

## Mads Odom

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**From:** Lisa Pelletier [REDACTED]  
**Sent:** Monday, June 12, 2023 8:53 PM  
**To:** Dan Tangney; Judith Mayer; Scott Davies; cfigueroa@cityofarcata.org; Matthew Simmons; Peter Lehman  
**Cc:** Karen Diemer; David Loya  
**Subject:** Please resume regular Planco meetings

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Dear Planning Commissioners,

I am writing to urge you to go back to regular meetings for the month of June and beyond. The "special meetings" format is impeding the public's right to weigh in on nonagendized items AND on each separate agendized item following staff reports, as well as being afforded an opportunity to respond/comment on new information in the reports.

As Lisa Brown pointed out in her comments, the decision to designate every PlanCo meeting as a "special meeting" for several months is a violation of Arcata's municipal code, specifically Municipal Code 2209: "The Planning Commission shall hold regular meetings twice monthly as set by schedule established by the commission." It may also be a Brown Act violation, although I'm not an expert on that, however the Brown Act does mention that regular meetings should take place at a time and location convenient to the public.

In any case, several community members have commented about their sense of being shut out of the process for public comment for the past couple of months of these "special meetings."

At the last Planco meeting, Lisa Brown requested that the Planco go back to regular meetings so the public has an opportunity to weigh in on each separate agendized item, and I concur. Shutting down the public's right to comment on non-agendized items, and limiting discussion on separately itemized points on the agenda is an inherently unfair and undemocratic process. That only gives us something like 12 seconds to comment on each agendized item, and no time to speak on nonagendized items.

I'd also like to question the accelerated process for deciding on the General Plan, the Gateway, form-based code and EIR all at the same time, and curtailing community input on this and other matters before the PlanCo and city council. What is the aim behind fast-tracking this? This whirlwind of deciding everything at once as quickly as possible feels like a "shock and awe" strategy, which won't lead to good and thoughtful planning that has the community's buy-in.

I know you were hoping to see a draft of the General Plan, the Gateway Plan, etc, by July. But that's when half the population will be out of town, including Commissioner Judith Mayer, who had asked to have input on the final details of the draft plans. What is the rush that you couldn't wait even one month until say, August, so that students and community members who will be out of town have a chance to make their voices heard?

Final point: We've had more opportunities for input on the Gateway Plan than we have on the General Plan. And now the General Plan is being rushed through very quickly. I'm sorry but I have to question whether that is by design(?). It's just that the process is so different from way this was done when the previous General Plan was being debated.

It took four years, with a good many opportunities afforded for community input to come up with the previous General Plan. Now everything is being rushed through at once and the public is confused about what's on the agenda. And these

"special meetings" only afford one opportunity at the start for public input, which is not the case with regular meetings. That is an egregious curtailing of the public's right to weigh in on matters that are important to us.

Also, at times items on the agenda are described in vague terms like "special considerations" or "bike rack elements," so the public doesn't know what's going to be discussed or even when to show up for meetings that are important to us. Commenter Fred Weis has previously pointed out that is also a Brown Act violation (i.e. using vague language on the agenda when it should be more specific). On his web site, he points out that there have been numerous times where the City has violated the Brown Act.

<https://arcata1.com/serial-meeting-brown-act-violations-what-is-the-law/>

What's most concerning for me is that it feels more and more like these decisions are top down, rather than driven by community input. Otherwise, why the rush and the move to make every meeting a special meeting? And why would the PlanCo ignore the 700+ people who signed a petition to keep L-Street a linear (car-free) park, and go ahead with making the proposed L-Street truck route a goal?

I appreciate your service. I truly do. But I fear that the City is making itself vulnerable to lawsuits. Ultimately it's the taxpaying residents who will pay the price for that in more ways than one. Or by having a General Plan and Gateway Plan imposed on us that doesn't have the community's buy-in.

In sum, something has gone very wrong with the process for public engagement, and all we are asking is that you to do the right thing: Please direct the PlanCo to immediately resume regular meetings for the month of June, and please don't refer to them as "special meetings." Let's get back on the right track. Thank you.

Respectfully,  
Lisa Pelletier (Arcata resident)

## Mads Odom

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**From:** Fred [REDACTED]  
**Sent:** Monday, June 12, 2023 8:33 PM  
**To:** David Loya; Dan Tangney; Judith Mayer; Peter Lehman; Matthew Simmons; Joel Yodowitz; Meredith Matthews; Kimberley White; Stacy Atkins-Salazar; Alex Stillman  
**Cc:** Karen Diemer; Sarah Schaefer; Scott Davies; Netra Khatri; David Caisse; Dave Ryan  
**Subject:** Re: David Loya dismisses the Transportation Safety Committee -- yet again

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Councilmembers and Commissioners:

Below is Director David Loya's reply to my earlier message to you, and my reply to his response. In his reply to me, **David Loya removed all Councilmembers other than the Mayor and all Commissioners other than the Chair**. Because this is an important message for all of you, I am re-including all of you.

As we have seen and known for this past year and a half, our Community Development Director oftentimes withholds information that he should supply for good planning and procedural decisions to be made. As yet another example, he determined that it was not necessary to include the Transportation Safety Committee's full recommendations in the initial draft General Plan. As I believe all of you are aware, this is not his determination to make.

Along with building height, inclusionary zoning, and the Form-Based Code, the decision on the L Street Corridor Linear Park is among the most important of decisions that will shape the Gateway and determine its success in our city. As Commissioners and Councilmembers, you need to have more information, not less. I would say that you want to see this information directly, not through a link.

Because the City Council will be making their decision on the Gateway Plan and on the General Plan, in this case -- where a Committee's recommendations are so much opposed to Staff's proposal, and where this is such an important decision -- it is my opinion that the Council should have all Transportation Safety Committee input in front of them.

-- Fred Weis

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On Mon, Jun 12, 2023 at 4:55 PM David Loya <[dloya@cityofarcata.org](mailto:dloya@cityofarcata.org)> wrote:

Fred,

I was not at the last TSC meeting, but I uploaded the TSC's adopted comments on the Element verbatim as they were transmitted to me. In the staff report, I provide a link to those comments and acknowledge that while there was not time to incorporate them before release of the PC staff report, we would review and incorporate where necessary. The

Commission now has the ability to ask to see the Mobility Element again, if it would like based on this new review, which was provided transparently to the PC through their agenda packet.

It was reported to me that two of the Committee members said that they had read the current PC reviewed version of the Mobility Element and thought that much of their concerns had been addressed. This actually seems like a pretty positive outcome, both in terms of content and process, considering the TSC started their review several months ago and were on the verge of not having any comments considered before the PC's July 11 target for recommendation to the Council.

I would leave it to others to judge, but I'm having a hard time following your characterization of the situation.

Regards,

David Loya (him)

Community Development Director

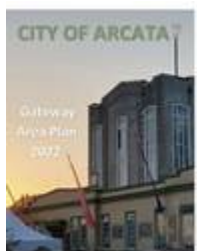
City of Arcata

p. 707-825-2045

I acknowledge my residence in Goudi'ni (Arcata), part of the ancestral territory of the Wiyot peoples. I offer my reconciliation and respect to their elders past and present.

<https://www.wiyot.us/162/Wiyot-Placename-Video>

To grow opportunity and build community equitably.



Exciting work is happening in the **Arcata Gateway** – 138 acres once used for mostly industrial purposes. The **Arcata Gateway Plan** allows innovative residential development, using streamlined permitting while protecting working forests, ag lands, open space and natural resources.

You are encouraged to take part in the public process that will affect the City for years to come.

**[READ THE GATEWAY PLAN](#)**

Hi, David --

Thank you for your very quick reply.

You wrote:

>> I'm having a hard time following your characterization of the situation.

I say to you: **Try harder.**

If you are claiming to not see the difference between calling something a recommendation **for** the K/L street couplet -- which is what you wrote -- or a recommendation **against** the K/L street couplet ... **then that's a problem.** And this is not the first time that your writing has mischaracterized the viewpoints of the Transportation Safety Committee.

If you are claiming to be finding nothing wrong with the Chair of the Transportation Safety Committee and the most senior member of the Planning Commission **both objecting to how you are presenting the TSC recommendations ... then that's a problem.**

The Transportation Safety Committee has been saying for the past year that they are not in favor of the K/L Streets couplet. They've said this in many forms, again and again.

I had suggested to the TSC that their recommendation be along the lines of "Staff has suggested a K/L Streets couplet design, and the TSC believes there are alternatives to this design which are preferable" -- and that language could be incorporated into the General Plan. That would be a way of keeping the conversation open.

But they went way beyond that. Their recommendation was exceedingly clear: **"This Committee opposes the L St Couplet and would like to see any reference to it removed"** is what they wrote. And: **"Eliminate all references to the K & L St couplet."**

You wrote in your reply to me:

>> "In the staff report, I provide a link to those comments and acknowledge that while there was not time to incorporate them before release of the PC staff report, we would review and incorporate where necessary."

**That is not what you wrote in the staff report.** If that indeed was what you had written, we would not be having this conversation. If you are going to paraphrase yourself, you need to be more accurate.

What you wrote in the staff report was: "Staff will incorporate the adopted changes, **with the exception of the recommendation for the K/L street couplet**, unless the Commission directs staff not to included specific recommendations."

And I say to you: **How can you take it upon yourself, by your choice and your direction, to exclude the most important part of the Transportation Safety Committee's recommendations?**

David, you referred to "the current PC reviewed version of the Mobility Element." Just to eliminate the possibility that we've been looking at different documents, could you **please send me the link to the version you are referring to.**

The staff report said "Most TSC policy recommendations released May 30, 2023, are similar to the PC recommendations." I wrote that I counted 44 distinct recommendations in the Transportation Safety Committee's policy recommendations, and of those, I counted 5 that are similar to the Planning Commission recommendations. If I am incorrect in that analysis I will apologize and correct the numbers.

The next-to-the-last paragraph that you wrote in your reply:

>> "It was reported to me that two of the Committee members said that they had read the current PC reviewed version of the Mobility Element and thought that much of their concerns had been addressed. This actually seems like a pretty positive outcome, both in terms of content and process, **considering the TSC started their review several months ago and were on the verge of not having any comments considered** before the PC's July 11 target for recommendation to the Council."

If I am reading this correctly, you are saying that the TSC was on the verge of not having any comments "considered" before July 11. Do you mean "considered" by you? Do you mean "considered" by the Planning Commission? What exactly does it take to get "This Committee opposes the L St Couplet and would like to see any reference to it removed" to the Commission's and the Council's viewing? Not as a link to a document -- as a statement that they can read.

How about asking the Planning Commission about this? How about asking Dave Ryan to present this to the Planning Commission in person, as has been requested? **By what authority do you exclude this all-so-important recommendation from being included in the initial draft General Plan?**

So that the Mayor, the Planning Commission Chair, and the City Manager can better interpret what you wrote, let's be clear.

- The TSC normally meets monthly. They discussed the General Plan Circulation Element at their January 17 meeting and at their February 21 meeting.
- The accelerated schedule for getting out an initial draft of the General Plan updates was presented to the Planning Commission at their March 14 meeting. That was when the big rush started.
- For their own reasons, the TSC was not able to meet on March 21 and again on April 18.
- They met and discussed the General Plan Circulation Element at their May 16 meeting.
- They called for a Special Meeting for May 30 to further discuss this. (This was a true "Special Meeting" -- that is, **one that is in addition to their regular meeting**, and not as a replacement for a regular meeting on the same date.)
- The TSC's statement "This Committee opposes the L St Couplet and would like to see any reference to it removed" came out of the **May 16 meeting**. So did: "Removal of couplet in favor of a linear park through the L St corridor." And: "Eliminate all references to the K

& L St couplet."

**If the TSC was "on the verge of not having any comments considered" as you wrote in your reply, that would be because of your unwillingness to accept their comments -- not from them not supplying their recommendations.**

"This Committee opposes the L St Couplet and would like to see any reference to it removed"

"Removal of couplet in favor of a linear park through the L St corridor"

"Eliminate all references to the K & L St couplet"

**-- You have stated that you are purposefully excluding this from the initial draft General Plan update.**

David, as we both know, you are not stupid and you are not incompetent. **If you were to claim that you do not see how withholding the TSC's recommendations from inclusion in this initial draft General Plan update -- and in that sense eliminating it from the view of the City Council when they view that initial draft General Plan -- is not a dereliction of your job, then that is a very sad and dangerous situation for the people of Arcata.**

You remember the Brown Act, yes? I've included the 4th sentence of **the opening paragraph of the first page** of the Brown Act below, to remind you.

Cheers,  
-- Fred

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Some services, such as water bills and police services, are available on-call. Please check our website [www.cityofarcata.org](http://www.cityofarcata.org) for the latest information on accessing City services.

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**From:** Fred <[REDACTED]>  
**Sent:** Monday, June 12, 2023 4:30 PM  
**To:** Sarah Schaefer <[sschaefer@cityofarcata.org](mailto:sschaefer@cityofarcata.org)>; Meredith Matthews <[mmatthews@cityofarcata.org](mailto:mmatthews@cityofarcata.org)>; Stacy Atkins-Salazar <[satkinssalazar@cityofarcata.org](mailto:satkinssalazar@cityofarcata.org)>; Alex Stillman <[astillman@cityofarcata.org](mailto:astillman@cityofarcata.org)>; Kimberley White <[kwhite@cityofarcata.org](mailto:kwhite@cityofarcata.org)>; Scott Davies <[sdavies@cityofarcata.org](mailto:sdavies@cityofarcata.org)>; Dan Tangney <[dtangney@cityofarcata.org](mailto:dtangney@cityofarcata.org)>; Judith Mayer <[jmayer@cityofarcata.org](mailto:jmayer@cityofarcata.org)>; Matthew Simmons <[msimmons@cityofarcata.org](mailto:msimmons@cityofarcata.org)>; Peter Lehman <[plehman@cityofarcata.org](mailto:plehman@cityofarcata.org)>; Joel Yodowitz <[jyodowitz@cityofarcata.org](mailto:jyodowitz@cityofarcata.org)>; David Caisse <[dcaisse@cityofarcata.org](mailto:dcaisse@cityofarcata.org)>; David Loya <[dloya@cityofarcata.org](mailto:dloya@cityofarcata.org)>; Karen Diemer <[kdiemer@cityofarcata.org](mailto:kdiemer@cityofarcata.org)>  
**Subject:** David Loya dismisses the Transportation Safety Committee -- yet again

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monday, June 12, 2023

To: City Council, Planning Commission  
David Caisse, David Loya, Karen Diemer  
TSC Chair Dave Ryan (as BCC)

From the June 13 Planning Commission staff report, page 31:

"\*Most TSC policy recommendations released May 30, 2023, are similar to the PC recommendations (see <https://www.cityofarcata.org/940/Engagement-Information>). Staff will incorporate the adopted changes, with the exception of the recommendation for the K/L street couplet, unless the Commission directs staff not to included specific recommendations."

David Loya dismisses the Transportation Safety Committee's input in a major way -- yet again.

Below is Director Loya's recent thwarting of the Transportation Safety Committee's recommendations on the General Plan.



We have a situation here where a Planning Commissioner and the Chair of the Transportation Safety Committee have declared that Arcata's Community Development Director David Loya has inadequately, inaccurately, or in a diminished fashion presented recommendations from the Transportation Safety Committee to the Planning Commission. So much so that this **Planning Commissioner and the TSC Chair have requested that the TSC Chair deliver the Committee's views and recommendations to the Commission in person.**

Normally, input from the Committees is delivered to the Commission through the Community Development Director. But in this case that is no longer possible.

To put that another way, it is evident from past manipulations of the Transportation Safety Committee's recommendations that **Director Loya cannot be trusted** to convey information from the Committee. "Cannot be trusted" is my phrase, not theirs. But they are stating openly and to the public that the TSC's explicit and clear recommendations are not getting through to the Planning Commission. The TSC's recommendations are being altered, reduced, and ignored before those recommendations reach the Planning Commission.

You can read TSC Chair Dave Ryan's April 11 letter on this matter (without comment from me, just the letter) on Arcata1.com.

<https://arcata1.com/letters/dave-ryan-chair-transportation-safety-committee-april-11-2023/>

**What Dave Ryan determined and established and wrote about -- was before this latest round of the same nonsense.** Once again we have the same disregard for the Transportation Safety Committee's latest recommendations. The staff report included for the June 13 Planning Commission meeting contains a very dubious section showing the input for General Plan Element Review. (Pages 30-31, <https://arcataca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=3315&Inline=True>)

That's where it says "Most TSC policy recommendations ... are similar to the PC recommendations. Staff will incorporate the adopted changes,

**with the exception of the recommendation for the K/L street couplet...."**

But the TSC's policy recommendations **are not similar** to those of the Planning Commission. **They submitted 44 comments, and 5 are similar** (by my count; see below). And the K/L Streets couplet is (along with building heights) among **the most crucial and talked-about parts of the Gateway Plan**. For that to not be included -- as an alternate, at least -- defies any possible acceptable explanation.

**My question of the City Manager and the City Council: Why do you allow this to continue?**

If a member of the City Council distorted information to this degree, he or she would be censured or asked to leave. If a staff member of lower ranking misrepresented a Committee's recommendations and misrepresented facts to this extent, he or she would be forced to resign.

You -- the Councilmembers and the Commissioners -- can do what you want to do. I consider Director Loya's behavior to be shameful.

**Why does David Loya refuse to acknowledge the input from the Transportation Safety Committee into this General Plan and Gateway Plan process?**

I request a reply from the City Manager on this.

Thank you.

-- Fred Weis

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1. Staff report: "**Most TSC policy recommendations** released May 30, 2023, **are similar to the PC recommendations** (see <https://www.cityofarcata.org/940/Engagement-Information>)."

I counted **44 distinct recommendations** in the Transportation Safety Committee's policy recommendations. Of those, I counted **5 that are similar** to the Planning Commission recommendations. The other 39 TSC policy recommendations are unique to the Transportation Safety Committee.

Five out of 44 is a bit over 11%. That is most definitely not "most." To say "most" is false.

2. "Staff will incorporate the adopted changes, with the exception of **the recommendation for the K/L street couplet....**"

First off, the TSC did not give a recommendation **for** the K/L street couplet. Their recommendation was **against** the K/L street couplet -- to **eliminate** all references to the K & L Streets couplet.

What David Loya wrote here is 100% false and is completely misleading to anyone who viewed it and read it.

3. Why would the Transportation Safety Committee's exceedingly clear recommendation against the K/L Street couplet not be included in the updated draft of the General Plan?  
**Why should it be specifically excluded?**
4. **Doesn't the Council want to see all the input from the Committees** -- and not just what has gotten filtered by what Director Loya would like the Council to see?

This was the danger (or, that is, one of the dangers) of how Director Loya had the whole General Plan and Gateway Plan process set up. All input from the Committees goes through him, and he determines what the Commission and the Council sees, and what they don't see.

5. **What part of this is not clear?**

What's in red is what David Caisse wrote at the Transportation Safety Committee on May 16, 2023.

The TSC has come out against the K/L Streets couplet for over a year. Director Loya continues to refuse to acknowledge the work of the Transportation Safety Committee.

#### Proposed Circulation Network

Arterial, collector, and local roads will provide access to new and established residential, commercial, and industrial areas, connecting those areas with the existing local and regional transportation system. Buildout of the General Plan land uses to year 2045 will increase multimodal, access and parking demands and will result in areas already under stress to exceed acceptable limits for safety and delay. As presented in Appendix A Table T-3, forecasted traffic operations at several intersections are projected to degrade to LOS D, E, or F.



In order to accommodate the projected increase in land uses within the City, a robust network of multimodal capacity improvements is needed. Several improvements are planned for most of the intersections proposed in the Gateway Plan, including the installation of roundabouts. At the US 101/Sunset Avenue intersection, the City is currently undergoing the Project Approval process. The interchange improvement, which proposes to install two roundabouts at the interchange intersection, is currently in the design phase.

This Committee opposes the L St Couplet and would like to see any reference to it to be removed.

Additionally, implementation of the mobility improvements, including the "K" and "L" Streets couplets, and the Gateway Plan will help to alleviate traffic congestion within the Gateway and will ensure all transportation modes remain comfortable, convenient, safe, and attractive to residents, workers, students, and visitors.

A small amount of vehicular inconvenience may be necessary to achieve the HCAOG mode shift goals.

Gateway Area Plan Improvements	Improvement	Notes
K Street & L Street One-Way Couplets	Redesign "K" and "L" Streets to be one-way couplets south of 14 <sup>th</sup> Street. Traffic Signal coordination at Samoa Boulevard. <b>Removal of couplet in favor of a linear park through the L St corridor. Remove parking on K, add class IV bike lanes and consider additional stop control.</b>	Improve traffic flow through the Gateway Area while providing safer pedestrian crossings at intersections, and enhanced access
Barrell District Roadways	New Barr New south between N Street and O Street west of 9 <sup>th</sup> Street.	

As part of the Gateway Area Plan, the City is exploring mobility concepts and proposing circulation patterns to convert two-way streets into one-way couplets on K Street, L street, 8<sup>th</sup> Street and 9<sup>th</sup> Street (continuation west of I Street). This would allow new opportunities for implementing Active Transportation (bicycling and walking) elements as part of the Gateway Area Plan including the addition of Class IV separated bikeways. Class IV bikeways facilities are designed within the roadway using barriers such as bollards, raised curbs, and other devices creating a physical separation between vehicle and bicycles. For example, K Street, between 13<sup>th</sup> Street and Samoa Boulevard, is characterized as a two-way street with one lane in each direction, parking on both sides and designated as a Class III bike route. Changing K Street to a one-way couplet maintains a travel lane and parking but would then allow the street to be upgraded with a Class IV facility through implementation of the Gateway Area Plan.

The above are recommendations from the TSC on the General Plan, from the document: Transportation Safety Committee - Circulation Element - Adopted Policy Recommendations, on the City's website

at: <https://www.cityofarcata.org/DocumentCenter/View/13167/Mobility-Alt-Transpo-TSC> Pages 12, 13, and 15.

- As a reminder to the Council, to the Planning Commission, and the Transportation Safety Committee, there has been a discussion around Staff providing an alternate plan to the K/L Streets Couplet concept. This alternative -- and, in reality, there could be a number of alternatives offered -- has been referred to as "Plan B."

"Plan B" has been proposed as something that staff would supply to the TSC for their evaluation since January, 2022 -- that is, just about a year and a half ago. And in this time, staff has not provided a Plan B. Back at the TSC's meeting on January 18, 2022, David Loya spoke as though Plan B existed -- but no alternative plan has ever been provided.

David Loya said: "So we definitely need a backup plan, a Plan B. And we, Todd, can maybe touch base on what the Plan B is." Todd Tregenza of GHD said: "And I look

forward to coming up with a Plan B. There have definitely been other options described and evaluated here at a high level. We're probably going to need to come up with one that we analyze in greater detail as a backup plan. We're not there yet. And I don't have the answer to what that kind of consensus backup plan is."

7. David Loya also said: "So if folks can come up with ideas that are superior to what's in this plan, **we want to make sure and bring that forward to the Council and have them consider it.**"

But it sure seems that he's pretty keen on not letting that happen.

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## Mads Odom

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**From:** Keenan Hilton [REDACTED]  
**Sent:** Tuesday, June 13, 2023 8:30 PM  
**To:** Peter Lehman; Scott Davies; Judith Mayer; Dan Tangney; Matthew Simmons; Joel Yodowitz  
**Cc:** David Loya  
**Subject:** Comments on Gateway Code Draft

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings Commissioners,

I wasn't totally clear on the comment format of the meeting so I didn't register my comments at the appropriate time tonight (not a complaint, comments at the beginning seems like a fine notion).

First I would like to congratulate you and staff on the tremendous work you're doing on the gateway. This is a very impressive planning effort with a robust process and some great ideas in the works. Here are a couple pieces of feedback I would like to offer:

- 1) Allow staff to administer the ministerial permits (i.e. remove public hearing requirement). Requiring a public process for a ministerial permit seems like a recipe for needless frustration. It sets up an expectation that even if a project meets all objective criteria that it can still be denied. Save a lot of headaches and have this ministerial process function like other ministerial processes.
- 2) Eliminate parking minimums. I know this one is contentious, but removing minimums doesn't stop a motivated developer from putting in parking. Parking is not a valuable enough use of land to require minimums.
- 3) Increase the minimum heights. This goes hand in hand with removing parking minimums to support transit use and walkability. Transit ridership rises directly with density. That is, each person is more likely to use transit if they live in a denser area (Parsons Brinckerhoff Quade and Douglas, *Transit and Urban Form*, TCRP Report 16). Let's not fall short on the density goals here - it disproportionately supports many of the other interlocking goals of the plan.
- 4) Allow for the community square to be car free.

Again I want to end with applause for the vision and process. Looking forward to seeing this adopted.

Thank you,  
Keenan

## Mads Odom

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**From:** Fhon [REDACTED]  
**Sent:** Tuesday, June 13, 2023 4:47 PM  
**To:** COM DEV  
**Subject:** Gateway

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I have written council members numerous times on this subject.

I am in favor of the Gateway Plan WITH a height maximum of four stories.

I am absolutely opposed to L street being a couplet for K St. I hike and bike the path on L street ALL THE TIME and do not want to share it with cars. **Cars will dominate that space if they are allowed there** except for the current egress and ingress to the few driveways along that section between Alliance and Samoa.

**Cities all over the nation are ripping up streets to create what we already have on L st.** Please do not ruin that linear park on L St. In fact, I am in favor of improving the linear park. Please do not develop it into a street to be driven on.

PLEASE:

Four Story limit with Gateway

L Street for pedestrians and bikes only EXCEPT for egress and ingress.

Thank you,  
Faye Honorof



## Mads Odom

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**From:** Chris Richards [REDACTED]  
**Sent:** Tuesday, June 13, 2023 12:50 PM  
**To:** David Loya; Scott Davies; Judith Mayer; Dan Tangney; Matthew Simmons; Joel Yodowitz; Peter Lehman  
**Cc:** Kimberley White; Sarah Schaefer; Meredith Matthews; Stacy Atkins-Salazar; Alex Stillman; Karen Diemer  
**Subject:** 6/13/2023 Planning Commission meeting comments

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Commissioners and et al-

I have a few comments, suggestions and related notes for you consideration.

Process items:

- Looking at the 6/13/23 Agenda on packet page 146 it shows the agreed schedule for 6/13/23 and 6/27/23 is to be used for "Bike Rack" or as I call it, unfinished discussions/business. It appears that this "Special" branded meeting format that was advertised/sold as a mechanism to expediate GAP draft and General Plan 2045 process is now including a focused look at the newly released Form Base Code draft as well as a normal business item for the Approval of Design of the proposed 40E 7th Street remodel. It also appears that you will not have time dedicated for "Bike Rack" items and may even drop the list of unfinished business onto the City Council in your Proposed July finish timeline. Further it appears that the PC's schedule does not have a specific time/schedule allotted for complete review and processing of the proposed Form Base Code draft. Finishing "Bike Rack"/unfinished discussions/business should not be let to fall through the cracks. Also the process for evaluating, modifying, and gaining public support through engagement of the important Form Base Codes should have appropriate, considerable and adequate time scheduled. Please consider asking the City Council for adequate additional time for completing these important tasks.

- Additionally, the 6/13/2023 Agenda packet's "Attachment E" includes "Other Considerations" and appears to be outdated and incomplete. It shows a date of 2/1/2023. It is also stated as a "draft" so I hope you can ask staff (David Loya etc.) to update this draft with all the missing items that should be included. Attachment E appears as a mere small Pamphlet or Leaflet. It is laughable and equivalent to "throwing a pie in the community's concerned face", If Attachment E is to be used to show all the "Competing and Comporting" values set forth since Dec. 2021 from City Committees, the Community, as well as the City Council, I would strongly ask you consider broadening, expanding, and including much more. Also, discussion of the Competing and Comporting issues should be set as an agenda item and officially, transparently, and fully explored. This would go a long way in helping to gain Community Support and understanding, as well as help to iron out some of the major issues that folks are so concerned about.

Codes, Land Use Values, and Reality:

- The Gateway Area Plan draft, General Plan 2045, and the newly released GAP's Form Base Codes draft all have the inherent problems associated with the Coastal Zone/Element. I recommend the Commission work with staff and glean out the obvious issues inherent to the unfinished and problematic Coastal Element. Passing forth Codes, Zoning and Land Use policy without a solid, complete and finished Coastal Element is an issue and will necessitate additional future review and major policy changes. Three of the Four proposed new Land Use areas inside the Gateway Area Plan overlap or "straddle" the CA Coastal Zone. Completing policy with



this problematic "Straddling" should be avoided, or as said, "Is Not good Planning". I would advise that separate Land Use Zones and related Codes be created for the proposed GAP District's areas that fall North of the Coastal Zone. I can suggest as a processual tip to use the existing work you have accomplished so far for the Coastal "free-zone" Northern proposed GAP Land areas and create a Specific or Precise Plan later for the Coastal Zone land areas. My understanding is the Coastal Commission will most likely kick back on this plan as well as the associated language in our incomplete and problematic Coastal Element anyway, so why not get a jump on this now. Also now is an opportune time as the writing and process for the EIR could still evolve and be adapted. An additional EIR should be used for the Coastal Zone Land Use and Zoning anyway, in my opinion. I understand there are plenty of moving parts to all of this process but hope you can consider and acknowledge the associated problems with the GAP zones straddling the Coastal Zone.

L/K Couplet issues:

- Please re-consider your Straw Poll vote that led to a more concrete (literally) vision of the new Arterial Truck Route on L Street. The City does not own the property that is necessary for this Couplet Plan, nor will they be likely to ever gain the property without the use of legal process and battle. Also, there is a tremendous number of Community members as well as City Commission and Committee members that are fully against the Couplet vision. Options for safety changes on K Street could and should be fully explored. The Planning Commission's current negating stance of retaining L Street as a People Friendly Corridor without Arterial Truck Traffic should be further reviewed. Language and advice that leaves more varied opportunities, options and alternatives on the table are always a good idea, especially in this case when there is overwhelming community support against the Commission's current Straw Vote values.

Thanks to/for Commissioner Judith Mayer for including all your suggestions in the 6/13/2023 Agenda Packet. One inclusion is for the L Street Linear Park vision and is as follows:

"Recommendations: B. Gateway Hub

These comments relate to Table 2-23 and 2-24, and Figure 2-29, and the accompanying text:

- The Gateway Hub proposed standards still have not taken into account strong public recommendations to consider L Street as part of a linear park, or to retain L Street as a pedestrian and cycle oriented corridor, rather than as part of an L/K Street one-way vehicular couplet. The Planning Commission and City Council SHOULD incorporate design standards appropriate to an L-Street linear park and pedestrian / bicycle corridor alternative.

The Arcata Transportation Safety Committee recommended, again, at their May 16, 2023, meeting as follows: Chair Dave Ryan and other members of the Committee took mere seconds to reinforce what they have clearly stated as their firm position on the couplet concept for L Street: They are against it and feel it has no place in the modern design of Arcata's streets and traffic patterns. "Make the priority to improve L Street as a people corridor." And as written over the existing language in the 2045 General Plan draft, **"Removal of couplet in favor of a linear park through the L St corridor."**

Thanks again for all your donated time and effort with all the current planning efforts. I hope you are able to glean some positive ideas and values from my correspondence. Feel free to reach out if you have any comments or would like any further discussion

Regards-

Chris Richards

Arcata Business Owner and Resident

## Mads Odom

---

**From:** Sherri M. Starr [REDACTED]  
**Sent:** Tuesday, June 13, 2023 1:51 PM  
**To:** Chris Richards  
**Cc:** David Loya; Scott Davies; Judith Mayer; Dan Tangney; Matthew Simmons; Joel Yodowitz; Peter Lehman; Kimberley White; Sarah Schaefer; Meredith Matthews; Stacy Atkins-Salazar; Alex Stillman; Karen Diemer  
**Subject:** Re: 6/13/2023 Planning Commission meeting comments

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Huzzah!!!

~Sherri

On Jun 13, 2023, at 12:50 PM, Chris Richards [REDACTED] wrote:

Hello Commissioners and et al-

I have a few comments, suggestions and related notes for you consideration.

Process items:

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Regards-  
Chris Richards  
Arcata Business Owner and Resident

## Mads Odom

---

**From:** bob stockwell <[REDACTED]>  
**Sent:** Tuesday, June 13, 2023 8:07 PM  
**To:** COM DEV  
**Subject:** Gateway plan

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

As a longtime resident of Arcata who mainly walks and bikes through the city, I have two main concerns with the current proposals for the Gateway area. First of all, creating a road on L street where there is currently a bike/hiking path is a terrible idea. This route is currently the only path in Arcata where one can be free of cars while hiking or biking. While on the path having to cross streets 7th through 11th is understandable, but biking on the trail with cars zooming by on the same route would destroy the serenity that one desires.

Secondly, I propose that the city limit the height of any new construction to 4 stories.

Respectfully,

Bob Stockwell



## St. Vinnie's site 5th & K Streets

Building at 5th & K: Note the large step backs to the adjoining parcel (2 stories). It is 4 stories along K Street and tapers down to 1 and 2 stories at the rear of the property. Not built to the property line.

Buildings on K St at 5th, 6th Sts: Note the deep step back after the 3rd story, and then after the 4th story. Perhaps a roof garden design.

We have seen very few 3D images. This is a still from a the video presentation of David Loya's "Building and Massing" seminar. This is on Arcata1.com with a full transcription of the speech, so you can read the text and watch the images.

Fred Weis

## Mads Odom

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**From:** James Becker [REDACTED]  
**Sent:** Wednesday, June 14, 2023 4:01 PM  
**To:** Scott Davies; Judith Mayer; Matthew Simmons; Dan Tangney; Joel Yodowitz; Peter Lehman; Delo Freitas; David Loya  
**Cc:** Kimberley White; Sarah Schaefer; Meredith Matthews  
**Subject:** Public comment excluded in draft plan/Community nconsidered below Planning Commision should be reflective of the majority of the Community first and foremost. Statistically valid survey  
**Attachments:** Gateway-Concerns--Solutions-10-25-22.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

City of Arcata Planning Commissioner's, Community Development Director, and Senior Planner I'm writing you in response to the action taken by the Planning Commissioners ,on June 13, completely dismissing enhanced upper story setbacks.

This concept is included in the Gateway Form Based Code Draft. Page 23 and 24 I assume this option was presented by Ben Noble to address issues brought up at both previous Planning Commission meetings and Form Base code Community engagements.

It offers a solution to address Solar Shading of existing neighborhoods.

Enhanced upper story setbacks represents a starting point.

If goal is to not penalize a developer who only builds 4 stories, then begin the step backs at 4 stories and/or define a clear distance to height ratio that take into account the suns angle at a given time of year.

Since the policy must be objective, decide on acceptable maximum of what can be remedied.

If solar shading issues can not be addressed through step backs, then include a community benefit that benefits the entire neighborhood: A greater setback that offers open space to the neighborhood.

I welcome any comments or thoughts on my recommendation To completely disregard this concept is to ignore community concerns.

For this reason, I've included the three page document that reminds the Commissioners consider community concerns.

Thanks

James Becker

Sent from my iPhone

Specific Concern		PC Top Concern	Expert
Liquefaction & Geotech		1	Netra/Joe B
EIR will include analysis of soils generally project level foundation studies		EIR Pro asis	
Sea Level rise		1	David/Emily
City's SLR vulnerability studies 2018		<a href="https://www.cityofarcata.org/DocumentCenter/View/7193/City-of-Arcata-Sea-Level-Rise-Risk-Assessment-04-2018?bidId=">https://www.cityofarcata.org/DocumentCenter/View/7193/City-of-Arcata-Sea-Level-Rise-Risk-Assessment-04-2018?bidId=</a>	
LCP Update 2023/24		<a href="https://www.cityofarcata.org/DocumentCenter/View/12341/Sea-Level-Rise-King-Tides">https://www.cityofarcata.org/DocumentCenter/View/12341/Sea-Level-Rise-King-Tides</a>	
WWTP vulnerability analysis 2022		<a href="https://www.cityofarcata.org/DocumentCenter/View/12341/Wastewater-Treatment-Facilities-Improvement">https://www.cityofarcata.org/DocumentCenter/View/12341/Wastewater-Treatment-Facilities-Improvement</a>	
NOAA Mapper		<a href="https://www.noaa.gov/slr/#/layer/0/-13817445.942116229/4986035.192108445/12/satellite/none/0.8/2050/interHigh/midAccretion">https://www.noaa.gov/slr/#/layer/0/-13817445.942116229/4986035.192108445/12/satellite/none/0.8/2050/interHigh/midAccretion</a>	
FAQ		<a href="https://www.cityofarcata.org/964/Recently-Asked-Questions">https://www.cityofarcata.org/964/Recently-Asked-Questions</a>	
WWTP SLR Condition		<a href="https://www.cityofarcata.org/meeting/nda/">https://www.cityofarcata.org/meeting/nda/</a>	
Wastewater Treatment capacity/vulnerability	x		Netra/Emily
Facilities plan		<a href="https://www.cityofarcata.org/DocumentCenter/View/12341/Wastewater-Treatment-Facilities-Improvement">https://www.cityofarcata.org/DocumentCenter/View/12341/Wastewater-Treatment-Facilities-Improvement</a>	
FAQ & Presentations to PC/CC		<a href="https://www.cityofarcata.org/DocumentCenter/View/12341/Wastewater-and-Water-Infrastructure-Planning-FAQ-August-2022?bidId=">https://www.cityofarcata.org/DocumentCenter/View/12341/Wastewater-and-Water-Infrastructure-Planning-FAQ-August-2022?bidId=</a>	
EIR will include analysis of public services		EIR	
Fire and police service and adequate staffing/equipment	x	1	David
EIR - Public Services Analysis		Arcata Fire	
Standards of coverage study			
Lack of multi-modal infrastructure	x	1	David/Netra/Emily
Bus Pass Program		Has been used in conjunction with affordable housing development (Sorrel Place)	
Community Benefits - Bikeshare		FBC	
Community Benefits - decouple parking		FBC	
Gateway Plan - Chapter 7 Mobility		Gateway Plan-Chapter 7 Mobility Policies (pg 69-10)	
Gateway Complete Street Design-Key Elements		Gateway Plan-(pg 80-81)	
Gateway Proposed Vehicular Circulation		Gateway Plan-Figure 8 (pg 72)	
Gateway Proposed Active Transportation Circulation		Gateway Plan-Figure 9 (pg 73)	
City of Arcata Pedestrian & Bicycle Master Plan		<a href="https://www.cityofarcata.org/DocumentCenter/View/314/Pedestrian-and-Bicycle-Master-Plan-PDF">https://www.cityofarcata.org/DocumentCenter/View/314/Pedestrian-and-Bicycle-Master-Plan-PDF</a>	
Bike Share Program		<a href="https://www.tandem-mobility.com/humboldt">https://www.tandem-mobility.com/humboldt</a>	
Bicycle Boulevard		<a href="https://www.cityofarcata.org/298/Arcata-Bicycle-Boulevard">https://www.cityofarcata.org/298/Arcata-Bicycle-Boulevard</a>	
Plan aligns with HCAOG's 20-year Regional Transportation Plan (Ref letter dated 7/2022)		<a href="https://www.hcaog.net/documents/regional-transportation-plan-vroom-2022-2042">https://www.hcaog.net/documents/regional-transportation-plan-vroom-2022-2042</a>	
Infrastructure Impacts	x	1	Delo/David/Netra
IMP-GA-11.2 Infrastructure Financing		Infrastructure chapter of GAP, CIP Planning	
Ownership Opportunities	x	1	Jen/David
Community Benefits Program		FBC	
Regulate investment buyers		Needs study	
Housing Element-IM 1 Promotion of Owner Occupied Units		<a href="https://www.cityofarcata.org/DocumentCenter/View/9107/2019-2027-Housing-Element">https://www.cityofarcata.org/DocumentCenter/View/9107/2019-2027-Housing-Element</a>	
Homebuyer Assistance Program		Pending statewide pause on program	
L/K Couplet-L Street Impacts		1	
		GHD presentation: 1:29:28-1:44:03; <a href="https://www.youtube.com/watch?v=W6T8DXPetu4">https://www.youtube.com/watch?v=W6T8DXPetu4</a>	
Public process/transparency			



Specific Concern		PC Top Considerations	Expert
Public comment excluded in draft plan/Community Planning Commission should be reflective of the Statistically valid survey		Considered below by the Community first and foremost.	
Form Based Code			Delo/Ben
Form-based Code - Design Standards		<a href="https://www.cityofarcata.org/964/Frequently-Asked-Questions">https://www.cityofarcata.org/964/Frequently-Asked-Questions</a> <a href="https://www.cityofarcata.org/964/Frequently-Asked-Questions">https://www.cityofarcata.org/964/Frequently-Asked-Questions</a>	
Active recreation open spaces	x		Jen/Emily
Community Benefits Program		FBC	
Imp-GA-6.3 Public Space Acquisition Program		Ga	
Height and Shading, Views	x		Delo/Ben
Setbacks and step-backs		C	
GA-9f Solar Shading		Design Chapter	
Parking	x		Joe M/Netra
FBC - Parking standards		FBC	
Alternative Transportation Infrastructure		GP Circulation Element / Gateway Plan	
Node based parking structures		FBC	
Accessibility	x		Netra/Delo
ADA plus		FBC	
Updated Policy language		Updated language in Parks, Circulation, Design Chapter	
Gentrification/Housing Affordability	x		David/Jen
FBC Inclusionary Zoning - Lower Income Housing		FBC	
Community Benefits Program - Affordable housing		FBC/Housing Element	
City Housing and Grants Division		Implementation Measure <a href="https://www.youtube.com/watch?v=bkt2XaYGBt=PL7tMq3MmkAW0ypCUBOuxZjD&amp;index=26">https://www.youtube.com/watch?v=bkt2XaYGBt=PL7tMq3MmkAW0ypCUBOuxZjD&amp;index=26</a>	
Impacts on Creamery District/building	x		Delo
Form-based Code - emphasis on Creamery		Arts and Design Chapters, Housing and Land	
Imp GA-3.3 AND 3.3, Resident and Business		hapters	
Relocation Assistance		Implementation of Gateway Plan	
Artist live/work space			
Effect on businesses	x		Jen
IMP-GA-1.2 Relocation Assistance			
Fiscal Impacts	X		Delo/David
IMP-GA-11.2 Infrastructure Financing		Infrastructure chapter of GAP, CIP Planning	
Tsunami/Storm Surge	x		Emily/David
Continued adherence to FEMA standards			
Lack of Diversity in Design	x		Delo/Ben
Form Based Code-Design Standards		<a href="https://www.cityofarcata.org/964/Frequently-Asked-Questions">https://www.cityofarcata.org/964/Frequently-Asked-Questions</a>	
Construction impacts	x		
EIR			

Specific Concern	PC Top Considerations	Expert
Existing BMPs in Muni Code		
Land acquisition		
Community Benefits Program	Im 6.3	
Design standards limiting housing production		
Form Based Code-Design Standards		
Bring wiyot into the discussion		
Updated GAP Policy	GA-3o, GA-5 n	

## Delo Freitas

---

**From:** Fred [REDACTED]  
**Sent:** Friday, June 16, 2023 9:45 AM  
**To:** Scott Davies; Dan Tangney; Judith Mayer; Matthew Simmons; Peter Lehman; Joel Yodowitz; David Loya  
**Subject:** 138 acres of Gateway: What is actually buildable?

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Note: This message is a portion of the full article "138 acres of Gateway: What is actually buildable?"

Please see the full article for more information.

<https://arcata1.com/138-acres-gateway-actually-buildable/https://arcata1.com/138-acres-gateway-actually-buildable/>

At the June 13, 2023, Planning Commission "special meeting" this past Wednesday, Chair Scott Davies asked the question of David Loya: **"And do you know or have you looked at what percentage of the actual buildable parcels in that 138 Acres is the ratio of those orange parcels to the total acreage of the Gateway Area?"**

This is an important question, and it is worded well. Thank you for bringing this up, Scott. It's a question that should have been evaluated from the beginning in looking at the Gateway Plan — but was not, and has not.

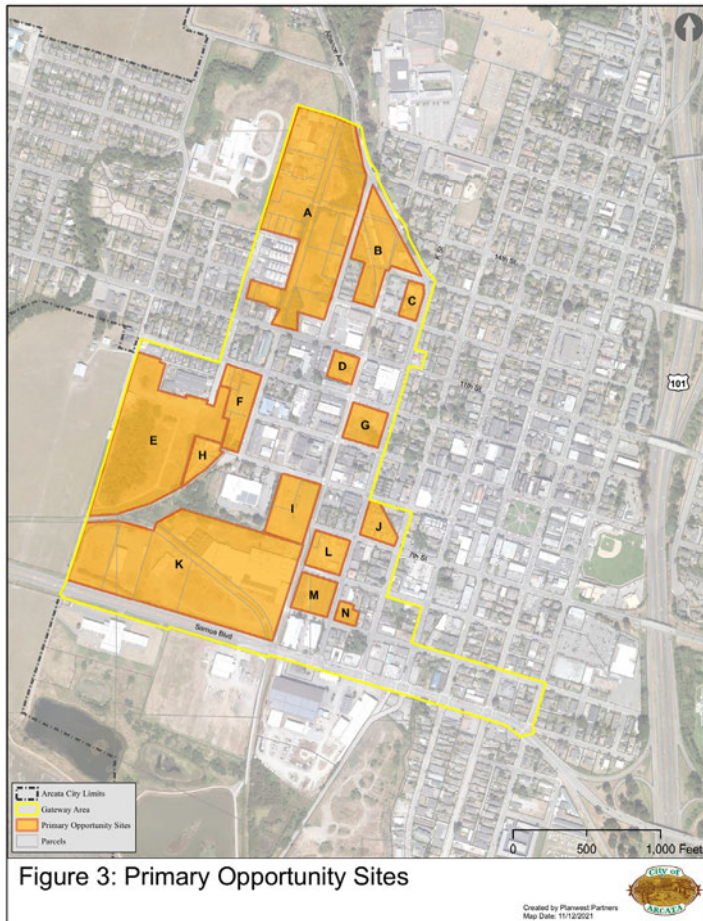
And one of the issues we have here is that the figures shown in the draft Gateway Area Plan are misleading or incorrect.

Here are answers, in brief:

1. First, the gross size of the Gateway Area is about 138 acres. But that includes the roads. The total acreage of **parcels** in the Gateway Area is about **109 acres**.
2. The total acreage of the Opportunity Sites is about **66 acres**.
3. What is the acreage of "the actual buildable parcels" or portions of the parcels of the Opportunity Sites is **about 43 acres**.
4. There are about 5 to 9 acres of buildable parcels in areas outside of the Opportunity Sites.

The "orange parcels" mentioned refers to the "Opportunity Sites" parcels within the Gateway area. They are described by David Loya as "These are sites that have a lot of potential for future development and are largely viewed as the areas that are going to provide the majority of future development over the next 20 to 50 years in this plan." (See the Building

& Massing presentation #3, [here](#))  
The map is from Page 41 of the 10/2022 draft.



This question is critical for understanding development in the Gateway area. At the same time, the question is more nuanced than it might appear. The key is the phrase **"the actual buildable parcels."**

The response from our Community Development Director David Loya was: "We do have that information. I don't have it on the top of my head right now. But just looking at it, you can see **it's close to half.**"

Well, from a number of total acres perspective, that could be considered as an okay answer. But in looking at the question from the perspective of planning — which of course is what we're trying to here — **it's a terrible answer.** As a reply to the question "what percentage of **the actual buildable parcels** in that 138 Acres is the ratio of those orange parcels to the total acreage of the Gateway Area?" **that quick answer is useless. Because it doesn't begin to address the question that Chair Davies asked.**

Among the issues here is that **the figures shown in the draft plan for the buildable acreage of the parcels in the Opportunity Sites are incorrect.** In some cases the true acreage is less than half of what is shown. (Pages 38-41 in the 10/2022 draft.) The large

issue is that some Opportunity Sites contain large areas of environmentally sensitive areas that are designated to be open space. (See map on Page 71.) Whoever was responsible for the figures on the Opportunity Sites **did not factor that in — at all**. Open space requirements within the Opportunity Sites are not even mentioned. **All that's looked at is the gross acreage — not the usable acreage.**

**For some Opportunity Sites, the buildable acreage is 40% to 60% of the stated number of acres.**

An easy example is the anticipated daylighting of Jolly Giant Creek at the car wash site at 10th & K Streets. The parcel is shown as Opportunity Zone "G" with 1.42 acres — the size of the entire block. But when the daylighting is complete, that acreage might become 0.9 acres — in two pieces, one on each side of the creek.

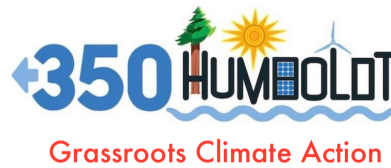
When I started looking into the Gateway Plan I made a spreadsheet that **identified each parcel with its size, address, name of the business if applicable, the Gateway district, and — most importantly — the likelihood that the parcel might be developed.**

This "likelihood of development" factor is, of course, very subjective. If a parcel is completely empty and there are no wetland issues, for example, then it can be a clear "Yes" on potential development. If a parcel is a recently-built building or has historical significance, then it might be considered a strong "No" — not likely to be built.

To read more on this, see the article "138 acres of Gateway: What is actually buildable?" <https://arcata1.com/138-acres-gateway-actually-buildable/https://arcata1.com/138-acres-gateway-actually-buildable/>

See also: "Visualizing Compatible Density" <https://arcata1.com/visualizing-compatible-density/https://arcata1.com/visualizing-compatible-density/>

-- Fred Weis



June 12, 2023

Planning Commission  
City of Arcata  
736 F St.  
Arcata, CA 95521  
*Per email*

Dear Commissioners,

350 Humboldt recognizes the need to reimagine our cities and communities for the climate crisis – in particular our present dependence on cars and trucks. Transportation has been identified in Humboldt county's draft Climate Action Plan as responsible for over half of the county's greenhouse gas emissions. The Gateway Area Plan's proposed infill development with features designed to support pedestrians and bikes has the support of our organization. There are improvements that can and possibly will be made to the draft Gateway Area form-based zoning code but overall, we urge its adoption by the Planning Commission.

Sincerely,

350 Humboldt Steering Committee

Dan Chandler  
Martha Walden  
Cathy Chandler-Klein  
Nancy Ihara



June 12, 2023

Planning Commissioners  
City of Arcata  
736 F Street  
Arcata, CA 95521

*via email:* plehman@cityofarcata.org, sdavies@cityofarcata.org, jmayer@cityofarcata.org,  
dtangney@cityofarcata.org, msimmons@cityofarcata.org,  
jyodowitz@cityofarcata.org

*cc:* dloya@cityofarcata.org

**RE: Comments on Draft Gateway Area Form-Based Zoning Code**

Dear Commissioners:

The Coalition for Responsible Transportation Priorities (CRTP) continues to strongly support the Gateway Area Plan for its focus on encouraging equitable infill development designed to support walking, biking, rolling and public transit as primary modes of transportation. The implementation of the Plan relies on the proposed Gateway Area form-based zoning code (“draft code”), and we are pleased to have the opportunity to comment on that draft code now.

For the most part, the draft code lives up to the promise of the Plan to encourage a walkable, bikeable, transit-oriented community. We particularly support reduced parking mandates, strong “pedestrian realm” and trail/greenway design standards, transportation demand management (TDM) measures such as unbundled parking, and frontage standards to create a welcoming pedestrian environment.

However, there are areas where the draft code could and should be strengthened, including:

1. Eliminate all remaining parking mandates for existing and future uses.
2. Remove setback and de facto setback requirements.
3. Increase minimum heights and densities.
4. Prohibit structured and podium parking and do not allow garage doors on public streets.
5. Require adequate long-term and short-term bike parking.
6. Allow a car-free community square.
7. Ensure efficient and objective project review and avoid future planning conflicts.
8. Consider increasing required non-residential ground floor frontage area.

Following are our detailed comments:

**1. Eliminate all remaining parking mandates for existing and future uses.**

The draft code has eliminated minimum parking mandates for most future land uses (see Table 2-32), a decision we strongly support. However, parking mandates are retained for “employment uses” and hotels. This is illogical and unhelpful. The same reasons to eliminate parking mandates for residential and commercial uses apply to these other uses as well: the mandates have no scientific basis, they encourage and subsidize driving, and they create significant unnecessary costs and logistical difficulties for new development.

Additionally, Section 9.29.080.B states that “all off-street parking and loading requirements” that apply elsewhere in the city also apply in the Gateway Area, except for “all land uses established after the Gateway Area Plan is adopted.” This implies that existing uses must maintain compliance with minimum parking mandates found in adopted city code. This requirement is unnecessary, inconsistent with the goals of the Gateway Area Plan, and could prevent the productive reuse of areas currently devoted to parking.

All minimum parking mandates should be eliminated for both existing and future land uses in the Gateway Area.

Additionally, we ask that Section 9.29.080.F.4 be amended to prohibit parking areas beside buildings as well as in front of them. In other words, all parking areas should be behind buildings. Parking lots between buildings create an unwelcoming pedestrian environment.

**2. Remove setback and de facto setback requirements.**

The best practice for creation of a pedestrian-friendly neighborhood is to build to the edge of the sidewalk or pedestrian zone. This both creates a more welcoming, person-scale pedestrian environment, and allows development at higher densities to support greater walkability. The Gateway Area is meant to be a pedestrian-friendly environment, but instead of build-to lines (BTLs) at or near the sidewalk, the draft code requires significant setbacks on most street-facing frontages (see Tables 2-21, 2-23, 2-25 and 2-27). It is possible that these “setbacks” are meant to accommodate the pedestrian realm dimensions specified in Section 9.29.070.A, but this is not specified, and the dimensions do not fully align. In any case, Section 9.29.070 will itself accomplish the goal of a setback occupied by an enhanced pedestrian environment without the need for additional setback requirements elsewhere.

Although similarly unclear, maximum allowable setbacks in the code are also far too large. As one example, Section 9.29.050.A.3 allows up to 25 foot setbacks on “active” frontages. If this is read to allow “pedestrian-friendly” building to be set back up to 25 feet from the sidewalk or pedestrian zone, it will create a distinctly pedestrian-unfriendly environment. In many other cases, the draft code includes no maximum setback at all, further exacerbating this problem.

Additionally, Section 9.29.060.G.2 specifies that ground-floor frontage standards meant to enhance the pedestrian environment do not apply if a building is set back more than 20 feet from a sidewalk. Combined with the minimum and maximum setbacks found in Tables 2-21, 2-23, 2-



25 and 2-27, this could allow or even require buildings to be set far back from the sidewalk while providing no pedestrian frontage enhancements.

The draft code also creates de facto setbacks in the form of excessive minimum frontage zones for residential buildings. Table 2-30 establishes minimum pedestrian frontage zone widths which are greater for residential frontages than for “active” non-residential frontages (15 feet vs. 5 feet). We strongly support frontage zones on busy sidewalks. However, a frontage zone should be where the building and its activities interact with the sidewalk—creating space outside of the pedestrian clear path for active uses—not a passive buffer or setback from the sidewalk. As such, it does not make sense for the zone to be bigger for residential frontages than for public-facing commercial frontages. Uses such as “landscaping” listed for residential frontage zones in Section 9.29.070.B.2 betray that the intended purpose of this extended “frontage zone” is likely as a setback, which is neither necessary nor appropriate. 5 feet is a reasonable minimum frontage zone for all building types, as it can accommodate outdoor dining and displays for commercial frontages as well as features such as stoops and doorways for residential frontages. While some developers may desire a larger zone for ground-floor residential to accommodate specific design features, we can think of no compelling reason to require it, and doing so effectively reduces potential housing production and density without adding to the quality of the pedestrian realm.

We strongly encourage you to remove all minimum setbacks, as well as de facto setbacks in the form of extended residential “frontage zones,” and instead establish BTLs at the back of the pedestrian zone in all Gateway sub-districts, with BTL percentages of 75% or greater.

### **3. Increase minimum heights and densities.**

We reiterate our request that minimum building heights in the Gateway Area be increased from 2 stories to 3 stories (see Tables 2-22, 2-24, 2-26 and 2-28). Additionally, this minimum height should apply to all buildings. Currently, a footnote in each of these tables indicates that the minimum height applies only to residential uses, leaving open the possibility of low-density commercial or mixed-use buildings. Walkability and bikeability requires not only residential density but also a dense mixture of uses, keeping homes and businesses close together. This makes building height important for all uses, since taller buildings allow for more homes and businesses close together.

The minimum residential density for Gateway Ministerial Permit eligibility should also be increased. Currently, Section 9.29.020.B.3 proposes a minimum of only 25 units/acre, which is quite low; it could conceivably be achieved with small single-family homes with accessory dwelling units (ADUs). Furthermore, allowing a ministerial approval pathway for a mixed-use project that devotes 2/3 of floor area to residential with no corresponding density requirement could allow for very low-density projects. After increasing the minimum dwelling units/acre, the two criteria listed in Section 9.29.020.B.3.a should be connected by “and” (not “or”) to ensure appropriate residential density in all projects.

Finally, the potential for building height to contribute to walkable and bikeable density should not be overly constrained by stepback requirements. In particular, the “enhanced upper story step back” requirements proposed for certain locations (see Figure 2-38) should be eliminated. They

are justified as being necessary to mitigate impacts on adjacent low-density residential uses, but their application on the proposed map appears haphazard. As proposed they will unnecessarily lower density without creating an orderly transition of uses.

#### **4. Prohibit structured and podium parking and do not allow garage doors on public streets.**

Parking garages and podium parking simply cannot create a pedestrian-friendly environment, no matter how they are screened or obscured. Section 9.29.060.I.2 attempts to mitigate the potential impact of such structures, but experience in countless cities and towns shows this will never be fully successful. Furthermore, some of the standards proposed for obscuring structured parking, such as “the appearance of habitable use,” are clearly subjective and therefore not appropriate for a form-based code. Instead, structured parking—including podium parking—should simply be prohibited in the Gateway Area.

Section 9.29.060.I.2 also limits the number of garage door openings onto street frontages, which we appreciate. Again, however, this is a partial measure which will fail to create a fully welcoming pedestrian environment, and in this case will pose actual safety risks to pedestrians. Garage doors should simply be prohibited from facing public streets.

#### **5. Require adequate long-term and short-term bike parking.**

Paragraphs 1 and 2 of Section 9.29.080.G, regarding bike parking, seem to provide two different and contradictory forms of a bike parking requirement. Paragraph 2 specifically refers to vehicular parking mandates which will not apply in the Gateway Area and inappropriately ties vehicle parking—which the city should be discouraging—to bicycle parking—which the city should be encouraging. Paragraph 2 should be removed from the code.

It is also important to differentiate between short-term bike parking, required for residential guests and visitor-serving uses, and long-term, secure, weather-protected bike parking, required for residential and employment uses. We request that the employment and residential use bike parking requirements listed in Table 2-34 (misabeled “12-34”) be clarified as requiring long-term secure parking spaces, and that a smaller number of short-term bike parking spaces also be required for these uses. Secure, weather-protected facilities at home and at work are critical for the feasibility of biking as a mode of transportation.

#### **6. Allow a car-free community square.**

Section 9.29.090.B.2.c requires the future community square in the Barrel District to have “street frontage on at least 2 sides.” This implies that there must be vehicular access to the square. Arcata already has a Plaza with vehicular access on all sides, and has retained it despite substantial support for a car-free Plaza over many years. There is no reason to preemptively foreclose on the possibility that a new public square could be car-free, particularly in the Gateway Area. We request that you remove the requirement for street frontages for the Barrel District community square.

#### **7. Ensure efficient and objective project review and avoid future planning conflicts.**

We reiterate our concern that having the Planning Commission review certain projects for their conformance with objective standards (see Table 2-19) will be a frustrating and ultimately unproductive exercise. We suggest that conformance with code standards be determined by a more appropriate review authority such as the Zoning Administrator.

Additionally, although we appreciate the intent of the contemplated Barrel District Master Plan, we are concerned that the future planning process to develop this Master Plan would be redundant with the present planning process and could result in inconsistencies within the Gateway Area Plan. We suggest that the goals of a Master Plan could perhaps be achieved simply by applying the concepts in the Gateway Area Plan and the standards found in the draft code, avoiding an additional lengthy and potentially conflicting process for planning development on the same area of land.

#### **8. Consider increasing required non-residential ground floor frontage area.**

Section 9.29.050.A defines “active” frontages as explicitly non-residential, and this term is used throughout the code. We find this term misleading and confusing, as ground-floor residential frontages also can and should be designed to create an “active” and welcoming pedestrian environment. We request that you remove the term “active frontage” from the code and describe these frontages more accurately as “non-residential ground floor.”

Figure 2-36 shows a small area where “active” (non-residential ground floor) frontages are required, primarily along 8<sup>th</sup> and 9<sup>th</sup> Streets. We believe that non-residential ground floor frontages are most valuable along current and planned major corridors, which include not only 8<sup>th</sup> and 9<sup>th</sup> but also K Street and Samoa Boulevard, and we encourage you to consider expanding the required area to include these corridors.

#### **Additional Comments**

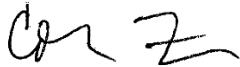
We submit the following additional comments on the draft code:

- We reiterate our suggestion that the city re-name the sub-districts within the Gateway Area in consultation with the Wiyot Tribe (see Section 9.29.010.B).
- The list of transportation demand management (TDM) measures found in Section 9.29.080.C is not a complete list of effective measures in all circumstances. Measures not listed include employee shuttles, guaranteed ride home programs, health insurance premium discounts, work schedule flexibility, and more. The text should be amended to note that the list is not exhaustive, and also that the TDM plan requirement cannot be met solely with measures that are already required elsewhere in the code.
- Section 9.29.070.B.4 implies that street trees are required, but provides only a minimum spacing (not a maximum). With no maximum spacing, a developer could conceivably meet the requirement with a single tree.
- Section 9.29.020.D.4.b requires non-residential projects to be very large to be eligible for a Gateway Use Permit. However, the goal of development in the Gateway Area should be intensity or density, not size. We suggest that the job and commercial square footage thresholds should be set relative to lot size, not as absolute numbers, to allow for moderately sized but high-intensity projects.

- Table 2-19 includes an apparent internal inconsistency. As currently written, it appears that projects 40-47 feet in height could either get a Zoning Administrator or Planning Commission hearing, with no clarity provided on the circumstances under which each review authority would apply.
- Section 9.29.080.A should provide a clear definition of “greenway,” including how it differs from a “linear park” (Section 9.29.090.C). Additionally, it is unclear why such a large “frontage zone” setback is required for greenways (see Table 2-31).
- Section 9.29.080.F.2.a should allow two one-way curb cuts *or* one two-way curb cut, not both.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Colin Fiske', with a stylized flourish at the end.

Colin Fiske  
Executive Director  
Coalition for Responsible Transportation Priorities  
[colin@transportationpriorities.org](mailto:colin@transportationpriorities.org)

SEAN G. HERMAN  
SENIOR COUNSEL  
DIRECT DIAL [REDACTED]  
DIRECT FAX [REDACTED]



June 12, 2023

VIA ELECTRONIC MAIL

City of Arcata  
Planning Commission  
c/o David Loya, Director of Community Development  
736 F Street  
Arcata, California 95521  
Email: [dloya@cityofarcata.org](mailto:dloya@cityofarcata.org)

Re: *Planning Commission Special Meeting on June 13, 2023*  
*Agenda Item III(C)—Comment on Proposed Draft Gateway Area Plan*

Dear Director Loya:

On behalf of our client, EdgeConneX, Inc., we respectfully submit the following comments in advance of the City of Arcata's Planning Commission Special Meeting on June 13, 2023. These comments address Agenda Item III(C), which concerns the Draft Gateway Area Plan. EdgeConneX supports the Gateway Area Plan's rezoning efforts. But EdgeConneX offers these comments to clarify allowed uses in the proposed Gateway Hub (G-H) zone and otherwise to conform allowed uses under the Gateway Area Plan. The requested revisions include revisions to the [Draft Land Use Element](#), the [Draft Gateway Area Plan](#), and the [Gateway Area Table](#).

For context, EdgeConneX owns property at 1296 11th Street (APN 020-123-002). The City's recent rezoning efforts include this property, and will rezone the property to G-H. There is, however, a potential inconsistency in how the rezoning will apply to this property. For instance, the property is presently zoned Industrial-Limited (I-L). Allowed uses under I-L include "light industrial activities (when conducted within a building)," such as the property's current use as a data center and uninterrupted power supply battery storage. EdgeConneX understands that the Gateway Area Plan will not narrow or impact these allowed uses. But to clarify this understanding, two suggested changes can benefit the Gateway Area Plan and assist those that will rely on the Plan.


First, EdgeConneX requests that the Gateway Area Plan expressly confirm that the G-H district will permit the same uses allowed under the current I-L zone. The City's Draft Land Use Element explains that the proposed G-H district will allow for "light industrial, and other similar uses." This explanation implies that allowed uses under I-L fit within the "light industrial" activities allowed under the G-H district. As a result, EdgeConneX understands that its present and future use (e.g., data center, battery storage) will remain legal conforming uses. We would appreciate the City confirming and making this understanding more explicit in the Gateway Area Plan.

Second, there are slight inconsistencies in allowed uses within the G-H district among rezoning documents. The City's Gateway Area Plan, for instance, provides that the G-H district would allow for "light *manufacturing* and other similar uses." The Gateway Area Table, however, provides that the G-H

district would permit “light *industrial*, and other similar uses.” Since the difference between “light manufacturing” and “light industrial” activities is arguably material, EdgeConneX asks that the City clarify and make consistent the terms used within the Gateway Area Plan and Gateway Area Table by using the term “light industrial” exclusively.

EdgeConneX appreciates that the City’s rezoning involves a substantial effort, and that this effort is a work in progress. EdgeConneX supports these efforts. And to that end, EdgeConneX offers these suggestions to ensure that the final Plan avoids inconsistencies on issues like allowable uses.

Regards,



Sean G. Herman  
Senior Counsel

cc: *Via Email Only*

Bridget Dory, City Clerk ([bdory@cityofarcata.org](mailto:bdory@cityofarcata.org))

Commission Member Peter Lehman ([plehman@cityofarcata.org](mailto:plehman@cityofarcata.org))

Commission Member Scott Davies ([sdavies@cityofarcata.org](mailto:sdavies@cityofarcata.org))

Commission Member Judith Mayer ([jmayer@cityofarcata.org](mailto:jmayer@cityofarcata.org))

Commission Member Daniel Tangney ([dtangney@cityofarcata.org](mailto:dtangney@cityofarcata.org))

Commission Member Joel Yodowitz ([jyodowitz@cityofarcata.org](mailto:jyodowitz@cityofarcata.org))

Commission Member Matthew Simmons ([msimmons@cityofarcata.org](mailto:msimmons@cityofarcata.org))

## Mads Odom

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**From:** Wendy Ring [REDACTED]  
**Sent:** Friday, June 16, 2023 3:13 PM  
**To:** COM DEV  
**Subject:** Comment on Gateway Plan

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am commenting as a private citizen, not as a member of the city's TSC. I strongly support Gateway District development as a walkable, bikeable, mixed use area that increases the city's supply of housing but am disappointed at the anemic inclusionary housing provisions which would make this new area an enclave for the privileged. A vibrant community requires mixed incomes as well as mixed uses.

I do support the plan's requirement for a percentage of affordable units. This should not simply be an optional "community benefit" to be rewarded with additional building height because [California's Density Bonus Law already does that](#). But the requirement needs to be high enough to be more than a gesture. When I hear the word Gateway I imagine a grand archway open to everyone, but a comparison of the plan's inclusionary requirements with those of other jurisdictions in the [CA Inclusionary Housing Searchable Database](#) makes me think more of a gated community.

According to the factsheet [Meeting California's Needs: Best Practices for Inclusionary Housing](#) from the Western Center on Law and Poverty, the average percentage of affordable units required in city and county ordinances is 15%, compared with 3% in the current plan. Most jurisdictions start their requirements at project sizes greater than 5 units, not 30, so developers won't develop 29 units to evade the rules. Alternative options like in lieu fees must be provided in accordance with state law and can be used by developers of small projects. If we can't be leaders in this space, at least let's not be laggards.

Over the years I've worked hard to help patients who are disabled and homeless obtain benefits and it's been disheartening to see them still living in the bushes on SSI because they still can't find housing within their means. I've also seen many talented young people who were contributing to our community leave because they couldn't afford housing. COVID has made us aware of how essential essential workers really are. Low income, and certainly moderate income, as defined in the housing world, includes people who are essential to our community like teachers, bus drivers, people who work in our health facilities, and employees of nonprofits just to name a few.

With local developments like Cal Poly, offshore wind, the trans Pacific data cable, and other projects attracting and climate change driving people to our area, Arcata will not have to lowball its affordable housing requirements to attract developers. While I don't want to see the Gateway plan drag out, the affordability provisions need more community discussion and research.

Thanks,

Wendy Ring MD, MPH

*Stories of climate action from the bottom up  
with [Cool Solutions Podcast](#)*