversify Arcata and create a city that is more welcoming.

As you can see from the City's Land Use Map located on page 92 of our last meeting's packet, and reproduced below, there are a couple of Residential Low Density (R-L) neighborhoods located adjacent to both the plaza and Cal Poly Humboldt (CPH). Despite being incredibly walkable to both the plaza and CPH, these neighborhoods are currently zoned with our second lowest residential density designation and can therefore only serve a limited number of Arcatans.

There are two areas that particularly stand out to me as potential locations for allowing more density and types of uses are roughly: 1) the Bayview neighborhood located between Bayview St. and the 101 and 7th and 14th and 2) the area northwest of the plaza between Alliance/K and F and 17th and 9th. My vision for these areas would be that they could also become walkable, mixed use areas similar to the proposed gateway that could serve more Arcatans than they currently do. I understand that that these areas contain a few historic buildings but I would hope that that does not mean that they have to be encased in amber. Rather, I would like to see these neighborhoods become a vibrant mix of old and new.

I am very interested to hear all of your thoughts on this and hope we can have a discussion about it at our next meeting.

Thank you,
Matt Simmons



Judith Mayer, February 1, 2023

Comments on Draft General Plan update & amendments: Land Use & Growth Management elements

Since Planning Commission discussion of the General Plan Growth Management and Land Use elements was first on our November 15 agenda, over 2 months ago, I've hoped to share some thoughts about these fundamental parts of our General Plan. I look forward to discussion at our February 14♥ meeting.

General:

Vision: The Commission has not yet addressed the Plan's over-arching Vision statement. Specific policies, guidelines, and implementation measures of our General Plan have responded to an over-arching Vision Statement that introduces the plan itself, and provides a framework for policies. I believe it's important to revisit our 22-year-old Vision Statement early in our General Plan update discussions. It's great that each of the revised General Plan elements will begin by listing its Guiding Principles and Goals. Let's review and discuss the Draft's Overarching Vision, and each element's Guiding Principles, Goals, and Objectives!

I hope that the Planning Commission – ideally along with the City Council – carefully review and update the General Plan's over-arching statement of values BEFORE we go too much further in amending our General Plan.

Element order: Let's discuss the Land Use element before the Growth Management element. (The Land Use element, section **2.1**, also precedes the Growth Management element, section **2.4**, in the draft document.) The draft material in our packet presents the Growth Management element before the Land Use element. There is some logic to remind us that Arcata intends to accommodate population, economic, and institutional growth as **infill**, rather than sacrificing our green and blue periphery. The Growth Management element may also appear more straightforward than the complex Land Use element. But let's address our land use "at home" before demanding that the rest of the County support our policies.

More specific -- Land Use element draft:

Explicitly address drivers of land use change: The draft plan should address the different drivers of land use change in terms of the types of change involved. Population growth directly related to increased enrollment and employment at Cal Poly Humboldt would take place in response to policy decisions made by state institutions far beyond Arcata, for example. To what extent should the Land Use element address the City's prerogatives relative to the large State institution we host? Decisions about acceptable coastal zone land uses, and potential limits on them, will also depend on state policies. (It will help to cross-reference the overall Land Use element with the Local Coastal Program element. While this may appear to be duplication, it will also avoid confusion for the public.)

Structure of the element: The extensive deletions at the start of the Policy section (2.2) represent a major restructuring of the document, focusing on concentration of activity and "amenities" in centers and clusters, focusing on infill and active transportation. Can we discuss this?

Land acknowledgement in Introduction Overview (2.1): Yes. Long over-due.

Acknowledging value of diverse existing neighborhoods & place-based strengths: Yes! Prioritizing the value of retaining existing place-based strengths is a crucial basis for evaluating proposed changes. It's also necessary to weigh proposed policies in terms of equity and safety in multiple dimensions. Racial equity introduces the Guiding Principles and Goals for the Land Use element. However, equity in Arcata must also address differences in income and wealth, age, varying ability, gender, ethnicity and origin, etc.

Maps: Not all of the maps that the text mentions appear to be included in the Draft element in locations that are easy to find and read. Please include a Land Use element map that includes not just the City's boundaries, Sphere of Influence, and the Coastal Zone, but also its current Urban Services area. (This appears on a separate map.) Please add a map that shows land within the City of Arcata that is either owned or controlled by the University and other state (or federal bodies), and thus largely beyond the City of Arcata's land use authority. Thinking through how plan users will search for maps will help.

Infill opportunity areas and streamlined / ministerial review: Beyond "Promotion of infill development and designated Infill Opportunity Zones" (Draft Policy **LU-1b**) the Draft jumps to **LU-1d, "Streamlined Review and Standards in Infill Opportunity Zones."** Before adopting such a policy, the Planning Commission should discuss and figure out exactly what those streamlined review and ministerial pathways should involve, possibly together with the City Council, but definitely BEFORE we recommend such a policy TO the Council! We haven't addressed or resolved this in the Gateway, let alone in any or all of the City's other "infill opportunity" areas! (It's also important to use the word "Zone" with a single definition throughout the plan and the Land Use Code. Referring to "Infill Opportunity Zones" apart from the Zones that appear in the Land Use Code will confuse the public!)

Activity & infill opportunity centers: Our discussions should refer explicitly to the rezoning maps included at the end of the Land Use packet, since much of the infill the Draft proposes would involve significant use changes and rezoning.

Mixing uses & increasing intensity in shopping center areas ("Activity Centers"): The draft Land Use element suggests that several shopping centers could or should support mixed uses including possible housing development, including Westwood, Sunnybrae, Bayside, and Greenview. I believe that ALL of our neighborhood shopping centers, as well as Uniontown, should be open to mixed use development if that development is accompanied by appropriate infrastructure, and is subject to a transparent Planned Development approval process that addresses concerns of existing neighbors, and provides or retains publicly accessible spaces within them. Recent California state policy will likely to allow housing development in any current commercial parking area. Multi-use plans for current shopping centers and parking lots should be well integrated with broader neighborhood and city-wide land use planning and urban design, including respect for historic structures and sensitivity to scale. Strangely, the proposed Commercial-General (**C-G**) zoning designation would still require businesses to provide sufficient on-site parking (see p. 2-20).

Northtown – this is not "between Arcata and the University" (p. 2-3) but between the Plaza and bridges to the University campus. Let's remember that the University is IN and OF Arcata, even though the City has little say about land uses on University-owned land!

Craftsman’s Mall / St Louis – Depends on large-scale rezoning of current Industrial land above and beyond discussions and analysis to date. Let’s not wait for the EIR to discuss this! A clear policy statement about how the City and University’s joint planning for this area (especially if the University intends to acquire more land there) could be included as a land use policy statement.

Valley West – Admirable refocus. However, the plan should acknowledge the City and University actions that appear to contradict much of **LU-1j** as a policy statement, at least in the short-term. How does converting hundreds of motel rooms to housing support Valley West as a “tourism destination”? And when will Arcata adopt policies to provide real alternatives for houseless Arcata campers in Carlson Park, allowing the park to become a recreation draw?

Residential Zoning: Recent state rules may increase the actual allowable dwelling densities in Arcata’s Very Low Density, Low Density, and even Medium Density residential zones. The combination of accessory dwelling units, junior accessory dwelling units, and the right to subdivide (once) any single-family parcel, means that density designations in areas zoned for one dwelling unit could, on some lots, actually yield up to six dwelling units. The Land Use element should explicitly address these new possibilities and their implications. (The Housing element, Safety element, and Local Coastal Program element should address this too.) The Planning Commission should also discuss raising the maximum allowable densities in Medium and High Density zones, with proposed changes from 15 to 25 units per acre (Residential Medium Density), and from 32 to 50 units per acre (Residential High Density), with proposed exceptions that could further increase those densities in Infill Opportunity Zones, beginning with the Gateway Area.

Density designations: In mixed use areas that include both commercial and residential uses (and perhaps institutional uses as well), consider referring to residential density in terms of both dwelling units (which state housing guideline use) and bedrooms (which more closely represent actual population). A development of “single room occupancy” or efficiency apartments will impose different demands for services than a similar number of 3-bedroom “dwelling units.”

Planned Developments (see Draft Polices LU-2c and LU-6) : The Planning Commission should consider separating policies for the Planned Development areas for which an actual Planned Development Permit has been issued, from those for which no actual Planned Development permit has ever been approved. This has been a divisive issue in at least two recent projects located in Planned Development combining zones, but where the City had never considered, reviewed, or approved a Planned Development. Staff had told the Planning Commission there are very few of these locations, yet two have come up within a couple of months.

Agriculture and Natural Resource Lands (Policy LU-6):

Agricultural zoning -- The Draft calls for 20% of all Arcata land to remain in agricultural zoning (over 1000 acres). We should carefully review the types of uses and structures that the plan and land use code will define as appropriate for our Agricultural zones, and outline policies concerning them in both the Land Use and Growth Management elements, as well as the Land Use Code. We should address much more specifically the definition of “agricultural” uses and activities, and consider regulating agricultural industries and processing with extensive or large-scale structures separately from agricultural production that looks like, and imposes infrastructure demands more like “farming.” We should also consider policies that address

small-scale concerns of “urban agriculture” and commercial gardening. This is important in the aftermath of recent controversies regarding definitions of uses either principally permitted or conditionally permitted in agricultural zones (especially Agriculture-Exclusive zones). Just as “form-based” codes consider the outward-facing effects of structures, our definitions of acceptable structures in the Agricultural use zones should seriously reconsider uses that are only marginally linked to plant or livestock production within Arcata. (These issues arose with the Cypress Grove factory, justified under ag zoning as agricultural processing, even though little or none of the milk processed at the cheese factory would be produced in Arcata, and abundant under-used industrially zoned land was available adjacent to the “agricultural” site). Such issues will return in the form of intensive permanent greenhouse, aquaculture, or indoor aquaculture or animal raising, agri-energy developments, and other potential activities in ag zones that also depend on large-scale building. Links to the Growth Management element are necessary, since building-intensive land uses the County now accepts in ag zones will also arise in our green-and-blue belts.

Industrial Land Uses & Public Facility Land Uses: (Typo Policy LU-4: 150 years rather than 50 years?):

Little Lakes (Draft policy LU-5): Should the City continue to designate these City-owned 12 acres for an industrial or business park? It may be time to rethink that, considering the need to remediate toxic site contamination, and the serious risks to any permanent structure posed by sea level rise, rising groundwater, earthquakes, and tsunamis. (The Planning Commission has not recently considered the City’s “Long Range Property Management Plan.” Presumably the LCP element will also address this.)

Table LU-4: “EDUCATIONAL, CULTURAL & RELIGIOUS USES” designated as PF (Public Facilities zoning). We should consider separating religious use designation from the Public Facilities (PF) classification. Respecting the separation of Church and State, religious activities and institutions occupy very different regulatory positions from government institutions, under federal law (RLUIPA, the Religious Land Use And Institutionalized Persons Act), and CA land use laws. Some religious institutions’ activities may impose considerable demands on public resources, yet be exempt from City land use rules that could mitigate those impacts. Religious institutions may also attempt to limit activities or public speech on their own property and in their “publicly accessible private open space” in ways that would not be acceptable on actual public property.

More specific – Growth Management element draft:

The Growth Management element includes some significant changes from the element in the existing General Plan. It is much more emphatic on the need for infill, and explicitly addresses the regional Climate Action Plan, sea level rise adaptation, and preventing urban development on hazard-prone land. It addresses Cal Poly Humboldt’s role as the most significant driver of expected population growth. It includes specific implementation measures, especially in the near-term.

However, the Growth Management element can go further in protecting the City’s greenbelt and “blue-belt,” maintaining viewsheds, etc. It can strengthen the City’s ability to do so in the face of potential development pressure on and from the County. Additional policies will indicate how the City will work to protect City’s greenbelt and viewsheds, in the face of both potential County decisions, and of future pressure within Arcata to weaken Arcata’s un-built-up periphery on land and water.

County referrals to City: Draft Policy **GM-1b** calls for the City to request Humboldt County to refer County planning studies and development permit applications for land in Arcata’s Planning Area to Arcata’s Community Development Department for review and comment. Our General Plan should also strongly encourage the Community Development Department to refer those proposals to the Arcata Planning Commission for review and comment. (Nothing prevents this now.) This could provide valuable public review and comment opportunities by Arcatans within our own public process. This is especially important when County staff recommend approving a project, Arcata City staff see no legal impediments, but Arcata residents may still be seriously affected. Helping to ensure public review in Arcata wouldn’t just promote NIMBY attitudes – it would help enlist Arcatans’ support of some of the General Plan’s most important policies, and help bring Arcatans’ perspectives to County-wide attention.

Land-use designations within the Planning Area: Draft policy **GM-1c** calls for the City to request the County to retain timber, ag, and rural designations on land in Arcata’s Planning Area (but beyond the City boundary), and recommends appropriate land use designations to the County (**Fig. LU-b**, which our Draft doesn’t include). Policy **GM-1d** recommends that the County maintain areas in Arcata’s greenbelt in timber, ag production, and natural resources, with development at only rural densities. In the aftermath of several recent County project debates and approvals immediately beyond Arcata’s boundary, our Growth Control element should also recommend that the County divide its ag land designations between those uses that would permit large-scale structures, and those that would not permit large-scale structures, disruptive lighting or noise, extensive groundwater draw-down, etc. (This would be a bit like a form-based code or performance zoning taking into account off-site effects.)

Annexation for conservation -- Resource lands in Sphere of Influence, and annexation for conservation purposes: Policy **GM-2g** requires the City to review its Sphere of Influence periodically to determine whether resource lands are being adequately protected. New Draft Policy **GM-3c** adds that the City may annex undeveloped land even beyond Arcata’s Urban Services Boundary if the City owns that land for resource / habitat management or to fulfill the City’s greenbelt policies. Another proposed addition to Policy GM-3c indicates that Natural Resource and Public Facility (PF) zoning could apply to city-owned lands annexed for conservation purposes. These are excellent policies to ensure that Arcata can retain the City’s green-and-blue boundaries. However, I believe that the General Plan should go further, and should extend this language to reinforce the City’s ability to annex land that the City does not own (or does not yet own), for conservation purposes. This could reinforce several of the City’s conservation, open space, resource management, and safety aspirations, and potentially help implement forward-looking sea level rise and climate change adaptation policies. Allowing for annexation of privately owned land to bring it under City protection would reinforce Arcata’s ability to protect our greenbelt and “blue-belt.” It could reinforce the work of conservation land trusts and easements, and projects to which state and federal land management are already committed. A General Plan policy broadening opportunity for such conservation annexation would indicate to LAFCo and to state authorities that Arcata considers annexation an important conservation tool, rather than just as a means to expand urban development.