



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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Hearing Date: April 7, 2022

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Laurel Tree Charter School Coastal Development Permit Modification**
Case Number: PLN-2021-17206
Assessor's Parcel Number (APN): 511-401-039
899 Murray Road, McKinleyville area

Table of Contents

Page

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	7
Maps	
Location Map	13
Aerial Map	14
Project Site Plan	15
Attachments	
Attachment 1: Recommended Conditions of Approval	16
Attachment 2: Applicant's Evidence in Support of the Required Findings	19
Attachment 3: Addendum to the IS/MND for the Modification	31
Attachment 4: Initial Study/Mitigated Negative Declaration (IS/MND) for New Heart Community Church, including Mitigation Measures, Monitoring, and Reporting Plan	46
Attachment 5: Referral Agency Comments	79
Attachment 6: Public Works memo dated October 18, 2021 and correspondence dated December 10, 2021	80
Attachment 7: Caltrans memo dated November 30, 2021	86

Please contact Rebecca Jacobson, Planner, at 268-3727, or by email rjacobson@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
April 7, 2022	Coastal Development Permit Modification	Rebecca Jacobson

Project Description: A Modification of a previously approved Coastal Development Permit to accommodate a proposal to develop a vacant parcel with a school to be operated by Laurel Tree Charter School serving children from Kindergarten through High School. The school is expected to serve between 180 and 200 children with approximately 24 employees. Drop off and pick up times are staggered to reduce traffic congestion. The originally approved project included development of a church and private school in three phases (CDP-07-067 - New Heart Community Church). The CDP did not become effective until the Coastal Commission approved the project on January 14, 2011. Three extensions have been applied for and approved. The first in 2012, the second in 2014 and the third in 2018 (including a Modification) which was set to expire January 14, 2020. The proposed Laurel Tree Charter School facility will include multiple structures and outdoor elements to be constructed on the parcel. The main buildings include: seven (7) 36 feet by 48 feet passive solar design classroom pods with two 980 square feet classrooms per pod with 6 restrooms and outdoor storage in central location, kitchen/office/janitorial building with classroom, and 16 foot by 24 foot barn with 4 single occupancy restrooms at north end of building with electrical and hose bib. Outdoor features include: a 16 foot by 50 foot outdoor kitchen, a children's stage with 40 foot conex box for storage/backstage space, 30 foot by 80 foot hoop house with hose bib, a 20 feet by 30 feet covered bike/skateboard/scooter storage, trash enclosure, impervious basketball court, tree fort area, 30 foot by 30 foot outdoor workspaces to have wind or solar power, 233 cubic yard capacity pond, access path to the Hammond Trail, entry fence with 2 automatic rolling gates, 8,400 square feet of pervious surface, gated walking path from Hammond Trail, gated entry to fire pit, and a sidewalk along Ledru Ave. The entire school facility will be fenced. The proposed permeable parking lot with 53 spaces includes 5 electric vehicle spaces and 3 accessible spaces, and a drive aisle for pick up and drop off. The basketball court may be used for overflow parking for special events. The outdoor stage/play area will host student presentations and creative plays. The space will also serve as venue for periodic small theatrical productions of student work. These types of events are expected to occur in the evening from 6-8pm, approximately 3-4 times a year. Events ordinarily include a potluck and attendance by approximately 80 parents is anticipated. The parcel to be developed is approximately 4.5 acres in size and is served by public water and sewer.

Project Location: The project is located in the McKinleyville area, on the north side of Murray Road and the west side of Highway 101, approximately 370 feet east from the intersection of Fortune Street and Murray Road on the property known as 899 Murray Road. The proposed driveway is approximately 250 feet west of the end of the southbound Highway 101 off-ramp.

Present Plan Land Use Designation: Public Facility (PF). McKinleyville Community Area Plan (MCAP). Density: N/A, Slope Stability: Relatively Stable (0).

Present Zoning: Public Facility Urban (PF1)

Record Number: PLN-2021-17206

Assessor's Parcel Number: 511-401-039

Applicant:

Laurel Tree Charter School
4555 Valley West Blvd
Arcata, CA 95521

Owner(s):

Same as applicant

Agent:

Nate Goodman
4156 Williams St.
Eureka, CA

Environmental Review: An Initial Study/Mitigated Negative Declaration (State Clearinghouse Number 2008092066) was circulated in May 2008, attached as Attachment 4, and adopted in December 2008. An addendum was prepared analyzing the effects of the modification, per §15164 of the State CEQA Guidelines. The addendum is attached as Attachment 3. There are no anticipated impacts to the environment that cannot be mitigated to a less than significant level.

Major Issues: None

State Appeal Status: Project is appealable to the California Coastal Commission.

Laurel Tree Charter School Coastal Development Permit Modification

Record Number: PLN-2021-17206

Assessor's Parcel Number: 511-401-039

RECOMMENDED COMMISSION ACTION:

1. Describe the application as part of the Consent Agenda.
2. Survey the audience and commissioners for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the consent agenda

Adopt the Resolution to: 1) Find that the Planning Commission has considered the Addendum to the adopted IS/MND, 2) make all of the required findings for approval of the Laurel Tree Charter School modification of Coastal Development Permit, 3) approve the project subject to the recommended conditions.

EXECUTIVE SUMMARY:

History of the site: The originally approved project included development of a church and private school in three phases (CDP-07-067 - New Heart Community Church). Re-zoning and The CDP did not become effective until the Coastal Commission approved the project on January 14, 2011. Three extensions have been applied for and approved. The first in 2012, the second in 2014, the third in 2018 (including a Modification), and the fourth in 2020 which was set to expire January 14, 2022. The CDP is not vested. The project was never built, and the parcel is vacant. New Heart Community Church sold the parcel to Laurel Tree Charter School, a public K-12 school, in 2021.

Current Project: Modification of the CDP to develop a vacant parcel with an outdoor-focused education facility to be operated by a public school (Laurel Tree Charter School) serving children from Kindergarten through High School. The school is expected to serve between 180 and 200 children with approximately 24 employees. The school will move locations from Valley West in Arcata to this location. The parcel to be developed is approximately 4.5 acres in size and is served by public water and sewer.

Parcel Characteristics/Baseline Conditions: The parcel is vacant and is comprised of disturbed grasslands. It is located along the western boundary of the Murray Road southbound off-ramp of Highway 101. The Hammond Trail also borders the eastern boundary of the site. The parcel is part of the Pacific Sunset Subdivision: a neighborhood of three streets and 38 other parcels, all of which have single-family residences. The subject parcel was re-zoned to Public Facility Urban and its planning designation was changed to Public Facility in 2011 with approval of the Coastal Commission.

Proposed Facilities: The main buildings include: seven (7) 36 feet by 48 feet passive solar design classroom pods with two 980 square feet classrooms per pod with 6 restrooms and outdoor storage in central location, kitchen/office/janitorial building with classroom, and 16 foot by 24 foot barn with 4 single occupancy restrooms at north end of building with electrical and hose bib. Outdoor features include: a 16 foot by 50 foot outdoor kitchen, a children's stage with 40 foot conex box for storage/backstage space, 30 foot by 80 foot hoop house with hose bib, a 20 feet by 30 feet covered bike/skateboard/scooter storage, trash enclosure, impervious basketball court, tree fort area, 30 foot by 30 foot outdoor workspaces to have wind or solar power, 233 cubic yard capacity pond, access path to the Hammond Trail, entry fence with 2 automatic rolling gates, 8,400 square feet of pervious surface, gated walking path from Hammond Trail, gated entry to fire pit, and a sidewalk along Ledru Ave. The proposed permeable parking lot with 53 spaces includes 5 electric vehicle spaces and 3 accessible spaces, and a drive aisle for pick up and drop off.

Small Events: The outdoor stage/play area will host student presentations and creative plays. The space will also serve as venue for periodic small theatrical productions of student work. These types of events are expected to occur in the evening from 6-8pm, approximately 3-4 times a year. Events ordinarily include a potluck and attendance by approximately 80 parents is anticipated. The basketball court may be used for overflow parking for special events.

Daily Schedule: Designed to stagger arrival/departure times (180 students total and 24 staff)

7:00-8:00 before care available – some students arriving early

8:00- Primary students can be in classrooms. (most primary students arrive between 8:00 and 8:30)

8:30 School starts for primary, Kindergarten/1st (100 students)

9:00 School starts for middle and high school (80 students)

1:00 Kindergarten/1st pick up (30 students)

3:00 Primary (70 students) dismissed

3:30 Middle school (40 students) dismissed

3:45 High School (40 students) dismissed

5:30 After care ends

PUBLIC AGENCY REFERRAL: The project was referred to relevant agencies in June 2021.

The Department of Public Works recommended the consideration of using Ledru Avenue as a pick up and drop off point to keeping traffic flowing. Public Works is requiring that the applicant construct a sidewalk on Ledru Ave and Springer Drive along the front of the parcel. The applicant will be responsible for maintaining the proposed trail connection to the Hammond Trail, and be required to dedicate a public trail easement for the proposed trail connection to the County. The project shall comply with MS4 requirements as well.

Public Works responded that the school should consider using the residential side streets for pick up and drop off as the property has frontage on those roads. A loop using Ledru to Springer to Fortune would keep traffic flowing and allow parents to pick up and drop off students along the Ledru frontage.

Caltrans expressed concerns of queues backing up on Murray Road and potentially blocking the southbound 101 off-ramp. Caltrans suggested considering using the Murray Road driveway for ingress and having an egress point out Ledru Ave. They also recommended improvements to Murray Road for better bike and pedestrian connectivity and safety.

Public Works noted that when conditions warrant, they will consider the implementation of Caltrans' recommendations.

All other referral agencies and departments that responded approved the project.

CEQA: An Initial Study/Mitigated Negative Declaration (State Clearinghouse Number 2008092066) was circulated in May 2008, attached as Attachment 3, and adopted in December 2008. An addendum was prepared analyzing the effects of the modification, per §15164 of the State CEQA Guidelines. The addendum is attached as Attachment 4. There are no anticipated impacts to the environment that cannot be mitigated to a less than significant level.

STAFF RECOMMENDATIONS: Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, public comments, and conditions of approval, Planning staff finds that the project will not result in a significant impact on the environment if mitigation measures are incorporated and conditions of approval are met. The applicant has submitted evidence in support of making all of the required findings for approval. Staff recommends conditional approval of the project.

The applicant has expressed that they do not want to have an access point on Ledru Avenue due to neighbor concerns. Their site plan reflects this: both ingress and egress are using the existing Murray Road driveway. During the New Heart Community Church approval process, neighbors expressed concern for impacts to their neighborhood from the church, and did not want the church to have access from Ledru Avenue. The design of the church did not have Ledru Ave as an access point, and only used the Murray Road driveway for ingress and egress.

Planning staff recommends approving the site plan with the driveway on Murray Road as opposed to the access off of the residential side streets as recommended by both Cal-Trans and Public Works because the more commercial/institutional traffic on the residential side streets has the potential to be detrimental to the neighborhood's existing welfare. There is no indication that the access on Murray Road would cause any significant adverse impacts to public safety.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings.

Staff prepared an environmental analysis for the original approval which included preparation of an IS/MND pursuant to the CEQA Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387), and has prepared an addendum to the IS/MND for the current project that did not find any potential impacts that cannot be mitigated to a less than significant level. The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant unmitigable impacts.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 22-

Record Number PLN-2021-17206

Assessor's Parcel Number: 511-401-039

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Laurel Tree Charter School Coastal Development Permit Modification.

WHEREAS, Laurel Tree Charter School, submitted an application and evidence in support of approving the Coastal Development Permit Modification; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the addendum to the previously adopted Initial Study/Mitigated Negative Declaration is adequate and in compliance with the requirements of CEQA; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed project (Application Number: PLN-2021-17206); and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on **April 7, 2022**, and reviewed, considered, and discussed the application for the Coastal Development Permit Modification, and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all of the following findings:

1. FINDING:

Project description: Modification of a previously approved Coastal Development Permit to accommodate a proposal to develop a vacant parcel with a school to be operated by Laurel Tree Charter School serving children from Kindergarten through High School. The school is expected to serve between 180 and 200 children with approximately 24 employees. Drop off and pick up times are staggered to reduce traffic congestion. The originally approved project included development of a church and private school in three phases (CDP-07-067 - New Heart Community Church). The CDP did not become effective until the Coastal Commission approved the project on January 14, 2011. Four extensions have been applied for and approved. The first in 2012, the second in 2014, the third in 2018 (including a Modification) and the fourth in 2020 which was set to expire January 14, 2022. The CDP is not vested. The entire school facility will be fenced. The main buildings include: seven (7) 36 feet by 48 feet passive solar design classroom pods with two 980 square feet classrooms per pod with 6 restrooms and outdoor storage in central location, kitchen/office/janitorial building with classroom, and 16 foot by 24 foot barn with 4 single occupancy restrooms at north end of building with electrical and hose bib. Outdoor features include: a 16 foot by 50 foot outdoor kitchen, a children's stage with 40 foot conex box for storage/backstage space, 30 foot by 80 foot hoop house with hose bib, a 20 feet by 30 feet covered

bike/skateboard/scooter storage, trash enclosure, impervious basketball court, tree fort area, 30 foot by 30 foot outdoor workspaces to have wind or solar power, 233 cubic yard capacity pond, access path to the Hammond Trail, entry fence with 2 automatic rolling gates, 8,400 square feet of pervious surface, gated walking path from Hammond Trail, gated entry to fire pit, and a sidewalk along Ledru Ave. The proposed permeable parking lot with 53 spaces includes 5 electric vehicle spaces and 3 accessible spaces, and a drive aisle for pick up and drop off. The outdoor stage/play area will host student presentations and creative plays. The space will also serve as venue for periodic small theatrical productions of student work. These types of events are expected to occur in the evening from 6-8pm, approximately 3-4 times a year. Events ordinarily include a potluck and attendance by approximately 80 parents is anticipated. The basketball court may be used for overflow parking for special events. The parcel to be developed is approximately 4.5 acres in size and is served by public water and sewer.

- EVIDENCE:**
- a) Project File: PLN-2021-17206
 - b) Project File: CDP-07-067
 - c) Initial Study/Mitigated Negative Declaration, including Proposed Mitigation Measures, Monitoring, and Reporting Program prepared by Humboldt County Planning Division dated 2008.
 - d) Addendum to the IS/MND prepared March 2022.

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the addendum to the IS/MND, and finds that there are no potentially significant impacts to the environment with mitigations incorporated.

- EVIDENCE:**
- a) The IS/MND (SCH #2008092066) and the addendum are attached, as Attachments 4 and 3, respectively. The mitigation measures, monitoring, and reporting plan (MMRP) is attached with the IS/MND, and complying with the MMRP remains a condition of approval for this project.
 - b) The addendum analyzes the potential effects of the changes to the originally approved project, which was for a church. The environmental impacts of the school may vary from the environmental impacts of the proposed church to some degree. These changes are analyzed in the addendum. There are no additional significant impacts identified in the addendum.

3. FINDING The project, as conditioned, is consistent with the development policies of the McKinleyville Area Local Coastal Plan, Open Space Plan, and County General Plan.

- EVIDENCE**
- a) Designation: The McKinleyville Area Local Coastal Plan describes that the purpose of the Public Facility (PF) designation is to protect sites appropriate for the development of public and private sector civil service facilities, and its principle use is for essential services including fire and police stations, hospitals and schools; public and private facilities

including offices, libraries, cemeteries and clinics; but not including sites or facilities for the storage or processing of materials or equipment.

Laurel Tree Charter School is consistent with these designations. It is a public charter school.

- b) Housing: The project does not conflict with the County's Housing Element as the parcel is not zoned or designated for residential use nor is it currently utilized for housing.
- c) Hazards: The parcel is relatively flat with slopes of less than 15%, relatively stable, and not in an area of potential liquefaction. An R-2 Geologic Hazard Evaluation and Soils Engineering Report was prepared for the original project (CDP 07-67). The parcel is not within a designated flood area. The parcel is located within a low fire hazard severity area, and within the Arcata Fire Protection District for fire response. The parcel is located in Airport Compatibility Safety Zone 6 which is the least restrictive zone. The only restrictions for parcels in Zone 6 include: no storage of/manufacturing of/processing of hazardous materials, and major outdoor assembly facilities should be avoided. Children's schools are allowed within this zone. The project is not anticipated to result in an increase of hazards.
- d) Environmentally Sensitive Habitat Area: Habitat at the project site consists of disturbed grassland vegetation that is dominated by non-native perennial species. The species composition resembles a disturbed form of coastal prairie vegetation, which often occurs on uplifted marine terraces. Due to regular maintenance, and abundance of non-native species, this habitat is considered disturbed grassland rather than coastal prairie. This is further discussed in the Biological Resources Assessment prepared for the original project in 2007. The Biological Assessment details that out of the 32 species reported by CNDDDB, the habitat present at the project site, and the geographical range of the various special status species, the plant species that are considered to have suitable habitat at the project site are limited to Pacific gilia, Wolf's evening primrose, Siskiyou checkerbloom, and coast checkerbloom. None of these species were identified on the site by the project biologist. There were no potential or suitable habitat identified for special status vertebrate species. Surveys conducted in 2006 and 2007 detected no special status plant or animal species present at the project site. Given these findings, as well as the fact that the surrounding parcels are developed, it is unlikely these species will be affected by the proposed development. There are no wetlands, streams, or riparian areas within the project area. The project was referred to the Coastal Commission and CDFW. No responses were returned. The project is consistent with the Natural Resource policies identified in the MCAP.
- e) Aesthetics: The parcel is not within a designated Coastal Scenic Area. The development as proposed is not expected to have any negative impacts on the visual quality of the area. The project is consistent with the physical scale and visual compatibility of the neighborhood. Exterior lighting will be shielded so that it is not directed beyond the boundaries of the property. This has been added as a condition of approval. No timber harvest or related activities are proposed. The project is consistent with the Visual Resources policies in the MCAP.

f) Cultural Resources: The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, and the Wiyot Tribe. The NWIC recommended consult with local tribes. The Wiyot Tribe and Blue Lake Rancheria recommended standard inadvertent archaeological discovery protocol, which has been included as a condition of approval.

g) C-P3: Consideration of Transportation Impacts in Land Use Decision Making. While the General Plan does not apply in the coastal zone, the Circulation policies can be used as guidance for projects in the coastal zone, due to the McKinleyville Area Local Coastal Plan not containing such circulation policies or guidance.

"C-P3: Decisions to change or expand the land use of a particular area shall include an analysis of the impacts to existing and proposed transportation facilities and services so as to minimize or avoid significant operational, environmental, economic, and health-related consequences."

Analysis: The Department of Public Works and Caltrans recommended the consideration of using Ledru Avenue as a pick up and drop off point to keeping traffic flowing. Caltrans expressed concerns of queues backing up on Murray Road and potentially blocking the southbound 101 off-ramp. Public Works noted that when conditions warrant, they will consider the implementation of Caltrans' recommendations.

The applicant has expressed that they do not want to have an access point on Ledru Avenue due to neighbor concerns. Their site plan reflects this: both ingress and egress are using the existing Murray Road driveway. During the New Heart Community Church approval process, neighbors expressed concern for impacts to their neighborhood from the church, and did not want the church to have access from Ledru Avenue. The design of the church did not have Ledru Ave as an access point, and only used the Murray Road driveway for ingress and egress. As the Laurel Tree school will not create any impacts to circulation not previously considered and the access off of the residential side streets would have the potential to be detrimental to the public welfare, the Planning Commission finds that the access off of Ledru is not warranted.

4. FINDING

The proposed development is consistent with the purposes of the Public Facility Urban (PF1) zone in which the site is located, and conforms with all applicable standards and requirements of these regulations.

EVIDENCE

a) Legal parcel: The subject parcel is one separate legal parcel, described as lot 39 as shown on Recorded Map in Book 18 of Maps page 76. The parcel is consistent with §312-1.1.2 Legal Lot Requirement and compliant with the provisions of the Subdivision Map Act.

b) PF1 Zone: The project is principally permitted in the PF1 zone, as the PF1 zone is for essential services. A charter school is considered an essential service per §313-171.5.6. The project complies with all development standards including setbacks, lot coverage, and 45-foot maximum structure heights.

- c) Parking Standards: Per §313.109.1.4.2.4, parking for schools is based on number of students, grade of students, and employees.

Number of Students: There will be about 200 students and 24 employees. The breakdown of students provided by the applicant was based on a total of 180 students. The following is a projection of the breakdown of students if the same proportion of students remained stagnant, with a total of 200 students.

Kindergarten/1st grade: $30 \text{ students}/180 = \sim 16.7\% \times 200 = 33 \text{ students}$

Primary: $70 \text{ students}/180 = \sim 39\% \times 200 = \sim 78 \text{ students}$

Middle school: $40 \text{ students}/180 = \sim 22\% \times 200 = \sim 44 \text{ students}$

High school: $40 \text{ students}/180 = \sim 22\% \times 200 = \sim 45 \text{ students}$

Kindergarten/Day Care Center: One parking space for every ten (10) children, plus one (1) space for each employee. Additionally, sufficient loading area should be provided for the safe loading and unloading of children and adults.

-Analysis: 3.3 spaces needed for children

Elementary schools: One parking space for every ten children, plus one space for each employee.

-Analysis: 7.8 spaces needed for children

Junior high and high schools: One parking space for every five students, plus one space for each employee.

-Analysis: 17.8 spaces needed for children

Total spaces needed: 29 spaces for children and 24 spaces for employees, which totals 53 spaces. The proposed parking plan has a total of 53 parking spaces, which includes 3 handicapped spaces and 5 Electric Vehicle parking spaces. There are also 5 tandem spaces for pick up/drop off. The site plan is consistent with the required number of parking spaces.

5. FINDING

The project and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) Technical studies, the IS/MND, and the addendum do not contain any evidence that the project will be detrimental to public health, safety, or welfare.

6. FINDING

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE

- a) The parcel is vacant and does not have a zoning or plan designation for residential use. The project is consistent with the Housing Element.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Laurel Tree Charter School Coastal Development Permit Modification based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

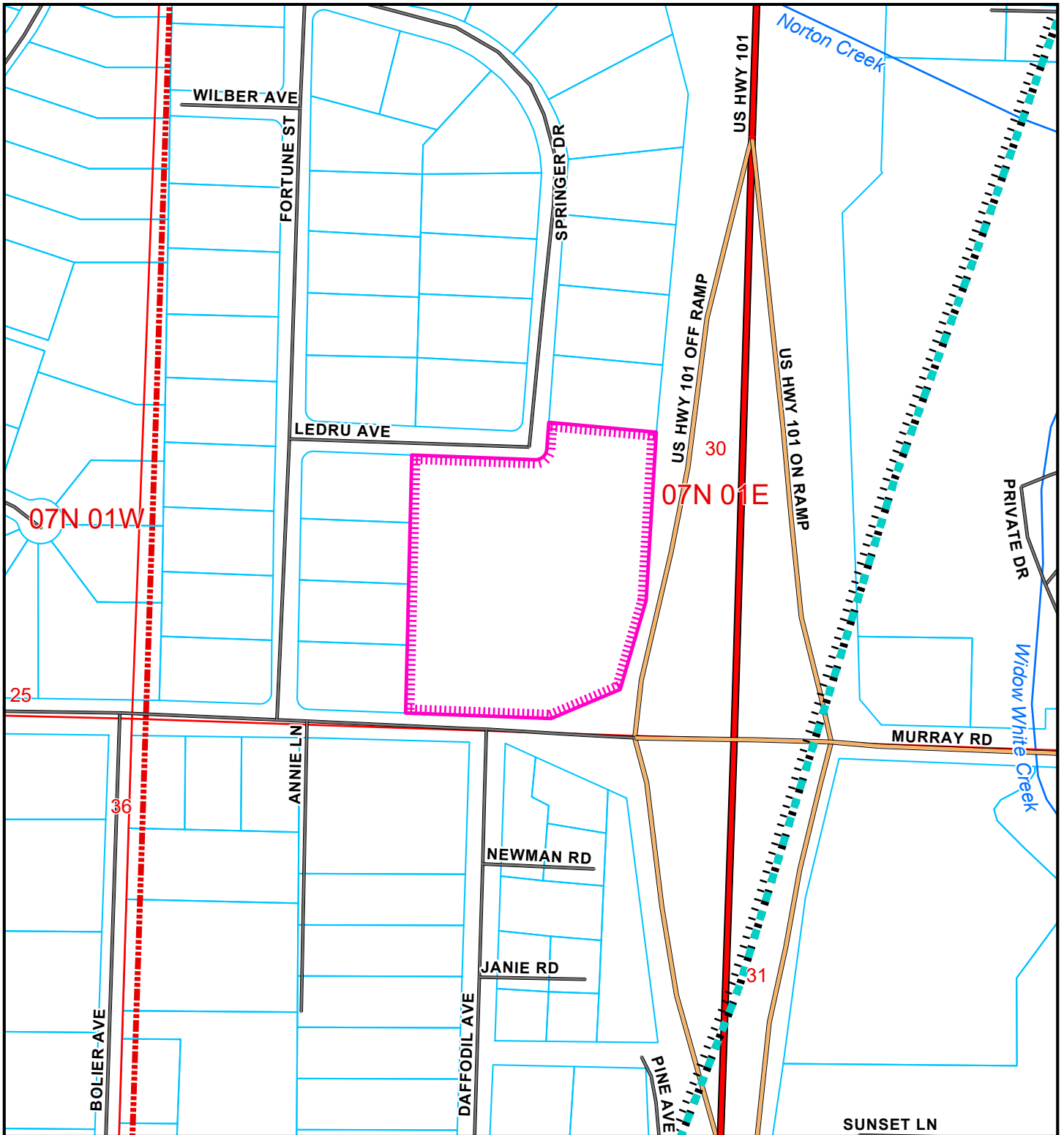
Adopted after review and consideration of all the evidence on **April 7, 2022**.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES: COMMISSIONERS:
 NOES: COMMISSIONERS:
 ABSENT: COMMISSIONERS:
 ABSTAIN: COMMISSIONERS:
 DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

 John H. Ford, Director
 Planning and Building Department



LOCATION MAP

**PROPOSED LAUREL TREE CHARTER SCHOOL
MODIFICATION**

MCKINLEYVILLE AREA

PLN-2021-17206

APN: 511-401-039

T07N R01E S30 HB&M (Hydesville)

Project Area = 

Coastal Zone Boundary 

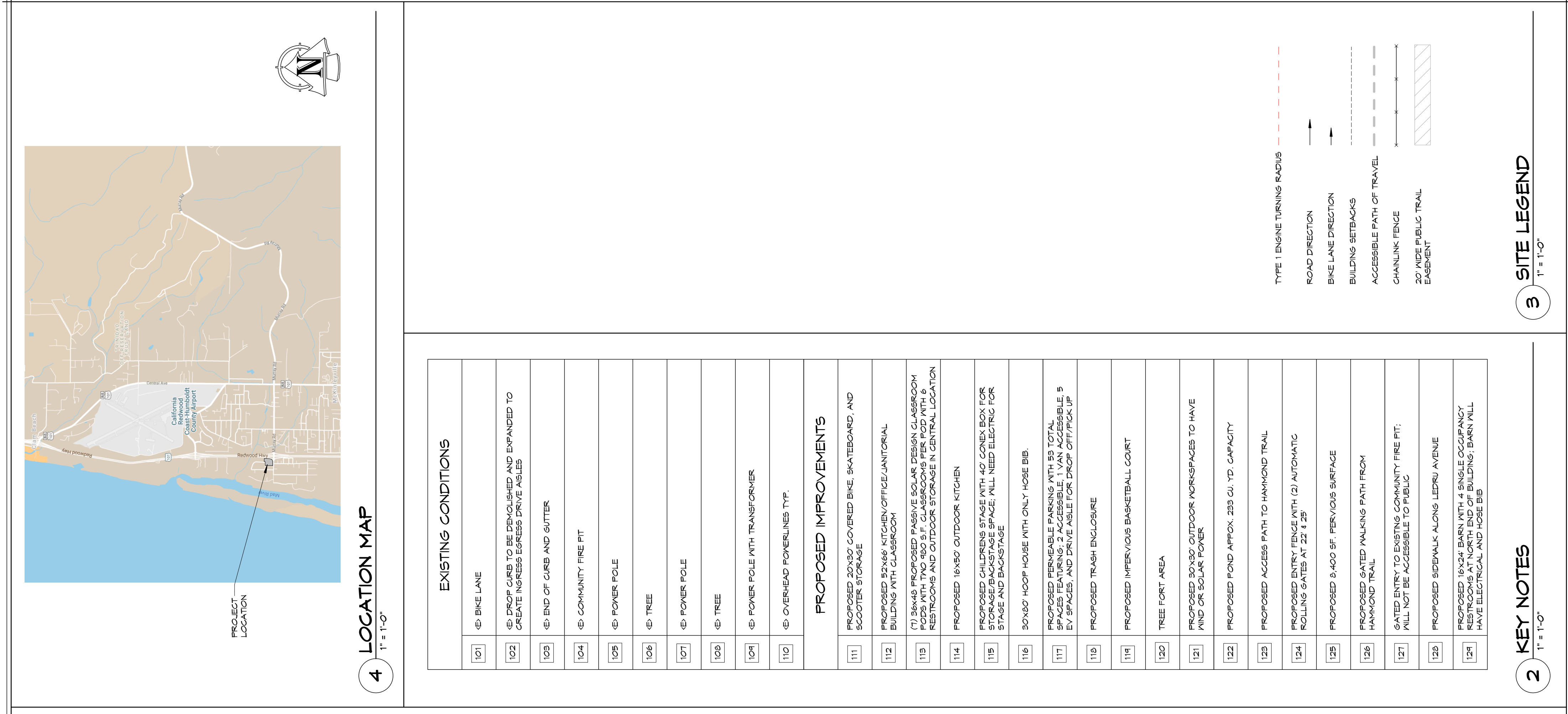
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.







1 SITE PLAN
1" = 30'-0"



EXISTING CONDITIONS	
101	4E BIKE LANE
102	4E DROP CURB TO BE DEMOLISHED AND EXPANDED TO CREATE IMPASS EXPRESS DRIVE AISLES
103	4E END OF CURB AND GUTTER
104	4E COMMUNITY FIRE PIT
105	4E POWER POLE
106	4E TREE
107	4E POWER POLE
108	4E TREE
109	4E POWER POLE WITH TRANSFORMER
110	4E OVERHEAD POWERLINES TYP.
PROPOSED IMPROVEMENTS	
111	PROPOSED 20'X30' COVERED BIKE, SKATEBOARD, AND SCOOTER STORAGE
112	PROPOSED 52'X66' KITCHEN/OFFICE/JANITORIAL BUILDING WITH CLASSROOM
113	(7) 30'X48' PROPOSED PASSIVE SOLAR DESIGN CLASSROOM PODS WITH TWO 980 S.F. CLASSROOMS PER POD WITH 6 RESTROOMS AND OUTDOOR STORAGE IN CENTRAL LOCATION
114	PROPOSED 16'X80' OUTDOOR KITCHEN
115	PROPOSED CURB CURBS OFFSET WITH 1/2" CONCRETE FOR STORAGE/BACKSTAGE SPACE, WILL NEED ELECTRIC FOR STAGE AND BACKSTAGE
116	30'X80 HOOP HOUSE WITH ONLY HOSE BB.
117	PROPOSED PERMEABLE PARKING WITH 93 TOTAL SPACES, 100'X100' ACCESSIBLE SPACES, 5 EV SPACES, AND DRIVEABLE OR DROP OFF/PICK UP
118	PROPOSED TRASH ENCLOSURE
119	PROPOSED IMPERVIOUS BASKETBALL COURT
120	TREE FORT AREA
121	PROPOSED 30'X30' OUTDOOR WORKSPACES TO HAVE AND OR SOLAR POWER
122	PROPOSED POND APPROX. 233 CU. YD. CAPACITY
123	PROPOSED ACCESS PATH TO HAMMOND TRAIL
124	PROPOSED ENTRY FENCE WITH (2) AUTOMATIC ROLLING GATES AT 22' X 25'
125	PROPOSED 8,400 SF. PAVEMENT SURFACE
126	PROPOSED GATED WALKING PATH FROM HAMMOND TRAIL
127	GATED ENTRY TO EXISTING COMMUNITY FIRE PIT. WILL NOT BE ACCESSIBLE TO PUBLIC
128	PROPOSED SIDEWALK ALONGS LEDRU AVENUE
129	PROPOSED 16'X24' BARN WITH 4 SINGLE OCCUPANCY RESTROOMS AT WALKING G. BUILDING; BARN WILL HAVE ELECTRICAL AND HOSE BB

2 KEY NOTES
1" = 1'-0"

SITE LEGEND	
	TYPE 1 ENGINE TURNING RADIUS
	ROAD DIRECTION
	BIKE LANE DIRECTION
	BUILDING SETBACKS
	ACCESSIBLE PATH OF TRAVEL
	CHAINLINK FENCE
	20' WIDE PUBLIC TRAIL EASEMENT

3 SITE LEGEND
1" = 1'-0"

REVISIONS	DATE

NOT FOR CONSTRUCTION



LAUREL TREE CHARTER SCHOOL

APN: 511-401-039

SITE PLAN

SHEET NAME

SHEET NUMBER	A1.1
DATE:	2/16/2022
DRAWN BY:	DCM
CHECKED BY:	LTC
LAUREL TREE CHARTER SCHOOL 2/03/20	

899 MURRAY ROAD
MCINLEEVILLE, CA 95199

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE MODIFICATION OF THE COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE WORK IS INITIATED:

A. General Conditions

1. All of the conditions in original CDP approval still apply to this permit. The following conditions are the original conditions:
 - a. Building plans submitted for approval shall demonstrate conformance with the density limits and open space requirements of the Airport Land Use Compatibility Zone (density limit is 150 persons/acre maximum; open space requirement is 15% minimum).
 - b. The applicant shall submit a letter from a certified engineer stating that the building plans submitted for approval conform with the maximum noise limits for churches provided in the Framework Plan.
 - c. The applicant shall obtain an encroachment permit from the Department of Public Works.
 - d. The applicant shall submit a letter from the McKinleyville Community Services District stating they have no objections to issuance of the building permit.
 - e. The applicant shall submit a letter from the Arcata Fire Protection District stating they have no objections to the issuance of the building permit.
 - f. Plans submitted for building permit approval conform to the terms and recommendations of the approved R-1 report.
 - g. The applicant shall record a "Notice of Geologic Report" for the subject parcel on forms provided by the Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$156.00 plus applicable recordation fees) will be required.
 - h. Completion of the mitigation measures as set forth in the Mitigated Negative Declaration. The applicant shall be responsible for all staff costs involved in carrying out responsibilities for mitigation. These costs shall be charged using the most current County burdened hourly rate. A deposit may be collected to cover anticipated costs, if required by the Planning Director.
 - i. A landscaping plan shall be provided to the satisfaction of the Planning Division. At a minimum, the landscaping plan shall include native tree species, which are non-pyrophytic, and identify the location, type (by species and common name), size, method for irrigation, and maintenance program, including replacement of plantings over time. Landscaping shall not affect visibility and shall conform to the visibility ordinance as required by the Department of Public Works.
2. The Mitigation Measures, Monitoring, and Reporting Program included in the originally approved IS/MND are all still valid and the applicants shall comply with them.
3. All components of project shall be developed, operated, and maintained in conformance with the project description, site plan, operations plan, and conditions of approval.
4. The applicant shall comply with the recommendations identified in the Public Works Department memo and correspondence, both attached as Attachment 6, letter dated November 18, 2021, detailing the following:
 - a. The existing parking lot entrance from Murray Road shall be redesigned to provide more efficient vehicle movement from the County roadway into the parking lot area.
 - b. The applicant shall construct the infill sidewalk along Ledru Avenue and Springer Drive fronting the parcel.

- c. The applicant is proposing to construct a trail connection along the north side of the property which will connect the Hammond Trail to Springer Drive. A 20 foot wide public trail easement shall be dedicated to the County for the proposed trail connection. Maintenance of the trail connection and adjacent landscaping shall be the responsibility of the property owner.
 - d. The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property is required to comply with MS4 permit requirements. The applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission.
 - e. Applicant must apply for and obtain an encroachment permit to construct a 5 foot wide Portland cement concrete ADA compliant sidewalk on Ledru Avenue and Springer Drive, and to retrofit the urban commercial driveway on Murray Road. In addition, the permit will require the applicant to construct an Urban driveway #1 for the entrance into the parcel to meet ADA compliance.
 - f. The permit will require the driveway entrance to be surfaced with asphalt concrete or Portland cement concrete. The driveway shall intersect the County road at a 90 degree angle. The driveway grade shall not exceed 2% in the first 20 feet.
 - g. All parking must be developed on-site. All parking required by Code must be constructed prior to occupancy of building or "final" issued for building permit.
 - h. Site visibility must be maintained at the driveway entrance.
 - i. Applicant shall be responsible to correct any involved drainage problems within the County right of way to the satisfaction of this Department.
 - j. Storm water runoff from the commercial parking lot and building site shall not be channeled or directed to flow across the sidewalk or traveled section of the County roadway. Drainage shall be contained on-site in an oil/water filtration system prior to discharge into the County storm drain system or piped under the sidewalk to the County road surface.
 - k. Owner shall be responsible for maintenance of oil/water filtration system.
 - l. Low Impact Development (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property will be required to comply with the MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission.
 - m. Informational notes: 1. The project is located within the McKinleyville Drainage, area, development of the parcel will require the payment of drainage fees pursuant to Humboldt County Code Section 328.1-13, at time of application for the building permit.
 - n. FENCES/GATES: Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.
 - o. It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.
 - p. Gates must be set back sufficiently from the road so that a vehicle can completely pull off the road while opening or closing the gate.
 - q. Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department- Building Division at 707.445. 7245 prior to constructing any fences or gates.
5. The applicant is responsible for receiving all necessary permits and/or approvals from state and local agencies.

6. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date") except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must commence may be extended as provided by Section 312-11.3 of the Humboldt County Code.

Informational Notes:

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant is ultimately responsible for ensuring compliance with this condition.

ATTACHMENT 2

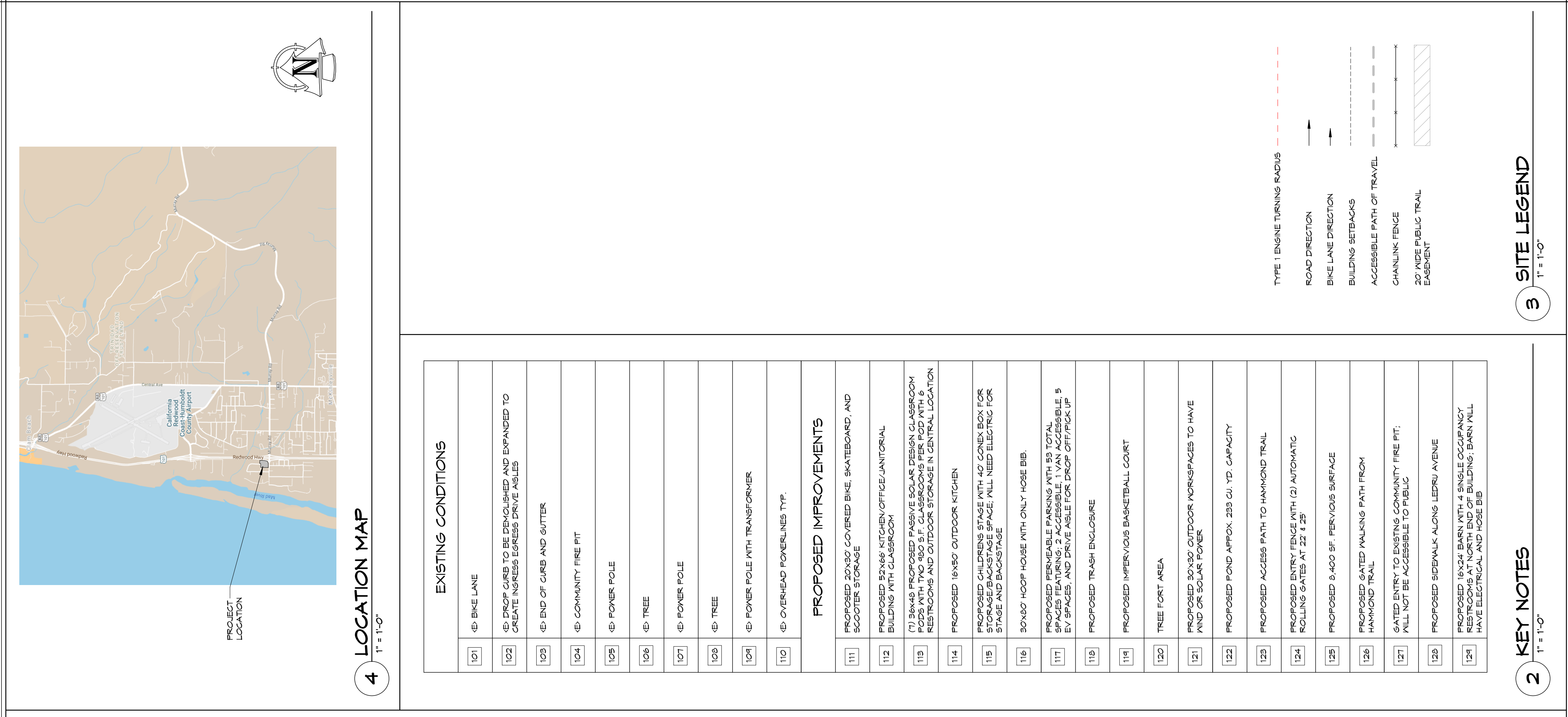
APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

Attachment 2 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division.

1. Application form (On file)
2. Plot Plan (**Attached**)
3. Floor Plans and Architectural Elevations (**Attached**)
4. Grant Deed (On file)
5. Operations Plan (On file)



1 SITE PLAN
1" = 30'-0"



4 LOCATION MAP
1" = 1'-0"

EXISTING CONDITIONS	
101	4E BIKE LANE
102	4E DROP CURB TO BE DEMOLISHED AND EXPANDED TO CREATE IMPASS EXCESS DRIVE AGLES
103	4E END OF CURB AND GUTTER
104	4E COMMUNITY FIRE PIT
105	4E POWER POLE
106	4E TREE
107	4E POWER POLE
108	4E TREE
109	4E POWER POLE WITH TRANSFORMER
110	4E OVERHEAD POWERLINES TYP.
PROPOSED IMPROVEMENTS	
111	PROPOSED 20'X30' COVERED BIKE, SKATEBOARD, AND SCOOTER STORAGE
112	PROPOSED 52'X66' KITCHEN/OFFICE/JANITORIAL BUILDING WITH CLASSROOM
113	(7) 30'X48' PROPOSED PASSIVE SOLAR DESIGN CLASSROOM PODS WITH TWO 980 S.F. CLASSROOMS PER POD WITH 6 RESTROOMS AND OUTDOOR STORAGE IN CENTRAL LOCATION
114	PROPOSED 16'X80' OUTDOOR KITCHEN
115	PROPOSED CURB CURBS OFFSET WITH 40' CONCRETE FOR STORAGE/BACKSTAGE SPACE, WILL NEED ELECTRIC FOR STAGE AND BACKSTAGE
116	30'X80 HOOP HOUSE WITH ONLY HOSE BB.
117	PROPOSED PERMEABLE PARKING WITH 93 TOTAL SPACES, 10% ADA COMPLIANT SPACES, 5 EV SPACES, AND DRIVEABLE OR DROP OFF/PICK UP
118	PROPOSED TRASH ENCLOSURE
119	PROPOSED IMPERVIOUS BASKETBALL COURT
120	TREE FORT AREA
121	PROPOSED 30'X30' OUTDOOR WORKSPACES TO HAVE AND OR SOLAR POWER
122	PROPOSED POND APPROX. 233 CU. YD. CAPACITY
123	PROPOSED ACCESS PATH TO HAMMOND TRAIL
124	PROPOSED ENTRY FENCE WITH (2) AUTOMATIC ROLLING GATES AT 22' X 25'
125	PROPOSED 8,400 SF. PERVIOUS SURFACE
126	PROPOSED GATED WALKING PATH FROM HAMMOND TRAIL
127	GATED ENTRY TO EXISTING COMMUNITY FIRE PIT. WILL NOT BE ACCESSIBLE TO PUBLIC
128	PROPOSED SIDEWALK ALONG LEDRU AVENUE
129	PROPOSED 16'X24' BARN WITH 4 SINGLE OCCUPANCY RESTROOMS AT WALKING G. BUILDING; BARN WILL HAVE ELECTRICAL AND HOSE BB

2 KEY NOTES
1" = 1'-0"

SITE LEGEND	
	TYPE 1 ENGINE TURNING RADIUS
	ROAD DIRECTION
	BIKE LANE DIRECTION
	BUILDING SETBACKS
	ACCESSIBLE PATH OF TRAVEL
	CHAINLINK FENCE
	20' WIDE PUBLIC TRAIL EASEMENT

3 SITE LEGEND
1" = 1'-0"

REVISIONS	DATE

NOT FOR CONSTRUCTION



LAUREL TREE CHARTER SCHOOL
SHEET NAME

899 MURRAY ROAD
MCINLEEVILLE, CA 95199

SHEET NUMBER
A1.1
DATE: 2/16/2022
DRAWN BY: DCM
CHECKED BY: LTCS
LAUREL TREE CHARTER SCHOOL
2/03/20

ATTACHMENT 3

**CEQA ADDENDUM TO THE
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE NEW HEART COMMUNITY CHURCH
PROJECT FOR THE LAUREL TREE CHARTER SCHOOL PROJECT**

*New Heart Community Church Initial Study/Mitigated Negative Declaration (IS/MND)
(State Clearinghouse #2008092066), December 2008.*

*APN 511-401-039, 899 Murray Road
McKinleyville, County of Humboldt*

**Prepared By
Humboldt County Planning and Building Department
3015 H Street, Eureka, CA 95501**

March 2022

Background

Project History – The originally approved project for New Heart Community Church included development of a church and private school in three (3) phases (CDP-07-067). Project buildout included approximately 42,000 square feet of structures consisting of the church facility, large auditorium, and seminar and classroom building, as well as an extensive parking lot (approximately 60,000 square feet) consisting of approximately 248 parking spaces. The project also included an amendment to the Local Coastal Plan (HUM-MAJ-2-09) allowing for a change of the land use designation and zoning of the property from Commercial Recreation to Public Facilities – Urban. The Coastal Development Permit (CDP-07-067) was originally approved by the Board of Supervisors on December 9, 2008 but did not become effective until the Coastal Commission approved the project on January 14, 2011. Four extensions have been applied for and approved and the current expiration date of the permit is January 14, 2022. The Initial Study and Mitigated Negative Declaration (IS/MND) adopted for the project specified that there were no potentially significant impacts that could not be mitigated to a less than significant level.

Project Description: Modification of a previously approved Coastal Development Permit to accommodate a proposal to develop a vacant parcel with a school to be operated by Laurel Tree Charter School serving children from Kindergarten through High School. The school is expected to serve between 180 and 200 children with approximately 24 employees. Drop off and pick up times are staggered to reduce traffic congestion.

The whole school facility will be fenced. The main buildings include: seven (7) 36 feet by 48 feet passive solar design classroom pods with two 980 square feet classrooms per pod with 6 restrooms and outdoor storage in central location, kitchen/office/janitorial building with classroom, and 16 foot by 24 foot barn with 4 single occupancy restrooms at north end of building with electrical and hose bib. Outdoor features include: a 16 foot by 50 foot outdoor kitchen, a children's stage with 40 foot conex box for storage/backstage space, 30 foot by 80 foot hoop house with hose bib, a 20 feet by 30 feet covered bike/skateboard/scooter storage, trash enclosure, impervious basketball court, tree fort area, 30 foot by 30 foot outdoor workspaces to have wind or solar power, 233 cubic yard capacity pond, access path to the Hammond Trail, entry fence with 2 automatic rolling gates, 8,400 square feet of pervious surface, gated walking path from Hammond Trail, gated entry to fire pit, and a sidewalk along Ledru Ave. The proposed permeable parking lot with 52 spaces includes 5 electric vehicle spaces and 3 accessible spaces, and a drive aisle for pick up and drop off. The outdoor stage/play area will host student presentations and creative plays. The space will also serve as venue for periodic small theatrical productions of student work. These types of events are expected to occur in the evening from 6-8pm, approximately 3-4 times a year. Events ordinarily include a potluck and attendance by approximately 80 parents is anticipated. The parcel to be developed is approximately 4.5 acres in size and is served by public water and sewer.

The impacts of the proposed modification are equal to or less than those resource sections analyzed in the IS/MND adopted on December 9, 2008 (SCH#2008092066). The MND identified potentially significant impacts to Aesthetics, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the

whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effect previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the MND recommended mitigations. The proposal to authorize a school and associated parking lot, fencing, accessory structures, and stormwater features are fully consistent with the impacts identified and adequately mitigated in the originally approved IS/MND. The project is conditioned to implement responsible agency recommendations, and results in no significant adverse environmental effects beyond those identified in the IS/MND.

In reviewing the application for consistency with the adopted IS/MND, the County considered the following information and studies, among other documents:

- Laurel Tree Charter Site Plan received February 16, 2022.
- Plan of Operation received May 5, 2021
- Student and employee home locations received July 20, 2021.
- VMT Analysis prepared by County of Humboldt dated March 2022 (located at end of this document)

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See **Purpose** statement above.

The discussion below each impact category summarizes the analysis of why the proposed project does not create any additional impacts that have not been analyzed in the IS/MND. In the areas where the IS/MND found significant impacts requiring mitigation, the analysis below shows the project does not have impacts that would be substantially more significant than those identified in the IS/MND. The areas Agriculture and Forest Resources, Biology, Mineral Resources, Geology and Soils, Population and Housing, Recreation, and Land Use and Planning are not further discussed as no impact was identified for these categories in the MND, and in reviewing these

categories with the submitted materials for Laurel Tree Charter School, it can be determined that there is no evidence to suggest further environmental review is need for these categories.

Aesthetics

Original Finding: There were two potentially significant impacts unless mitigations are incorporated: 1) degradation of the existing visual character or quality of the site and its surroundings, and 2) create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Original Discussion: There is a possibility that the church could create a source of substantial light or glare which would adversely affect day or nighttime views in the area. Most facilities with large parking lots choose to install lighting standards for both security purposes and for the convenience of their customers. Given that the proposed use is adjacent to a residential neighborhood, these lighting impacts shall be minimized to a degree that they will not negatively impact the neighbors.

Mitigation Measure #1 - The owner/applicant shall develop the most minimal number of lighting standards of the lowest wattage possible. All lighting shall be established within the interior of the parcel, closest to the church buildings, down shielded and directed into the property so as to not create nighttime adverse impacts on residential neighbors. There shall be no lighting (other than low-wattage motion sensor-triggered security lighting) on the north and west sides of the subject parcel.

The eastern portion of the site, along the newly constructed Hammond Trail has a chain-link fence. A landscaping plan, utilizing native vegetation as Mitigation Measure #2, will reduce impacts to visual resources from the street and neighbor's view. The intent of this is to screen visual impacts from adjacent parcels. The ocean is located approximately ¾-mile from the site and cannot be seen from the project parcel or neighboring houses. Due to the position of the parcel, with Highway 101 directly east and Murray Road to the south, the project will not block any scenic views to the coast.

Mitigation Measure #2 - The Landscaping Plan approved by the Planning Commission shall be implemented and in place prior to occupancy of the church. This measure shall be verified by the Building Inspections Division (BID).

These Mitigation Measures shall be noted on the Development Plan. With this measure in place, Staff is confident that the project's potential impacts to nighttime views will be less than significant.

Addendum Discussion: The project is for a charter school on a vacant lot adjacent to a residential neighborhood and community trail, the Hammond Trail. The project has the potential to affect the visual character of the existing landscape by introducing light glare from installation of lighting to the site and on buildings. The proposed buildings are designed to be low impact and sustainable structures to reduce energy and construction materials, compared to the approved church. Mitigation Measures 1 and 2 will be implemented as identified in the MND and will reduce the impact to less than significant.

Agricultural Resources

Original finding: There were no potentially significant impacts identified in the agricultural resources section of the IS/MND.

Addendum Discussion:

There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering

agricultural resources. The parcel does not have a planning or zoning designation for agricultural use. The surrounding parcels are developed with residences. The Public Facilities designations do not support agricultural uses.

Air Quality

Original finding: There were no identified impacts in the air quality section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering air quality. The proposed project involves less construction and fugitive dust than those of the construction of New Heart Church due to less paved parking area, less construction activities, and less total developed area than New Heart Church.

Biological Resources

Original finding: There were no potentially significant impacts identified in the biological resources section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering biological resources. The entire project area was subject to a biological and botanical study which found no sensitive species would be impacted by development of the property and there are no project elements that are outside of the original study area.

Cultural Resources

Original finding: There was one potentially significant impact unless mitigation incorporated in the cultural resources section of the IS/MND: This project may cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5. The mitigation measure to mitigate to a less than significant impact:

Mitigation Measure #3: Should any inadvertent discovery of cultural resources or human remains occur during construction activities, all work shall cease and the proper protocols set into place. Work shall immediately cease and the County Coroner shall be called to the site in the event that human remains are discovered or a professional archeologist should work unearthen cultural resources.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering cultural resources. The project was referred to Blue Lake Rancheria, the Wiyot Tribe, and the Northwest Information Center (NWIC). NWIC recommended consultation with the tribes. The tribes recommended inadvertent archeological discovery protocol.

Energy

Energy was not a required section in 2008 when the IS/MND was adopted.

Addendum discussion: The project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The project would not conflict or obstruct any state or local plan for renewable energy or energy efficiency. The proposed project will utilize passive solar design that may reduce energy consumption compared with conventionally designed buildings.

Geology and Soils

Original finding: There were no potentially significant impacts identified in the geology and soils section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering geology and soils. An R-1 Engineering/Geologic Report was reviewed and approved by the Building Division. Grading and site development are required to adhere to the recommendations of the approved R-1 report. There is no development that is outside of the scope of the originally approved R-1 report.

Greenhouse Gas Emissions

Greenhouse gas emissions was not a required section in 2008 when the IS/MND was adopted.

Addendum discussion: The project would not generate greenhouse gas emissions, neither directly nor indirectly, that may have a significant impact on the environment. The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The VMT analysis showed that the project is presumed to not have a significant impact due to it being a locally serving public charter school. Because the biggest contributor of GHGs is transportation, it can be presumed that there will not be a significant impact on GHGs due to the VMT analysis showing no significant impact on VMT. Active transportation features are incorporated into the project design, such as the location along the Hammond Trail, bike/scooter/skateboard storage, and electric vehicle parking in the parking lot.

Hazards and Hazardous Materials

Original finding: There was one potentially significant impact unless mitigation incorporated in the hazards and hazardous materials section of the IS/MND:

-The project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials unless mitigation is incorporated. The proposed project does not involve routine transport, use, or disposal of hazardous materials. Even so, the construction contractor is responsible for developing and implementing a Stormwater Pollution Prevention Plan (SWPPP), which will also include a Spill Prevention Control and Countermeasure Plan (SPCCP). As part of the SPCCP, absorbent materials will be stored on site and all jobsite employees will be properly trained to deal with hazardous material spills in the event of an accidental release. By implementing Mitigation Measure 4, the potential for a less than significant impact resulting from the accidental resource of a hazardous substance is mitigated further to reduce the potential impacts of the project:

Mitigation Measure #4: Minimize impacts from hazardous spills. The applicant/owner is required to submit a Stormwater Pollution Prevention Plan (SWPPP) which will also include a Spill Prevention Control Countermeasure Plan (SPCCP) for the LUD's review and approval per the attached LUD's Conditions of Approval.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering hazards and hazardous materials. There are no proposals for the handling, storage, or transport of hazardous materials.

The project is not included on a list of hazardous material sites. The project is located in a low fire risk area, and is in the Arcata Fire Protection District. It is not within the State Responsibility Area for fires. It is not adjacent to wildlands.

The site is within 1 mile of the Arcata-Eureka Airport, a public airport. The site is subject to the Airport Land Use Compatibility Zone C, and conditions of approval require adherence to the requirements of the Airport Land Use Compatibility Plan. There are no private airstrips within 25 miles of the site. The project will not result in a safety hazard for people residing or working in the

project area in terms of the nearby public airport.

Access is provided by a driveway on Murray Road, which is paved to a width of 30 feet. Public Works approved the proposed improved driveway on Murray Road, which was designed to enable fire trucks to enter and exit safely.

Hydrology and Water Quality

Original finding: There were two potentially significant impacts unless mitigation incorporated in the hydrology and water quality section of the IS/MND:

The project will not violate any water quality standards or waste discharge requirements. Unless mitigated, the project would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The construction contractor is responsible for developing and implementing a Stormwater Pollution Prevention Plan (SWPPP), which will also include a Spill Prevention Control and Countermeasure Plan (SPCCP). As part of the SPCCP, absorbent materials will be stored on site and all jobsite employees will be properly trained to deal with hazardous material spills in the event of an accidental release. By implementing Mitigation Measure #4, the potential for a significant impact resulting from the accidental release of a hazardous substance is mitigated to a less than significant level. One of the requirements to meet the County's standards regarding run-off and drainage will be met by implementation of the LUD's conditions. These improvements and maintenance requirements will help filter polluted run-off before it can enter any natural drainage courses or the County's storm drain system which, in this neighborhood, drains into Norton Creek.

Mitigation Measure #4: The contractor shall be responsible for developing and implementing an SWPPP for each phase of project construction, which will also include an SPCCP (in the event of an accidental release of pollutants) to the satisfaction of the County of Humboldt.

Mitigation Measure #5: The applicant/owner is required to submit and implement recommendations of the approved drainage plan per the LUD's Conditions of Approval.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering hydrology and water quality. The amount of paved and developed surface of the proposed school is less than that of the proposed church.

Public Works is requiring the following, which are conditions of approval: The applicant is required to comply with MS4 requirements for stormwater discharge. Storm water runoff from the commercial parking lot and building site shall not be channeled or directed to flow across the sidewalk or traveled section of the County roadway. Drainage shall be contained on-site in an oil/water filtration system prior to discharge into the County storm drain system or piped under the sidewalk to the County road surface.

The Public Works requirements, mitigation measures, and less paved surface of the school than the church, should result in a lesser impact to hydrology/water quality than that of the church.

Land Use Planning

Original finding: There were no potentially significant impacts identified in the land use planning section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering land use planning. The project is consistent with the McKinleyville Local Coastal Plan and the zoning ordinance as both the planning and zoning designations are Public Facility. Laurel

Tree Charter School is consistent with these designations as it is a public charter school. There is no conflict with the proposed project and any habitat conservation plan or natural community conservation plan. The project does not physically divide an established community.

Mineral Resources

Original finding: There were no potentially significant impacts identified in the mineral resources section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering mineral resources. The project does not involve extraction of mineral resources and is not or adjacent to a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Noise

Original finding: The project may result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies unless mitigation is incorporated; and may result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. According to Figure 3-2 of the Framework Plan, churches are normally acceptable at noise levels of up to 65 decibels (65dB), and the maximum interior noise level at a church is 45 dB. The church property lies approximately 135' from the center of the nearest travel lane on Highway 101. According to the 1999 Environmental Impact Report for the McKinleyville Community Plan, a 65 dB noise level is expected in the year 2020 within 185' from the center of the nearest travel lane on Highway 101. The project parcel is located approximately 30 feet above the exit lane and separation reduces noise on the site from the highway to some degree. Conditions of approval require that church facilities constructed within 185' of the center of the nearest travel lane on Highway 101 include construction materials and techniques to achieve a 45 dB interior noise level. The church facilities will be located entirely indoors. There are outdoor playgrounds that might cause ambient noise in the area to increase. Conditions of approval limit the hours the outdoor playground area may be used to between 7:00 am and 10:00 pm. With these conditions of approval, the noise impacts of the project are reduced to less than significant levels.

Mitigation Measure #6: Conditions of approval require that church facilities constructed within 185' of the center of the nearest travel lane on Highway 101 include construction materials and techniques to achieve a 45 dB interior noise level.

Mitigation Measure #7: Conditions of approval limit the hours the outdoor playground area may be used to between 7:00am and 10:00pm. With these conditions of approval, the noise impacts of the project are reduced to less than significant levels.

Addendum discussion:

The school will have indoor and outdoor spaces. An acoustical analysis was prepared for a property across Highway 101 from the subject parcel (the northwest corner of Ocean West Manufactured Home Park) which is adjacent to an off-ramp, which makes the parcels locations' proximity to Highway 101 very similar. Therefore, a reasonable assumption could be made that the noise levels are similar for the two properties. This analysis showed that noise levels outdoors, adjacent to the off-ramp, behind a fence, were CNEL 56 dBA. According to the General Plan, typical speech is measured at 60 dBA.

Noise levels inside the buildings will be attenuated to achieve a CNEL 45 dBA through appropriate construction materials, as required in Mitigation Measure #6 above. There will be no potentially

significant impacts with Mitigation Measures #6 and #7 incorporated. There is no anticipated difference between the noise impacts to and from the proposed church and to and from the proposed school due to anticipated hours of operations, construction materials, and noise measurements.

Population and Housing

Original finding: There were no potentially significant impacts identified in the population and housing section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering population and housing. The project is not displacing or removing any housing, and is not inducing population growth in the area directly or indirectly. The current student body of Laurel Tree Charter School has an equal amount of students living in McKinleyville and in Arcata. The school is currently located in Arcata. Therefore, it is not anticipated that this project would induce population changes in the County.

Public Services

Original finding: There were no potentially significant impacts identified in the public services section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering public services. The proposed project is consistent with the planned build-out of the area. All of the public service agencies have either recommended approval or conditional approval of the project, or had no comment. No issues were identified with regard to public services.

Recreation

Original finding: There were no potentially significant impacts identified in the recreation section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering recreation. The project may increase the use of the Hammond Trail due to the proposed school's location adjacent to the trail. However, it is not anticipated that the increased use will accelerate physical deterioration of the trail. The project does not include recreational facilities that will have an adverse physical effect on the environment.

Transportation and Circulation

Original finding: The IS/MND analyzed Level of Significance (LOS) and a Traffic Impact Study was prepared to identify impacts on Traffic and Circulation. This study found that the project would generate a less than significant traffic impact.

Addendum discussion: Since adoption of the IS/MND, as of July 1, 2020, all CEQA lead agencies must analyze a project's transportation impacts using Vehicle Miles Traveled (VMT) consistent with Section 15064.3 of the CEQA Guidelines. The analysis, included at the end of this addendum, demonstrates that there are no potentially significant impacts from VMT. The project is consistent with the Transportation and Circulation findings identified in the IS/MND. SHN prepared a Traffic Analysis in 2008 using Level of Service for the church, which showed that LOS levels at the affected intersections would be maintained below a level of significance for vehicular or pedestrian traffic during peak hours. While the travel patterns anticipated from the school are different than those

of the church, project design measures attempt to reduce the amount of cars entering and exiting the school within the same time period, and reduce the number of cars traveling to the school in a given day.

The drop off and pick up times of the school schedule are staggered by grade to reduce traffic congestion. The project's location along the Hammond Trail, and use of bike/scooter/skateboard storage are incorporated into the project design to reduce the number of students traveling by car to school. The project will be conditioned to comply with Public Works' requirements for the driveway to maintain site visibility and a safe turning radius into the driveway from Murray Road.

Tribal Cultural Resources

Tribal cultural resources was not a required section in 2008 when the IS/MND was adopted.

Addendum discussion: The project would not have a potentially significant impact on tribal cultural resources. It would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and this is: listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The project was referred to Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, the Wiyot Tribe, and the Northwest Information Center (NWIC) for comment and recommendations on tribal cultural resources. NWIC recommended that an archeological survey be conducted, and to contact local tribes. The Tribal Historic Preservation Officers (THPO) of both Blue Lake Rancheria and the Wiyot Tribe recommended archeological discovery protocol. The Bear River Band of the Rancheria did not respond. Archeological discovery protocol is a condition of approval for the project.

Utilities and Service Systems

Original finding: There were no potentially significant impacts identified in the utilities and service systems section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church, and the projected impacts of the proposed Laurel Tree Charter School when considering utilities and service systems. The project will not result in or require the construction of new water or wastewater treatment facilities or expansion of existing facilities. The McKinleyville CSD recommended approval of the project. The project is not anticipated to generate a larger amount of solid waste than the proposed church.

Wildfire

Wildfire was not a required section in 2008 when the IS/MND was adopted.

Addendum discussion:

The project is not located in or near a state responsibility areas or lands classified as very high fire hazard severity zone. The subject property is not near wildlands associated with the Wildland-Urban Interface. The Arcata Fire Protection district responds to fires in the project area. The project will not substantially impair an adopted emergency response plan or emergency evacuation

plan. The project will not exacerbate wildfire risks, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, or other factors. The project will not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing risks to the environment. The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The land is relatively stable and is not in an area of historic landslides.

Mandatory Findings of Significance

Original finding: There were no potentially significant impacts identified in the mandatory findings of significance section of the IS/MND.

Addendum discussion: There are no projected differences in the studied impacts of the approved New Heart Church and the projected impacts of the proposed Laurel Tree Charter School when considering mandatory findings of significance. There is no evidence suggesting that the project will substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory; or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. The Biological Resource Assessment explained that the site has little value to native wildlife or plants other than being disturbed open space. No special status species are expected to occur on the project site or immediately adjacent to it based on a query of CNDDDB (California Natural Diversity Database) and surveys conducted by SHN. There is no evidence to suggest that the project will have any substantial adverse effects on human beings- directly or indirectly, with previously adopted mitigation measures implemented.

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See Purpose statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than identified and disclosed in the IS/MND. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will modify a previously approved CDP/CUP to allow for construction of a public K-12 charter school, parking lot, stormwater features, landscaping, and accessory structures.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous IS/MND was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified IS/MND is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the IS/MND, remain in full force and effect.

VMT analysis for Laurel Tree Charter School

McKinleyville, Humboldt County

PLN-2021-17206

APN 511-401-039

Methodology

SB 743 required the Governor's Office of Planning and Research (OPR) to establish recommendations for identifying and mitigating transportation impacts within CEQA. In response, OPR prepared a document referred to in this memorandum as OPR's Technical Advisory. OPR's Technical Advisory recommends methodologies for quantifying VMT, significance thresholds for identifying a transportation impact, and screening criteria to quickly identify if a Project can be presumed to have a less than significant impact. Lead agencies are to adopt local guidelines appropriate for their jurisdiction. At this time, the County of Humboldt is yet to adopt VMT guidelines. Therefore, this VMT analysis has been prepared in accordance with OPR's Technical Advisory guidance. The Project consists of a public charter school for children in grades K-12. Also, per the recommendations in OPR's Technical Advisory, the Project is first evaluated using a screening criteria. If a component of the Project meets one of the specified screening criteria, that component of the Project can be presumed to have a less than significant impact. If a Project component does not meet a screening criteria, that component of the Project is then evaluated based on the applicable VMT threshold of significance. The screening criteria and VMT thresholds of significance used in this analysis are discussed below.

Table 1: Screening thresholds

Category	Criteria/Screening	Threshold	Screened Out (Yes/No)
Trip generation screening	Small Projects can be screened out from completing a full VMT analysis.	If the Project generates less than 110 trips per day, the Project is assumed to have a less than significant impact.	No
Map-based screening	Residential or office projects that are located in areas with low VMT can be screened out from completing a full VMT analysis.	If the Project is in a low VMT area, the Project is assumed to have a less than significant impact.	No
Proximity to transit	Projects within ½ mile of a major transit stop or a stop located along a high-quality transit corridor reduce VMT and therefore can be	If the Project is within ½ mile of a major or high-quality transit stop/corridor, the Project is assumed to have a less than significant impact.	No

	screened out from completing a full VMT analysis.		
Affordable Residential development	Affordable housing in infill locations can be screened out from completing a full VMT analysis.	If the Project is comprised 100% of affordable units and is located in an infill location, then the Project is assumed to have a less than significant impact.	No
Retail	Retail Projects that are locally serving can be screened out from completing a full VMT analysis.	If a retail project is considered to be locally (and not regionally serving), the Project is assumed to have a less than significant impact.	Yes; see explanation below.

Source: OPR, 2018

Trip Generation Screening – Caltrans' referral letter explained that the project would generate more than 110 trips per day and requested a VMT analysis. Since the Project is estimated to generate more than 110 daily trips, the small Project screening criteria does not apply.

Map-Based Screening – OPR's Technical Advisory recommends that residential and office Projects that are located in areas with low VMT per capita, and that incorporate similar features to the existing development in those areas, will exhibit similarly low VMT per capita and therefore will have less than significant impacts to VMT. At this time, Humboldt County has not developed a map-based resource or database for identifying areas in the County with low VMT per capita. Therefore, this screening criteria cannot be applied to the Project.

Proximity to High-Quality Transit – OPR's Technical Advisory indicates that a Project can be screened out as having a less than significant impact on VMT if the Project is within a half-mile of an "existing major transit stop or an existing stop along a high-quality transit corridor". A major transit stop is defined as the intersection of two or more major bus routes with a frequency service interval of 15 minutes or less during the morning and afternoon peak commute periods. A high-quality transit corridor is defined as an existing corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

Based on the definition described above, the Project would not be eligible to be screened out under this threshold since current bus stops within ½ mile of the Project site have frequency intervals of greater than 15 minutes. Therefore, the Project does not meet the criteria for a transit priority area screening.

Affordable Housing – OPR's Technical Advisory indicates that 100% affordable housing projects located in infill locations can be assumed to have a less than significant impact on VMT. The Project is not comprised 100% of affordable housing in an infill area, so this screening threshold does not apply.

Locally-Serving Retail – OPR's Technical Advisory indicates that if a Project proposes locally-serving retail uses that are 50,000 square feet or less is eligible to be screened out.

The Advisory states that the lead agency should determine whether a retail development is locally or regionally serving. If the project is regionally serving, the project may have a significant

impact if short trips are being replaced by longer ones. If the project is locally serving, it is presumed to have a less than significant impact.

Analysis:

While OPR's Technical Advisory does not specifically state what category schools would be considered, the County has determined that the Project has the most in common with the retail category, due to the following similarities: specific daily hours of operation, two groups of types of users who will generate trips (employees and shoppers; employees and parents/students), and peak hours. Other jurisdictions have made this comparison as well, such as the County of Santa Cruz and the City of Carlsbad.

The County considers Laurel Tree Charter School to be locally serving, because students who currently attend the school live within the areas of Trinidad, McKinleyville, Blue Lake, Arcata, and Eureka. The current demographics of students and staff are in Table 2 below. These locations are all within a 15-mile radius of the McKinleyville site (average distances in Table 3 below). For Humboldt County, this is considered local and not regional. Therefore, the project is screened out from needing to complete a full VMT analysis, and is presumed to have a less than significant impact in regards to VMT.

Table 2: Home locations of current students and staff with school currently in Arcata with 180 students (numbers provided by school)

Home Location	McKinleyville	Arcata	Eureka	Blue Lake	Trinidad	Total
# of students	67	65	44	2	2	180
# of staff	11	7	4	1	1	24

Table 3: Distance to proposed McKinleyville site (avg miles) (source: Google maps)

Average miles	4 miles (from McKinleyville Middle School)	3.9 miles (from Arcata Plaza)	12.8 miles (from Sequoia Park)	6.4 miles (from City Hall)	13.2 miles (from Trinidad Elementary)	
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Conclusion: The project is screened out from needing to complete a full VMT analysis, and is presumed to have a less than significant impact in regards to VMT.

Sources

City of Carlsbad. 2020. Vehicle Miles Traveled (VMT) Analysis Guidelines.

<https://www.carlsbadca.gov/home/showpublisheddocument/312/637425981341500000>

County of Santa Cruz. 2022. Transportation.

[https://www.sccoplanning.com/PlanningHome/Environmental/CEQAInitialStudiesEIRs/VehicleMilesTraveled\(VMT\).aspx](https://www.sccoplanning.com/PlanningHome/Environmental/CEQAInitialStudiesEIRs/VehicleMilesTraveled(VMT).aspx)

County of Santa Cruz. 2021. Analyzing Vehicle Miles Traveled for CEQA Compliance.

https://www.sccoplanning.com/Portals/2/County/Planning/policy/Transportation/SantaCruzCounty_VMTGuidelines_051121.pdf

OPR. 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA.

https://opr.ca.gov/ceqa/docs/20190122-743_Technical_Advisory.pdf

ATTACHMENT 4
Initial Study/Mitigated Negative Declaration (IS/MND) for New Heart Community Church,
including Mitigation Monitoring Measures

Initial Study and Mitigated Negative Declaration

1. Project title: New Heart Community Church General Plan Amendment/Zone Reclassification/Coastal Development Permit
2. Lead agency name and address: Humboldt County Planning & Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446
3. Contact person and phone number: Michael Richardson, phone: 707-268-3723, fax: 707-445-7446
email: mrichardson@co.humboldt.ca.us
4. Project location: The project is located in Humboldt County, in the McKinleyville area, on the north side of Murray Road, approximately 370 feet east from the intersection of Fortune Street and Murray Road, on the property known to be in the southwest 1/4 of the southwest 1/4 of Section 30 Township 07 North Range 01 East..

5. Project sponsor's name and address:

APPLICANT

New Heart Community Church
c/o Mark Davis
PO Box 2608
St
McKinleyville, CA 95519
Phone: (707) 839-9727
1023

OWNER

(Same as Applicant)

AGENT

SHN Consulting
c/o Arnie Herskovic
812 West Wabash

Eureka, CA 95501
Phone: (707) 269-

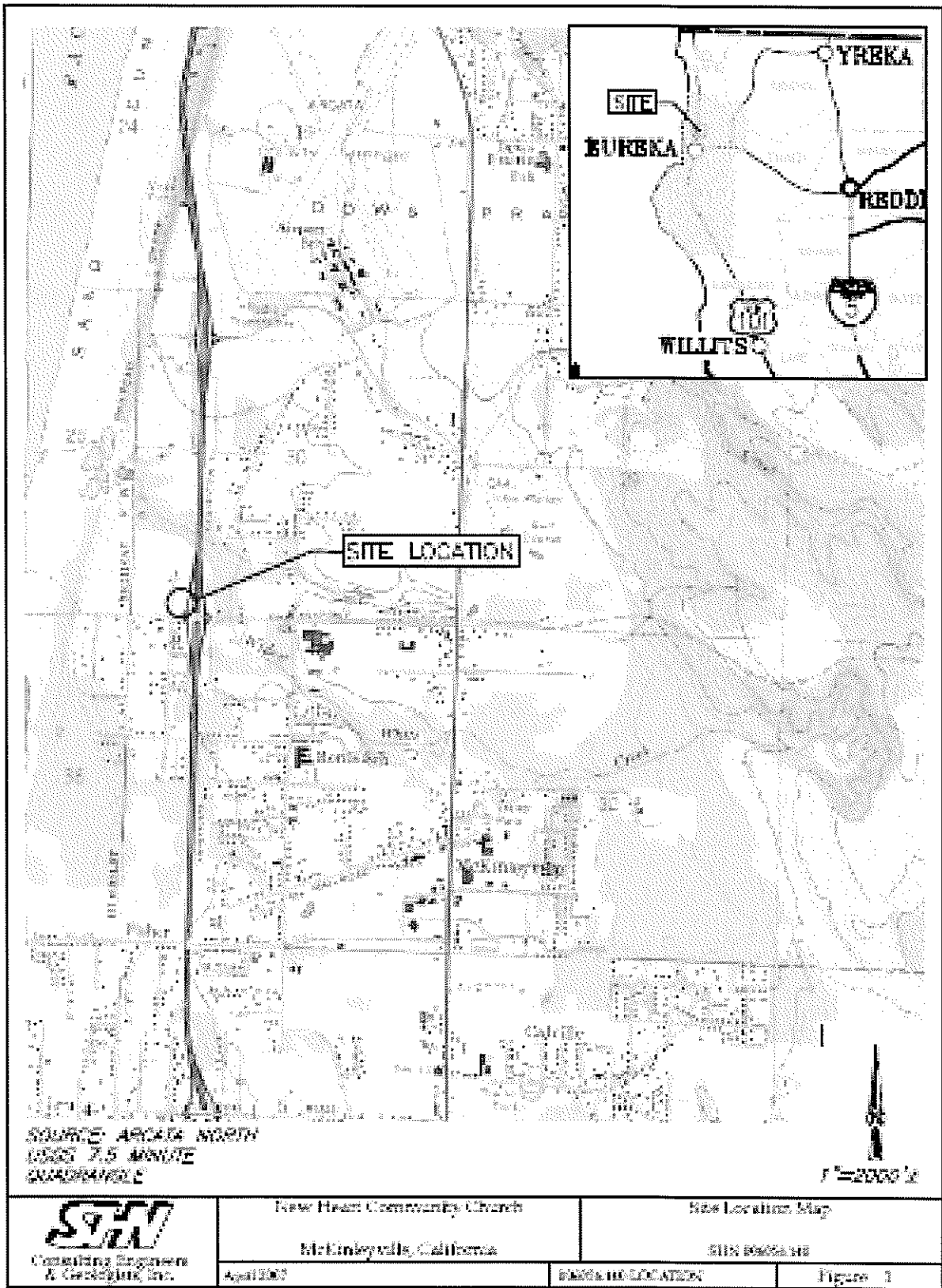
6. Commercial Recreational (CR) McKinleyville Area Plan (MCAP) **Density:** N/A **Slope Stability:** Relatively Stable (0)
7. Zoning: Commercial Recreational (CR).

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or on-site features necessary for its implementation. Attach additional sheets if necessary.): An application to change the general plan and zoning designations from Commercial Recreation to Public Facility (Urban) to enable construction of a church. Also, a Coastal Development Permit for future construction of the church is requested, contingent on the plan and zone change. The public interest requirement for the plan and zone change is proposed to be satisfied by granting an easement for construction of the last segment of the Hammond Trail, a public multi-use trail.

The church will be constructed in phases. The first phase is the construction of the Hammond Trail along the east side of the property, which was completed under a separate coastal development permit in 2007. The other phases will be construction of a main auditorium, offices, meeting rooms, a kitchen, and a lobby. The building will total approximately 42,000 square feet in size, and it will be up to 35' in height.

There are 248 proposed parking spaces. The parcel is served by public water and sewer, and a public road (Murray Road), which is paved to a width of 30' in front of the property.

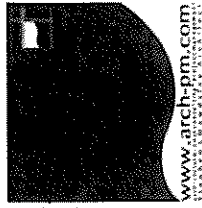
Environmental review of the General Plan Amendment and Zone Reclassification is not required because that part of the project requires certification by the Coastal Commission, which is considered to be functionally equivalent to environmental review under CEQA. This Mitigated Negative Declaration is limited to review of the future construction of a church, which is contingent upon certification of the General Plan Amendment and Zone Reclassification by the Coastal Commission.



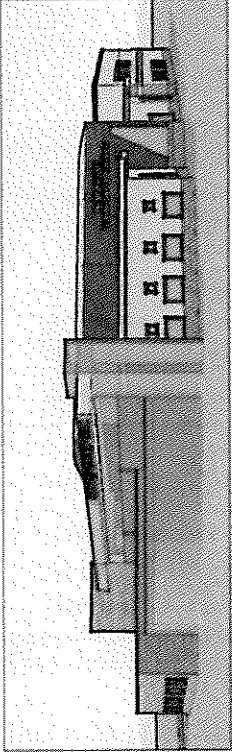
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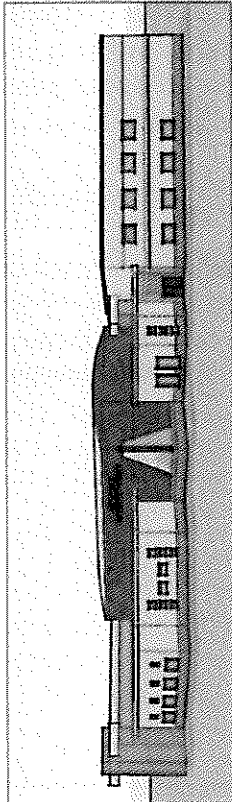
1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. VERIFY ALL DIMENSIONS OF ANYONE, CHAIRS, OR SEATING PRIOR TO CONSTRUCTION.
3. VERIFY ALL DIMENSIONS OF ANYONE, CHAIRS, OR SEATING PRIOR TO CONSTRUCTION.
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10. VERIFY ALL DIMENSIONS OF ANYONE, CHAIRS, OR SEATING PRIOR TO CONSTRUCTION.



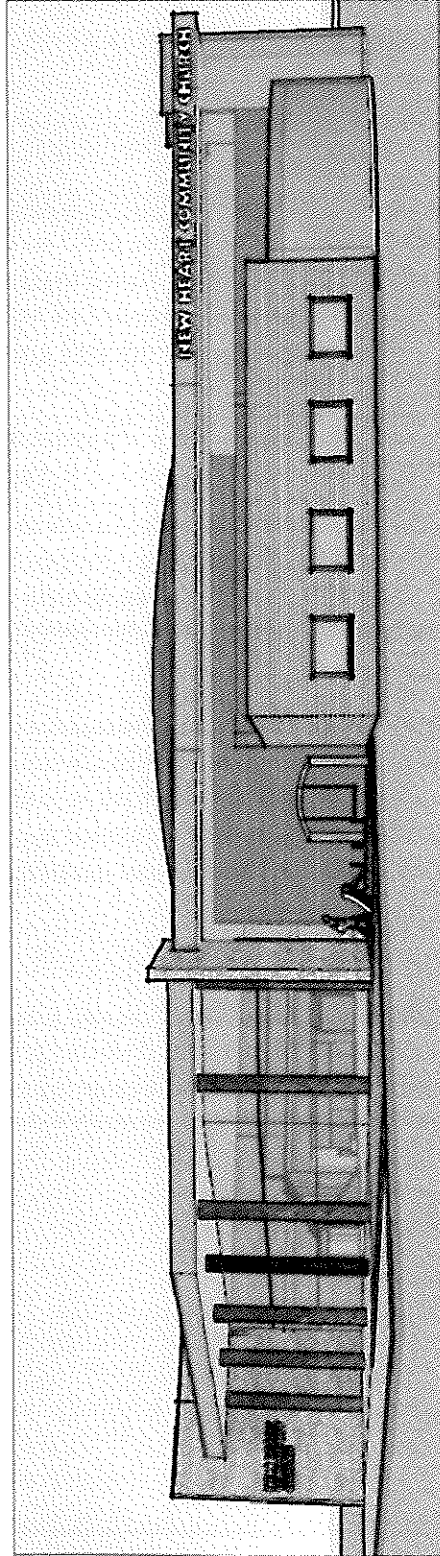
<p>TRILIOLOGY ARCHITECTURE URBAN DESIGN RESEARCH</p>	<p>PROJECT: NEW HEART COMMUNITY CHURCH 10000 W. HAMMOND TRAIL, SUITE 100, DENVER, CO 80231</p>	<p>DATE: 07/2022</p>	<p>SCALE: 1/8" = 1'-0"</p>
<p>PROJECT: NEW HEART COMMUNITY CHURCH 10000 W. HAMMOND TRAIL, SUITE 100, DENVER, CO 80231</p>		<p>DATE: 07/2022</p>	
<p>DESIGNED BY: [Name]</p>		<p>SCALE: 1/8" = 1'-0"</p>	
<p>BUILDING VIEWS</p>			



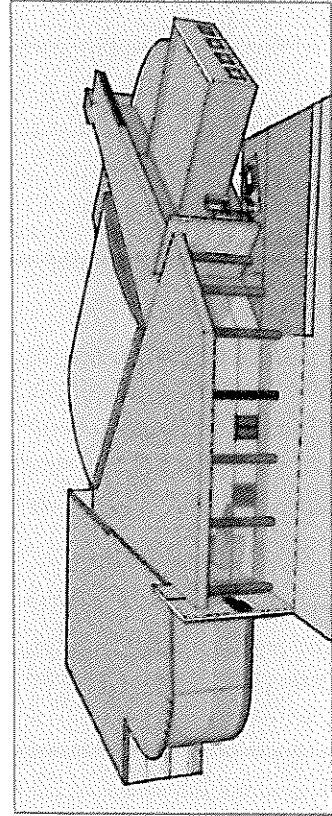
VIEW FROM BRIDGE



VIEW FROM HAMMOND TRAIL



VIEW FROM ENTRY DRIVE (SOUTH WEST)



AERIAL VIEW FROM WEST

9. Surrounding land uses and setting: Briefly describe the project's surroundings: The site is a vacant, approximately 4.5-acre parcel, which is relatively flat and is located on the north side of West Murray Road in McKinleyville, adjacent to the Murray Road Highway 101 southbound exit. Existing subdivisions border the property on the west and north sides and the off-ramp from the southbound lane of Highway 101 borders the site on the east.

Existing vegetation is composed of grasses with trees bordering the eastern edge along the highway. To the west of the project site is a subdivision beyond which lies the ocean, approximately three-quarters of a mile away. The existing subdivision to the west has approximately a 50-foot buffer between the project parcel fence line and houses. To the north, a house is adjacent to the parcel. The Hammond trail, on this property is on the eastern edge of the property running parallel to Highway 101.

The applicant, New Heart Community Church, proposes a rezoning of this 4.5-acre parcel from its existing Coastal Recreational (CR) category to a Public Facilities (PF-1) category. The existing Coastal Recreational zoning permits a number of visitor-serving uses including motels, restaurants, and other related coastal recreational uses. The immediate land uses in this area are primarily residential with the proposed project offering a more compatible and desirable use than the current zoning. This site has been available for development for over a decade and has not seen any major development initiative for the above-identified commercial uses.

During this same period, a new visitor-serving motel has been developed at the Arcata/Eureka Airport area, located approximately 1 mile to the northeast, along with other available visitor-serving motels and restaurant uses in the Valley West area of Arcata. At this time, the City of Arcata is considering two new motel projects in the Valley West area. The Public Facilities category (PF-1) would permit the type of assembly and meeting uses that the New Heart Community Church envisions for its project.

New Heart Community Church is proposing that a recreational component be included as part of the overall site plan with the designation of the 10-foot wide segment of the Hammond Trail. As an important final segment of the area, recreational and coastal access will be achieved. The permanent easement for the trail area is 10 feet wide and follows the eastern segment from Murray Road paralleling the U.S. 101 exit to the east, then continues due north toward Widow White Creek. Redwood Community Action Agency's Natural Resource Division has constructed the trail segment as a multi-purpose bicycle and pedestrian link of the Hammond Trail. The primary auditorium will be set back at least 20 feet from the trail with a buffer of open space and native vegetation landscaping.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Building Inspection Division, Public Works, California Coastal Commission; the North Coast Unified Air Quality Management District; the North Coast Information Center; and the California Regional Water Quality Control Board, North Coast Region.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |

- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project COULD have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Michael Richardson
Signature of preparer

9/12/08
Date

Michael Richardson
Printed name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue identify:
 - a) The significant criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Poten tially Signifi cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi cant Impact	No Impact
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1. a) and b): AESTHETICS: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not impact a scenic vista; nor will it substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Discussion: The project site is not within an area mapped or designated with scenic vistas or resources. The parcel is in the Coastal zone, but not within an area requiring special consideration of Coastal visual impacts. The area is urban with full urban services including access off County maintained public roads. The proposed church infills an established development pattern, but at a higher density than normally associated with single-family neighborhoods. Although the project will not impact a scenic vista, nor will it substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, the plan does include significant landscaping. The parcel is flat and has no views either to or from the site. It is surrounded by existing development. The Department finds no evidence that the creation of 15 parcels (total) within an area characterized as urban residential will have a substantial adverse aesthetic impact.

1. c) and d): AESTHETICS: POTENTIALLY SIGNIFICANT UNLESS MITIGATED

Finding: Unless mitigated, the project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or substantially degrade the existing visual character or quality of the site and its surroundings.

Discussion: There is a possibility that the church could create a source of substantial light or glare which would adversely affect day or nighttime views in the area. Most facilities with large parking lots choose to install lighting standards for both security purposes and for the convenience of their customers. Given that the proposed use is adjacent to a residential neighborhood, these lighting impacts shall be minimized to a degree that they will not negatively impact the neighbors.

Mitigation Measure #1 – The owner/applicant shall develop the most minimal number of lighting standards of the lowest wattage possible. All lighting shall be established within the interior of the parcel, closest to the church buildings, downshielded and directed into the property so as to not create nighttime adverse impacts on residential neighbors. There shall be no lighting (other than low-wattage motion sensor-triggered security lighting) on the north and west sides of the subject parcel.

The eastern portion of the site, along the newly constructed Hammond Trail has a chain-link fence. A landscaping plan, utilizing native vegetation as Mitigation Measure #2, will reduce impacts to visual resources from the street and neighbor's view. The intent of this is to screen visual impacts from adjacent parcels. The ocean is located approximately ¼-mile from the site and cannot be seen from the project parcel or neighboring houses. Due to the position of the parcel, with Highway 101 directly east and Murray Road to the south, the project will not block any scenic views to the coast.

Mitigation Measure #2 – The Landscaping Plan approved by the Planning Commission shall be implemented and in place prior to occupancy of the church. This measure shall be verified by the Building Inspections Division (BID).

These Mitigation Measures shall be noted on the Development Plan.

With this measure in place, Staff is confident that the project's potential impacts to nighttime views will be less than significant.

2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Poten tially Signifi cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi cant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. AGRICULTURE RESOURCES

Finding: The project will not convert significant amounts of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; will not conflict with existing zoning for agricultural use, or a Williamson Act contract; and will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use.

Discussion: Neither the subject property nor adjacent lands are within a Williamson Act contract. While the site is underlain by prime agricultural soils, it is not used for agricultural purposes, and it would not be appropriate for agricultural use because it is less than 4 acres in size and surrounded by existing development. The neighborhood is characterized by single family residential development with services provided by the McKinleyville CSD. The proposed church infills an established development pattern. Public Assembly is a primary and compatible use within the PF designation and is principally permitted in the PF-1 zoning district. The PF Zone does not accommodate agriculture, nor are there any intensive agricultural uses in the immediate vicinity. The Department finds no evidence that the project will result in a significant adverse impact on agricultural resources.

3. AIR QUALITY. Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Poten tially Signifi cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi cant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

Finding: The project will not conflict with or obstruct implementation of the applicable air quality plan; will not violate any air quality standard or contribute substantially to an existing or projected air quality violation; will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); will not expose sensitive receptors to substantial pollutant concentrations; and will not create objectionable odors affecting a substantial number of people.

Discussion: The entire 4.8 acre parcel will require grading for site preparation and construction of the future church road improvements and parking. There is no indication, however, that the construction under review at this point will increase any negative air quality issues for the long term. All grading and site preparation will be required by the Land Use Division of Public Works (LUD) conditions of approval to adhere to an LUD-approved improvement plan complete with engineered erosion and sediment control. Potential fugitive dust impacts are also addressed in these plans in the rare cases where construction activities occur during dry enough times in the McKinoleville area that this is a problem. The project will increase the amount of traffic thus increasing vehicular exhaust levels slightly, but not at significant levels. The Department finds no evidence that the construction of a church will have a substantial adverse impact on air quality in the immediate vicinity.

4. BIOLOGICAL RESOURCES. Would the project:

	Poten tially Signifi cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi cant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. b): BIOLOGICAL RESOURCES: LESS THAN SIGNIFICANT IMPACT

Finding: The project is expected to have a less than significant effect, either directly or through habitat modifications on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

Discussion: The nearest possible sensitive habitat is just over 1,000' to the north - Norton Creek. The drainage system is required to be approved by the Public Works Department. An engineered drainage assessment and biological resources assessment for the project was submitted, and conclude the project will not significantly impact Norton Creek, which is known to be habitat for any natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. SHN conducted a Biological Resources Assessment (Appendix A) for the proposed project that provides a detailed description of habitat at the subject site, adjacent land use (including habitat value), resource protection related to the regulatory context for the proposed project, a search of the California Natural Diversity Database for Special Status Species and investigation of jurisdictional wetlands (July 2007).

4. a), c) – f): BIOLOGICAL RESOURCES: NO IMPACT

Finding: The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; or have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Discussion: Per County resource maps, there are no sensitive biological resources on, or in the vicinity of, the project site, other than those resources discussed above. There are no wetlands or wetland habitat present on the site; the project site is not near a stream or river and the project does not involve any development within a streamside management area. The project site is not within an adopted or proposed habitat conservation plan. The project was referred to the Eureka offices of the DFG and the Coastal Commission, neither of which responded with concerns during the referral period. The area is developed on 4 sides. The neighborhood is developed to urban standards. As explained in the assessment, the current condition of the subject site has little value to native wildlife or plants other than being disturbed open space. No special status species (as defined by the California Department of Fish and Game, U.S. Fish and Wildlife Service, NOAA Fisheries, or California Native Plant Society) are expected to occur on the project site, or immediately adjacent to it based on a query of the California Natural Diversity Database and surveys conducted by SHN's botanist and former wildlife biologist (July 2007). No jurisdictional wetlands were found within the boundaries of the subject site (July 2007).

The Department finds no evidence that the project will result in a significant adverse impact on biological resources.

5. CULTURAL RESOURCES. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi- cant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- d) Disturb any human remains, including those interred outside of formal cemeteries?

5. b): CULTURAL RESOURCES

Finding: Unless mitigated, the project could cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.

Discussion: An Historical Resource Review was prepared for the project area by the North Coast Information Center (NCIC). Their report states that a number of historic resources were evaluated as part of the review, including Ethnography & Archeology of the Wiyot Territory (LOUD), Place Names of Humboldt County (Turner), California Inventory of Historic Resources (OHP), California Historic Property Inventory (OHP), and 1890 GLO Land Plat Map. The site has been 100% surveyed. A previous study (S-2006) has been conducted in the project vicinity. Records of previously recorded historic resources have been found immediately outside the project boundary. Although the proposed project site is not located on an identified archaeological site, the likelihood of such discovery is considered to be low to medium probability of finding sites or other evidence of human cultural activity. These findings are based on the information presented by the NCIC. Therefore, if any resources are found during the construction of the proposed project they will be mitigated as necessary by contacting appropriate tribal agencies..

The Wiyot Tribe, however, expressed some concern about the possibility of cultural resources at the site. For this reason, the Planning Division required the applicant's agent to have prepared a Cultural Resources Investigation. Said document was prepared by Roscoe Associates (October 2007) in consultation with the Wiyot Tribe's cultural representative. The report concluded that no resources were located and that none were likely to exist at the site but a variety of protocols were included should inadvertent discoveries occur through the process of grading and/or other site development.

Mitigation Measure #3 – Should any inadvertent discovery of cultural resources or human remains occur during construction activities, all work shall cease and the proper protocols set into place. Work shall immediately cease and the County Coroner shall be called to the site in the event that human remains are discovered or a professional archaeologist should work unearthen cultural resources.

5. a), c), d): CULTURAL RESOURCES

Finding: The project will not: cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; disturb any human remains, including those interred outside of formal cemeteries.

Discussion: The subject property is vacant, and there is no evidence of significant historical resources in the immediate vicinity. Nor are there any known structures in the area that meet these criteria that would be negatively impacted by the project as proposed and mitigated. Nonetheless, the conditions of project approval include a requirement that a note be placed on the Development Plan protecting archaeological resources should they be found during site development.

6. GEOLOGY AND SOILS. Would the project:

	Poten tially Signifi cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signifi cant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

6. c): GEOLOGY AND SOILS: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Discussion: According to the County's slope instability rating maps, the parcel is located on ground designated with a low instability rating of "1". Nonetheless, given the community assembly nature of the project, the Framework Plan's Geologic Hazards Land Use Matrix and the Building Inspections Division (BID) required an R-1 Soils Report. An R-1 Engineering/Geologic Report was reviewed and commented on by the BID. Grading and site development are required to adhere to the recommendations of the (revised) approved report. A note reflecting this report and its recommendations will be shown on the Development Plan.

6. a), b), d), e): GEOLOGY AND SOILS: NO IMPACT

Finding: The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction and landslides; will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; and will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Discussion: According to the Alquist-Priolo Earthquake Fault Zoning Map and Framework Plan Geologic Hazards map, the project site is not located within a Special Studies Zone. The project site is located just outside the Earthquake Fault Zone associated with the Mad River fault. There are no known active faults that cross the project site, and no evidence in the investigation that a previously unrecognized active fault may be present. According to the Framework Plan Geologic Hazards map, the project site is in an area of low slope instability, and is not located in an area subject to liquefaction. The Building Inspection Division did not identify any issues with expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). The Uniform Building Code requires all structures in Humboldt County to be built in accordance with Zone 4, the most restrictive zone. These issues will be addressed upon the review of future Building Permits for the church facility. The subject parcel is in an area served by community water and sewer. The proposed project infills an established development pattern, and is consistent with the planned build-out of the area. The Building Inspection Division did not identify any concerns with regards to site suitability non-residential development. According to the submitted R-1 Geotechnical Evaluation for the project, the site is located on a Pleistocene-age marine terrace, covered by two feet of surficial, dark-colored, low-density, porous topsoil over the majority of the site. Based on published results of geotechnical testing and post-earthquake studies, the susceptibility of sediments to liquefaction can be directly correlated to the type, origin, and age of the deposits. It should be noted that these "most susceptible" conditions do not exist in the marine terrace deposits at the site. Liquefaction occurs only when susceptible materials are saturated. Susceptibility to liquefaction decreases with increasing geologic age (Youd and Perkins, 1978). The Department sees no evidence that the construction of a church within an area characterized as urban will have a substantial adverse impact on geology and soils.

7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signif- icant Impa- ct	No Impa- ct
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

7. b) – h) HAZARDS AND HAZARDOUS MATERIALS: NO IMPACTS

Finding: The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The project will not result in a safety hazard for people residing or working in the project area in terms of the nearby public airport.

Discussion: The project site is not included on a list of hazardous material sites. According to the Fire Hazard map, the parcel is located in a low fire hazard area. The Arcata Fire Protection District has recommended approval of the project. The fire district did not require the installation of another hydrant. A hydrant is currently located within 300' of the project site. The parcel is not within the State Responsibility Area (SRA) for fire protection so CDF was not referred to. Access for the development is via a County-maintained road (Murray Road), which is paved to a width of 30'. The site is within 1 mile of the Arcata-Eureka Airport, a public airport. The site is subject to the Airport Land Use Compatibility Zone C; conditions of approval require adherence to the requirements of the Airport Land Use Compatibility Plan. There are no private airstrips within 25 miles of the site. The Department finds no evidence that the development of a church in an area characterized as urban will create, or expose people or property to, hazardous materials, or impair implementation of, or physically interfere with, an adopted emergency response plan.

7. a) HAZARDS AND HAZARDOUS MATERIALS: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION IS INCORPORATED

Finding: The project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials unless mitigation is incorporated.

Discussion: The proposed project does not involve routine transport, use or disposal of hazardous materials. Even so, the construction contractor is responsible for developing and implementing a Stormwater Pollution Prevention Plan (SWPPP), which will also include a Spill Prevention Control and Countermeasure Plan (SPCCP). As part of the SPCCP, absorbent materials will be stored on site and all jobsite employees will be properly trained to deal with hazardous material spills in the event of an accidental release. By implementing Mitigation Measure No. 4, the potential for a less than significant impact resulting from the accidental resource of a hazardous substance is mitigated further to reduce the potential impacts of the project.

8. HYDROLOGY AND WATER QUALITY. Would the project:

	Poten- tially Signifi- cant	Potentially Significant Unless Mitigation Incorp.	Less Than Signif- icant Impa- ct	No Impa- ct
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

43

8: b), f) – j): HYDROLOGY AND WATER QUALITY: NO IMPACT

Finding: The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted); will not otherwise substantially degrade water quality; or place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; will not place within a 100-year flood hazard area structures which would impede or redirect flood flows; will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; will not result in inundation by seiche, tsunami, or mudflow.

Discussion: The proposed church infills an established development pattern, and is consistent with the planned build-out of the area. The project site is an area served by community water and sewer. The McKinleyville Community Services District (MCSD) has indicated that it is able to provide water and sewer service to the proposed church upon the payment of the appropriate fees. MCSD has not identified any concerns with regard to the project interfering with groundwater recharge. The Department finds no evidence indicating that the project will violate any water quality or waste discharge standards, or otherwise substantially degrade water quality.

According to the Flood Insurance Rate Map Panel #625B, the project site is located in Flood Zone C, which is defined as "areas of minimal flooding", and is outside the 100- and 500-year floodplains. The project site is not within a mapped dam or levee inundation area, and is outside the areas subject to tsunami run-up.

As much of the previously pervious surface of the parcel will become paved or otherwise impervious as it develops, the LUD's review of the submitted drainage study will ensure the drainage does not significantly impact other properties. The Department sees no evidence that the proposed project will result in significant hydrologic or water quality impacts.

8: c) - d): HYDROLOGY AND WATER QUALITY: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river; nor substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Discussion: Given the project's potential for a future increase in impervious surface through the development of both paved access and parking areas, the applicant provided the LUD with a Drainage Report addressing downstream runoff. The parcel is quite flat. The LUD has indicated that the existing stormwater system can handle the run-off created by the project, but will require construction of drainage facilities on-site necessary to get the water to an approved drainage facility off-site. The project will not alter a stream or river, nor is there any indication that the project is likely to result in flooding on- or off-site. These drainage requirements will keep this alteration's impacts to a less than significant level.

8: a), e): HYDROLOGY AND WATER QUALITY: POTENTIALLY SIGNIFICANT UNLESS MITIGATED

Finding: The project will not violate any water quality standards or waste discharge requirements. Unless mitigated, the project could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Discussion: The construction contractor is responsible for developing and implementing a Stormwater Pollution Prevention Plan (SWPPP), which will also include a Spill Prevention Control and Countermeasure Plan (SPCCP). As part of the SPCCP, absorbent materials will be stored on site and all jobsite employees will be properly trained to deal with hazardous material spills in the event of an accidental release. By implementing Mitigation Measure No. 4, the potential for a significant impact resulting from the accidental resource of a hazardous substance is mitigated to a less than significant level.

One of the requirements to meet the County's standards regarding run-off and drainage will be met by implementation of the LUD's conditions. These improvements and maintenance requirements will help filter polluted run-off before it can enter any natural drainage courses or the County's storm drain system which, in this neighborhood, drains into Norton Creek.

Mitigation Measure #4. The contractor shall be responsible for developing and implementing an SWPPP for each phase of project construction, which will also include an SPCCP (in the event of an accidental release of pollutants) to the satisfaction of the County of Humboldt.

Mitigation Measure #5 - The applicant/owner is required to submit implement recommendations of the approved drainage plan per the LUD's Conditions of Approval.

9. LAND USE AND PLANNING. Would the project:

	Poten- tially Signifi- cant	Potentiall y Significa nt Unless Mitigatio n Incorp.	Less Than Signifi- cant Impact	No Impa- ct
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9: LAND USE AND PLANNING

Finding: The project will not physically divide an established community; will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and will not conflict with any applicable habitat conservation plan or natural community conservation plan.

Discussion: The site is currently planned and zoned CR, but a part of the project involves changing the Plan and Zoning to PF. (The functional equivalent of environmental review of that part of the project was covered in the beginning of the staff report.) The proposed church infills an established development pattern, and is consistent with the planned build-out of the area, and will be consistent with the PF designations. The neighborhood is characterized as urban.

There are no habitat conservation or natural community conservation plans proposed or adopted for this area. The Department finds there is no evidence that construction of a church within an existing neighborhood will result in significant adverse impact with regard to land use and planning.

10. MINERAL RESOURCES. Would the project:

	Poten- tially Signifi- cant	Potentiall y Significa nt Unless Mitigatio n Incorp.	Less Than Signifi- cant Impact	No Impa- ct
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10: MINERAL RESOURCES

Finding: The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Discussion: The project does not involve extraction of mineral resources. The project site is not, nor is it adjacent to, a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The Department finds there is no evidence that the project will result in a significant adverse impact on mineral resources.

11. NOISE. Would the project result in:

	Poten- tially Signifi- cant	Potentia- lly Significa- nt Unless Mitigatio- n Incorp.	Less Than Signifi- cant Impact	No Impa- ct
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11: b) – c), e,) f): NOISE: NO IMPACT

Finding: The project will not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; and, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for a project within the vicinity of a private airstrip, the project will not expose people residing or working in the project area to excessive noise levels. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Discussion: The proposed church infills an established development pattern, and is consistent with the planned build-out of the area. No vibrations or groundborne noise level increases are expected by the project other than those associated with the construction of the church, the interior access road and parking areas. The short-term impacts by construction crews paving the access and building the church can be considered less than significant. These are normal sounds that can be expected in residential areas which still have room to grow. They will be temporary in nature. The Department finds no evidence that the construction of a church in an area characterized as urban will result in a significant adverse noise impact. The parcel is within an Airport Land Use Compatibility Zone C, but the existing and future noise contours do not exceed 60 ldn as shown on the noise contour maps for the airport.

11: a) & d): NOISE: POTENTIALLY SIGNIFICANT IMPACT UNLESS MITIGATION IS INCORPORATED

Finding: The project may result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies unless mitigation is incorporated; and may result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Discussion: According to Figure 3-2 of the Framework Plan, churches are normally acceptable at noise levels of up to 65 decibels (65dB), and the maximum interior noise level at a church is 45 dB. The church property lies approximately 135' from the center of the nearest travel lane on Highway 101. According to the 1999 Environmental Impact Report for the McKinleyville Community Plan, a 65 dB noise level is expected in the year 2020 within 185' from the center of the nearest travel lane on Highway 101. The project parcel is located approximately 30 feet above the exit lane and this separation reduces noise on the site from the highway to some degree. Conditions of approval require that church facilities constructed within 185' of the center of the nearest travel lane on Highway 101 include construction materials and techniques to achieve a 45 dB interior noise level.

The church facilities will be located entirely indoors. There are outdoor playgrounds that might cause ambient noise in the area to increase. Conditions of approval limit the hours the outdoor playground area may be used to between 7:00 am and 10:00 pm. With these conditions of approval, the noise impacts of the project are reduced to less than significant levels.

Mitigation Measure #6: Conditions of approval require that church facilities constructed within 185' of the center of the nearest travel lane on Highway 101 include construction materials and techniques to achieve a 45 dB interior noise level.

Mitigation Measure #7: Conditions of approval limit the hours the outdoor playground area may be used to between 7:00 am and 10:00 pm. With these conditions of approval, the noise impacts of the project are reduced to less than significant levels.

12. POPULATION AND HOUSING. Would the project:

	Poten tially Signifi cant	Potentia lly Significa nt Unless Mitigatio n Incorp.	Less Than Signifi cant Impact	No Impa ct
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12: POPULATION AND HOUSING: NO IMPACT

Finding: The project will not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Discussion: The proposed church infills an established development pattern. It does not involve the construction of any new homes. The proposed new development does not involve the extension of roads or other infrastructure. The lot is vacant, so there will not be any displacement of existing housing or people. The Department finds no evidence that the project will result in a significant adverse impact on population and housing.

13. PUBLIC SERVICES.

	Poten tially Signifi cant	Potentia lly Significa nt Unless Mitigatio n Incorp.	Less Than Signifi cant Impact	No Impa ct
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13: PUBLIC SERVICES: NO IMPACT

Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, other public facilities.

Discussion: The proposed church will access off Murray Road, a public, paved County-maintained road paved to a width of approximately 35'. Curb, gutter, and sidewalks will be installed along the frontage as a condition of approval. All road improvements on- and off-site, will be overseen by the LUD. Both the service district and the fire district have recommended conditional approval and approval with comments, respectively.

The proposed subdivision infills an established development pattern, and is consistent with the planned build-out of the area. The project will result in a slight increase in the demand for existing services such as fire protection, police protection, schools and other public facilities, but this increase would be within the capabilities of the existing infrastructure and services, per agency comments. The public access trail developed as Phase I of the project satisfies an important part of the demand for parks in the area by providing bicycle and pedestrian access to coastal resources in the McKinleyville area. All of the public service agencies have either recommended approval or conditional approval of the project, or had no comment. No issues were identified with regard to the provision, construction or maintenance of public services. The Department finds no evidence that the project will result in a significant adverse impact on public services.

14. RECREATION.

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14: RECREATION: NO IMPACT

Finding: The project a) will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Discussion: Phase I of the project included installation of a bicycle and pedestrian access from Murray Road to the property to the north, completing the Hammond Trail, and benefiting recreational users throughout McKinleyville by providing access to coastal recreation areas in the McKinleyville area. While Phase I may increase the use of the coastal recreation areas, there is no evidence that increased use will cause or accelerate substantial physical deterioration of these resources.

14: RECREATION: LESS THAN SIGNIFICANT IMPACT

The project will not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Discussion: Phase I of the project included installation of a bicycle and pedestrian access from Murray Road to the property to the north, completing the Hammond Trail, and benefiting recreational users throughout McKinleyville by providing access to coastal recreation areas in the McKinleyville area. Environmental review of that project was completed under a separate permit, and determined to not cause significant adverse environmental impacts.

15. TRANSPORTATION/TRAFFIC. Would the project:

	Poten- tially Signifi- cant	Potentia- lly Significa- nt Unless Mitigatio- n Incorp.	Less Than Signifi- cant Impact	No Impa- ct
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

15: a) and b): TRANSPORTATION/TRAFFIC: LESS THAN SIGNIFICANT IMPACT

Finding: The project is not expected to cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); nor exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Discussion: SHN prepared a Traffic Analysis (March 2008). Intersection and capacity calculations were conducted with Traffix© software using the HCM Methodologies. Existing traffic turning movement counts were conducted by SHN staff between 7:00 AM-9:00 AM and 4:00 PM-6:00 PM on a Tuesday, Wednesday, and Thursday in January 2008. The weekday AM peak hour and PM peak hour volumes are presented in Figure 4 and Figure 5, respectively.

The operation does not appear to have any significant vehicular or pedestrian traffic during peak hours, let alone the rest of the day; except for the southbound left turn lane at the intersection of Murray Road and Highway 101 during the am peak hour on weekdays. During the am peak times it's considered a Level of Service (LOS) F, but the entire intersection meets a LOS B. According to the Highway Safety Capacity Manual (2000), the entire intersection should be evaluated instead of one turning movement.

The project does not add vehicles to the left movement. because when traveling southbound in the exit lane, the church attendees will be turning right onto Murray Road with a separate turn lane. With the clarification in the Highway Safety Capacity Manual, a separate turning lane, minimal accidents occur at this intersection, and peak church activities are during Saturday evenings and Sunday mornings, therefore, the proposed project is not expected to exceed a County acceptable LOS. Refer to Appendix D for more detailed information.

Proposed traffic volumes generated by activities at the church are well below the acceptable capacity level per County and Caltrans capacity volumes. The number of vehicles will not cause a significant increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). It is estimated from the Humboldt County Resource Facility Traffic and Pedestrian Impacts Analysis that at worst case assumptions traffic volumes generated by the project are not significant (Refer to Appendix D).

The proposed project will not exceed, either individually cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

15: c) – g): TRANSPORTATION/TRAFFIC: NO IMPACT

Finding: The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; will not substantially increase hazards due to a design feature; will not result in inadequate emergency access or parking capacity; and will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

Discussion: The project site is located within the vicinity of an airport safety review (McKinleyville Community Plan Zoning Map, December 2002), but not in the airport approach zone. The project will not result in a change in air traffic pattern, including either an increase in traffic levels, or a change in location that results in substantial safety risks.

The proposed project will not substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). The access roads to and from the site are already constructed. Site distances and turning radii are adequate to accommodate project traffic and will not increase hazards or result in incompatible uses.

The proposed project will not result in inadequate emergency access. The project will not limit or create conditions affecting emergency access. No access roads are slated for demolition in conjunction with the proposed project. The site design will comply with adopted emergency access and will be reviewed by the Arcata Fire District, which serves McKinleyville. Since the church is proposing a phased approach to building, the site design changes will require review by the Arcata Fire District to ensure that there is adequate emergency access.

Recommendations of Arcata Fire District will be incorporated into the site design.

The propose project will not result in inadequate parking capacity. At the time of building permit review, the parking facilities and number of spaces will be reviewed for compliance with the County of Humboldt's parking ordinance pertaining to required handicapped, maneuverability, and stall dimensions. There will also be eleven dedicated spaces for coastal access.

The proposed project will not conflict with the County of Humboldt's adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). The proposed project will not conflict with alternative forms of transportation. In fact, the project connects two sections of the Hammond trail.

16. UTILITIES AND SERVICE SYSTEMS. Would the project:

	Poten tially Signifi cant	Potential y Significa nt Unless Mitigatio n Incorp.	Less Than Signifi cant Impact	No Impa ct
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16: UTILITIES AND SERVICE SYSTEMS

Finding: The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed; or result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or comply with federal, state, and local statutes and regulations related to solid waste.

Discussion: The McKinleyville Community Services District (CSD) provides wastewater services for the project site, and other developed areas in McKinleyville. The wastewater management facilities consist of two primary oxidation ponds (11.2 acres) and three secondary oxidation ponds (8.8 acres), and have a total pond area of 20 acres. Biological treatment capacity of the ponds is 1.18 MGD (1,180,000 gallons per day) and hydraulic capacity of disinfection facilities (chlorine contact chamber) is estimated at 3.3 MGD (2300 gpm) peak flow.

The wastewater system capacity is 1.18 million gallons per day (MGD), at an overall system peak wet weather flow. The current operating level is approximately 0.86 MGD. Based on the fact that the CSD's wastewater treatment plant is operating at less than half capacity, and the fact that the proposed project will not substantially increase the need for wastewater treatment, staff concludes that the project does not exceed wastewater treatment requirements of the California Regional Water Quality Control Board, North Coast Region, nor will it require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities.

The McKinleyville CSD purchases its wholesale supply from the Humboldt Bay Municipal Water District (HBMWD). Water is diverted at HBMWD's million-gallon tank on Essex Hill and is piped under the Mad River to MCSD's Grant A. Ramey Pump Station at the corner of North Bank and Azalea Roads. Water is then pumped into the primary pressure zone, which serves the entire District except McCluski Hill. The capacity of the HBMWD system is approximately 75 MGD (combined treated domestic and untreated industrial), and the current operating level is approximately 40 MGD. The McKinleyville CSD water supply system is at a capacity of 2.8 MGD, and the current operating level is approximately 1.19 MGD. There are no plans to expand water services, as current operating levels are at only about one-half of the system capacity levels. The proposed project will not require a substantial increase in water usage and, therefore, will not adversely impact existing water supplies.

The solid waste provider for the McKinleyville is the Humboldt Waste Management Authority (HWMA). The HWMA has formulated a joint powers agreement with the County and with most of the incorporated cities within the County for the disposal of waste. The HWMA has contracted with ECDC Environmental to ship solid waste produced in the County to state licensed land fills located outside of Humboldt County.

Solid waste from the project site will be collected and transferred to the HWMA transfer station for shipment to a licensed landfill. The quantity of solid wastes generated during project construction will not significantly contribute to the waste stream volumes transferred out of the County and, based on information from the Portrero Hills landfill and the Medford, Oregon landfill, the project will not cumulatively result in amounts of waste that exceed the capacity of either landfill. Therefore, the proposed project will not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

In order to ensure that construction debris does not result in adverse environmental impacts, a mitigation measure is proposed that requires: No construction materials, debris, or waste be placed or stored where it may be subject to dispersion by storm water. Any and all debris resulting from construction activities shall be immediately removed following completion of construction; concrete trucks and tools used for construction shall be rinsed at the specified wash-out area(s); and staging and storage of construction machinery and storage of debris shall not take place on any public street rights-of-way.

17. MANDATORY FINDINGS OF SIGNIFICANCE.

	Poten- tially Signifi- cant	Potentia- ly Significa- nt Unless Mitigatio- n Incorp.	Less Than Signifi- cant Impact	No Impa- ct
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

17: MANDATORY FINDINGS OF SIGNIFICANCE: LESS THAN SIGNIFICANT IMPACT

Finding: The project will not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory; or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Discussion: California has recently passed Assembly Bill 32, mandating a reduction in greenhouse gas (GHG) emissions and Senate Bill 97, evaluating and addressing GHG under CEQA. At this time, it is not clearly understood how to evaluate a project's production and contribution of GHG since thresholds have not been set by the California Air Resources Board, but are planned for release in 2009. In addition the Office of Planning and Research through SB 97 will produce guidance on this subject in 2009. Furthermore, Humboldt County will be addressing GHG in the ongoing General Plan update process by including performance measures.

In an attempt to quantify this impact, project staff evaluated how the project has reduced GHG through project design. Transportation could be one the largest contributors of GHG and attendees currently drive to the current location. However, in the new location attendees will still be driving so there may be no considerable gain of vehicles added to the road. The dedication of the trail connection also promotes alternative transportation to the project site and will result in a reduction of GHG because the community will be using the trail more. In addition to the trail link, attendees will be encouraged to carpool and are likely doing this now to the same extent.

The finished structure will be eligible for LEED certification, the applicant will be taking advantage of opportunities to use local resources and construct a high performance building that in the longterm would use fewer resources than another building of comparable size and use. Landscaping will include trees and other materials that sequester carbon. The proposed project does not significantly add GHG emissions to the environment.

The proposed project will result in some cumulative impacts. However, with full implementation of the associated mitigation measures, the proposed project will have a less than significant effect on the

environment. The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

18. SOURCE/REFERENCE LIST

California Scenic Highway Mapping System. (2008). Downloaded from website: (http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm)

Dyett & Bhatia Urban Planners. (December 2007). Natural Resources Hazards Report. NR:D&B.

Humboldt County. (NR). "Natural Resources and Hazards," *Humboldt County General Plan Update*. Eureka: Humboldt County.

---. (May 1995). "McKinleyville Area Plan of the Humboldt County Local Coastal Program," *Humboldt County General Plan Volume II*. Eureka: Humboldt County.

---. (NR). "Framework Plan," *Humboldt County General Plan Volume I*. Eureka: Humboldt County.

Illingworth & Rodkin, Inc. (2008). Download from website: (http://www.dot.ca.gov/hq/env/noise/pub/NITE_Article_for_Caltrans.pdf)

McKinleyville Community Services District. (2008). Download from website: (<http://www.mckinleyvillecsd.com/>)

North Coast Information Center. (2008). *Historic Resources Review*. Arcata: NCIC

SHN Consulting Engineers & Geologists, Inc. (April 2007). *R-2 Geologic Hazard Evaluation and Soils Engineering Report, Proposed New Heart Community School, McKinleyville, California*. Eureka: SHN.

Youd, T.L., and D.M. Perkins (1978). "Mapping of Liquefaction-Induced Ground Failure Potential,"

Journal of the Geotechnical Engineering Division, ASCE, Vol. 104, No. GT4, pp. 433- 446.NR:ASCE.

19. DISCUSSION OF MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

See the Mitigation Measures and Monitoring Plan below

20. EARLIER ANALYSES.

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 16063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

a) Earlier analyses used. Identify earlier analyses and state where they are available for review.

No earlier analyses were used.

b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measure based on a the earlier analysis.

See 20.a above

c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The following table lists the required mitigation measures, including the method of verification, monitoring schedule, and the responsible party.

Resource(s)	Measure No.	Summary of Mitigation Measure	Method of Verification	Monitoring Schedule	Responsible Party
Aesthetics	1	<p>Minimize impacts to the aesthetic values in the vicinity.</p> <p>Requirements: The owner/applicant shall develop the most minimal number of lighting standards of the lowest wattage possible. All lighting shall be established within the interior of the parcel, closest to the buildings (residential and commercial), downshielded and directed into the property so as to not create nighttime adverse impacts on residential neighbors. There shall be no lighting (other than low-wattage motion sensor-triggered security lighting) on the north and east sides of the subject parcel. Lighting for the health club shall be on an automatic timer to come on at dusk and turn off within one hour of closing time.</p>	At the time of final inspection or occupancy of the church, the Building Inspector shall verify that all lighting and landscaping meet the requirement.	As needed	Applicant, successors in interest & HCCSD.
	2	<p>This Mitigation Measure shall be noted on the Development Plan.</p> <p>The Landscaping Plan approved by the Planning Commission shall be implemented and in place prior to occupancy of the health club and residential units. This measure shall be verified by the Building Inspections Division (BID).</p>	At the time of final inspection or occupancy of the church, the Building Inspector shall verify that all lighting and landscaping meet the requirement.	As needed	Applicant, successors in interest & HCCSD.

This Mitigation Measure shall be noted on the Development Plan.

Resource(s)	Measure No.	Summary of Mitigation Measure	Method of Verification	Monitoring Schedule	Responsible Party
Cultural Resources	3	<p>Minimize impacts to Cultural Resources.</p> <p><u>Requirements:</u> Should any inadvertent discovery of cultural resources or human remains occur during construction activities, all work shall cease and the proper protocols set into place. These substantial protocols are on file in the report (Roscoe, October 2007) which is stored in the confidential files at the Planning Division. Work shall immediately cease and the County Coroner shall be called to the site in the event that human remains are discovered or a professional archaeologist should work unearth cultural resources.</p>	At the time human remains or artifacts are encountered.	On-going	Applicant, successors in interest & Coroner
	4	<p>This Mitigation Measure shall be noted on the Development Plan.</p> <p>To minimize impacts from hazardous spills.</p> <p><u>Requirements:</u> The applicant/owner is required to submit a Stormwater Pollution Prevention Plan (SWPPP) which will also include a Spill Prevention Control and Countermeasure Plan (SPCCP) for the LUD's review and approval per the attached LUD's Conditions of Approval.</p>	LUD approval	Once	Applicant, successors in interest & LUD
Hydrology	5	<p>The applicant/owner is required to submit implement recommendations of the approved drainage plan per the LUD's Conditions of Approval.</p>	LUD approval	Once	Applicant, successors in interest & LUD

56

Resource(s)	Measure No.	Summary of Mitigation Measure	Method of Verification	Monitoring Schedule	Responsible Party
Noise	6	<p>The project may result in exposure of persons to or generation of noise levels in excess of standards</p> <p><u>Requirement:</u> Conditions of approval require that church facilities constructed within 185' of the center of the nearest travel lane on Highway 101 include construction materials and techniques to achieve a 45 dB interior noise level.</p>	Building Permit Issuance	Once	Applicant, successors in interest & CDS
	7	<p>The project may result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project</p> <p><u>Requirement:</u> Conditions of approval limit the hours the outdoor playground area may be used to between 7:00 am and 10:00 pm. With these conditions of approval, the noise impacts of the project are reduced to less than significant levels.</p>			

HCCDS = Humboldt County Community Development Services Building and Planning Divisions
 LUD = Land Use Division of Department of Public Works
 DEH = Environmental Health Division of Health Department
 DFG = California Department of Fish and Game
 Cal Fire = California Department of Forestry and Fire Protection
 NCUAQMD = North Coast Unified Air Quality Management District

ATTACHMENT 5
Referral Agency Comments and Recommendations

The project was referred to the following agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	On File
County DPW, Land Use Division	✓	Conditional Approval	Attached
Building Inspection Division	✓	Approval	✓
Division of Environmental Health			
Caltrans	✓	Recommendations attached	Attached
Wiyot Tribe	✓	Inadvertent Discovery Protocol	✓
California Coastal Commission			
County Counsel			
CDFW			
NWIC	✓	Consult with tribes	✓
Arcata Fire Protection District	✓	Approval	✓
McKinleyville Union School District	✓	Doesn't want project to negatively affect enrollment	✓
McKinleyville CSD	✓	Approval	✓
Blue Lake Rancheria	✓	Inadvertent Discovery Protocol	✓
City of Arcata			

ATTACHMENT 6
Public Works Memo dated October 2021 and Correspondence dated December 2021



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

ON-LINE
 WEB: CO.HUMBOLDT.CA.US

PUBLIC WORKS BUILDING
 SECOND & L ST., EUREKA
 FAX 445-7409

CLARK COMPLEX
 HARRIS & H ST., EUREKA
 FAX 445-7388

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Rebecca Jacobson, Planner, Planning & Building Department

VIA: Robert W. Bronkall, Deputy Director *RB*

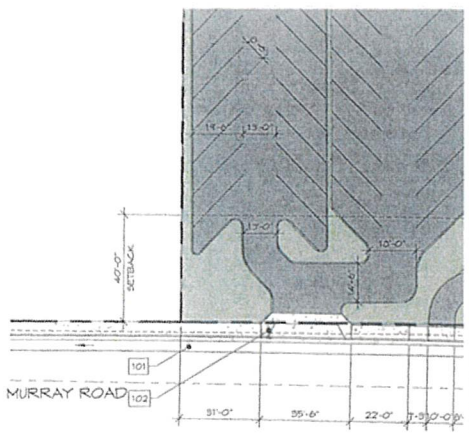
FROM: Kenneth Freed, Assistant Engineering

DATE: 10/18/2021

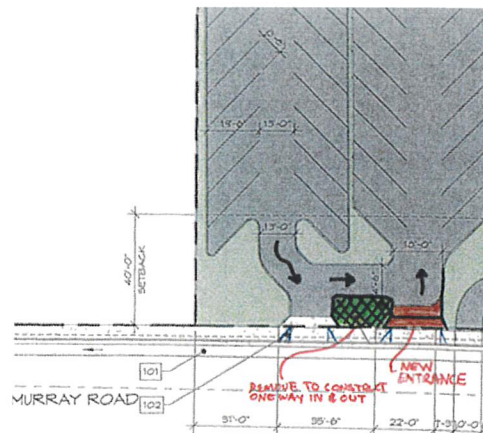
RE: **LAUREL TREE CHARTER; APN 511-401-039, APPS# PLN-2021-17206-CDP**

ROAD: The subject parcel is located on Murray Road (County Road No. C3M020). Murray Road fronting this parcel is currently developed as a paved road with curb and gutter, sidewalk, Hammond trail, bike lane and no on-street parking.

PARKING LOT: The project will create a high volume vehicles within a short time frame during operation. With the freeway off-ramp located immediately to the east it is critical to get vehicles off of Murray Road and into the parking lot as quick as possible. The existing parking lot entrance from Murray Road shall be redesigned to provide more efficient vehicle movement from the County roadway into the parking lot area. See picture 2 below as one alternative. The exit driveway location needs to remain as is in order to maximize sight visibility to the west, hence the slight jog.



Picture 1: Designed turning movement into parking area is unrealistic.



Picture 2: Alternative showing the retrofit of the existing approach to allow for a better turning movement into the parking area.

SIDEWALK: The applicant shall construct the infill sidewalk along Ledru Avenue and Springer Drive fronting the parcel.

TRAIL EASEMENT: The applicant is proposing to construct a trail connection along the north side of the property which will connect the Hammond Trail to Springer Drive. A 20 foot wide public trail easement shall be dedicated to the County for the proposed trail connection. Maintenance of the trail connection and adjacent landscaping shall be the responsibility of the property owner.

MS4 AREA: The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property is required to comply with MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission.

The following conditions are recommended: Our review of this project is limited to what is shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, contact this Department immediately for approval **before** construction. This Department has regulations regarding facilities such as retaining walls, fence site visibility, drainage culverts, and parking lanes within the County right of way. This Department has included general statements for facilities that may not be included on the plot plan.

(1) Applicant must apply for and obtain an encroachment permit to construct a 5 foot wide Portland cement concrete ADA compliant sidewalk on Ledru Avenue and Springer Drive, and to retrofit the urban commercial driveway on Murray Road. In addition, the permit will require the applicant to construct an Urban driveway #1 for the entrance into the parcel to meet ADA compliance. [reference: County Code § 411-11 (a)(b)]

(2) The permit will require the driveway entrance to be surfaced with asphalt concrete or portland cement concrete. The driveway shall intersect the County road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet. [reference: County Code sections 313-109.1.3.2.5 and 411-51 (b)(3)]

(3) All parking must be developed on-site. All parking required by Code must be constructed prior to occupancy of building or “final” issued for building permit. [reference: County Code section 313-109.1 et seq.]

(4) Site visibility must be maintained at the driveway entrance. [reference: County Code section 341-1 et seq.]

(5) Applicant shall be responsible to correct any involved drainage problems within the County road right of way to the satisfaction of this Department.

(6) Storm water runoff from the commercial parking lot and building site shall not be channeled or directed to flow across the sidewalk or traveled section of the County roadway. Drainage shall be contained on-site in an oil/ water filtration system prior to discharge into the County storm drain system or piped under the sidewalk to the County road surface.

Owner shall be responsible for maintenance of oil/water filtration system.

(7) Low Impact Development (LID): The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property will be required to comply with the MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission (or Zoning Administrator). [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, MS4 permit section E.12.b; Humboldt Low Impact Development Stormwater Manual v2.0 (06/30/2016) Part A (Table 1), Part 2, and Part 3 (Section 1.4)]

Informational Notes (not a requirement):

1. The project is located within the McKinleyville Drainage, area, development of the parcel will require the payment of drainage fees pursuant to Humboldt County Code Section 328.1-13, at time of application for the building permit.

2. **FENCES/GATES:** Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Gates must be set back sufficiently from the road so that a vehicle can completely pull off the road while opening or closing the gate.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707.445.7245 prior to constructing any fences or gates.

// END //

From: [Freed, Ken](#)
To: [Jacobson, Rebecca](#)
Subject: FW: Caltrans Comments for: PLN-2021-17206 Laurel Tree Charter School CDP modification
Date: Friday, December 10, 2021 2:31:54 PM
Attachments: [image001.png](#)

Rebecca

In addition, The Department will consider the recommendations in the Caltrans letter dated November 30, 2021 regarding the Laurel Tree Charter School in the future when conditions warrant.

Kenneth M. Freed
Assistant Engineer II
Humboldt County Department of Public Works – Land Use Division
3015 H Street Eureka, CA 95501
Ph (707)445-7205 Fax (707) 445-7388



From: Freed, Ken
Sent: Friday, December 10, 2021 11:54 AM
To: Jacobson, Rebecca <rjacobson@co.humboldt.ca.us>
Subject: FW: Caltrans Comments for: PLN-2021-17206 Laurel Tree Charter School CDP modification

Rebecca,

Do you need a revised referral comment, or a separate stand alone comment with the language from Bob. See below.

Ken

From: Bronkall, Bob <BBronkall@co.humboldt.ca.us>
Sent: Wednesday, December 01, 2021 11:49 AM
To: Freed, Ken <KFreed@co.humboldt.ca.us>
Subject: RE: Caltrans Comments for: PLN-2021-17206 Laurel Tree Charter School CDP modification

Need to stick to our requirements.

The school should consider using the residential side streets for pick up/ drop off as the property has

frontage on those roads. A loop using ledru to springer to fortune would keep traffic flowing and allow parents to P/U D/O students along the ledru frontage. If requested by the applicant county could yellow curb or otherwise post signage that indicate no parking from 8:00 AM to 9:00 AM and 3:00 PM to 4:00 PM school days; loading zone only. (times listed are examples to provide context; actual time would reflect the actual bell schedule for the school)

From: Freed, Ken <KFreed@co.humboldt.ca.us>
Sent: Wednesday, December 1, 2021 8:24 AM
To: Bronkall, Bob <BBronkall@co.humboldt.ca.us>
Subject: FW: Caltrans Comments for: PLN-2021-17206 Laurel Tree Charter School CDP modification

See attachment

From: ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>
Sent: Tuesday, November 30, 2021 5:57 PM
To: Jacobson, Rebecca <rjacobson@co.humboldt.ca.us>
Cc: Greg Pratt <greg@hta.org>; Freed, Ken <KFreed@co.humboldt.ca.us>
Subject: Caltrans Comments for: PLN-2021-17206 Laurel Tree Charter School CDP modification

Rebecca,

Caltrans' comments for the Laurel Tree Charter School CDP Modification are attached. Please print any copies need for your files. You may contact me with questions or for further assistance with the comments provided.

Jesse Robertson
Transportation Planning
Caltrans District 1
(707) 684-6879 (mobile)

Attachment 7
Caltrans Letter Dated November 2021

DISTRICT 1
P.O. BOX 3700 | EUREKA, CA 95502-3700
(707) 445-6600 | FAX (707) 441-6314 TTY 711
www.dot.ca.gov

November 30, 2021

Ms. Rebecca Jacobson, Planner
Planning & Building Department
County of Humboldt
3015 H Street
Eureka, CA 95501

Dear Ms. Jacobson:

Thank you for giving Caltrans the opportunity to comment on the proposed modification of a previously approved Coastal Development Permit to develop a charter school for children from Kindergarten through High School. The previously approved project included development of a church and small private school (CDP-07-067 - New Heart Community Church). The request to modify the permit includes a proposal to develop the property in two phases: in Phase 1, approximately 70-80 students and 6 or 7 staff are anticipated to occupy the site. Phase 2 will include development of approximately twelve (12) classrooms and serve between 180 and 200 children with approximately twenty-four (24) employees. The parcel is currently vacant and approximately 4.5 acres in size. We offer the following comments:

Using the Institute of Transportation Engineers (ITE) 10th Edition Trip Generation Manual (2017) land use for either a charter elementary school or a private school (K-12), we would expect the project to generate more than 110 trips per day, the CEQA threshold for screening out small projects. An examination of the ITE land uses yields a minimum number of daily trips ranging between 348 and 370 for a school with 200 students. During the morning peak hour, ITE projects the number of trips to range from 98 to 160.

Due to the potential impacts to Murray Road and the US 101 ramps during the AM peak hour, it is imperative that the onsite circulation be designed to prevent queues from backing onto Murray Ave. The existing driveway is about 300 feet from the yield line of the southbound US Route 101 off-ramp termini at Murray Road in McKinleyville. Assuming an average length of 25 feet per vehicle, approximately 12 vehicles can be stored (in queue) along the project frontage on Murray Ave before impacting the US 101 southbound off-ramp intersection.

We concur with the Humboldt County Public Works Land Use Division Interoffice Memorandum dated 10/18/2021, regarding the recommended modifications to the driveway to improve the ingress movement. The Updated Campus Master Plan (dated October 2021, received 11/12/2021) is an improvement over the Campus Master Plan dated 10/17/2021, but a compromise from the design recommended by the County. We recommend that County Public Works review the turning radii proposed on the Updated Campus Master Plan to ensure that the maximum design-size vehicles can negotiate the turns without requiring three-point turns. If the room available for on-site parking and circulation remains insufficient to meet demand, we suggest making the driveway at Murray Road a one-way ingress and constructing a one-way egress onto Ledru Ave. Gates can be used to limit access to Ledru Ave outside of normal school hours.

The County may want to evaluate the demand for parking and the potential for offsite parking impacts associated with proposed special events. It may be necessary to limit the size of the events or implement travel demand management measures, such as offering off-site parking and arranging shuttles.

Please note that there is a red curb across the entire parcel frontage of Murray Road. The California Vehicle Code, Article 3, Section 21458(a)(1), establishes regulations for red-painted curbs, which prohibits stopping, standing, or parking whether the vehicle is attended or unattended, except that a bus may stop in a red zone marked or sign-posted as a bus loading zone. Student loading and unloading is currently prohibited along the school frontage along Murray Road.

Because charter schools are not neighborhood-serving, district boundaries can extend countywide, and because the site selection for charter schools is discretionary, the proposed project should be evaluated for consistency with State goals to reduce Vehicle Miles Traveled (VMT) by 15% (below the regional average). For consistency with CEQA, we recommend that the applicant prepare a VMT analysis following the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (2018): < https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf>.

If the project will impact VMT reduction goals, we offer the following as potential mitigation measures:

- 1) Establishing a carpool and ride share program.
- 2) Adding secure bicycle storage for each phase of the project and phasing additional bicycle storage as demand increases.
- 3) Seeking grant funds to provide bicycle transportation for students.
- 4) Create a bicycle program that includes education, repair, and safe riding practices. Similar programs had students repair community bicycles.

- 5) Dedicate storage for skateboards and scooters.
- 6) Develop a greenhouse gas reduction education program and classroom curriculum.
- 7) Coordinating class times with local and regional bus lines.
- 8) Offer bus passes for students or initiate a bus pass program
- 9) Provide monetary incentives for employees not arriving to work in a single occupant vehicle.
- 10) Physical education credit for students using mass transit or active transportation (walk, bicycle, skateboard, scooter, etc.).
- 11) Consider adding a carbon footprint reduction curriculum and community service programs.
- 12) Partner with the County of Humboldt and Caltrans for pedestrian and bicycle Safe Routes to School improvements.

To reduce VMT and promote greater non-motorized travel among the students, faculty, and staff, we recommend that the County, or the applicant, consider adding non-motorized improvements to benefit all modes of travel on Murray Road.

Specifically, the County may consider the following improvements:

- 1) The pedestrian crossing of US 101 is located on the south side of Murray road, so pedestrians with trip origin/destinations on the east side of US 101 will need to cross Murray Road at some point west of 101 to access the school site. A marked crosswalk would indicate the desirable location for pedestrians to cross Murray Road. We suggest locating a marked crosswalk across Murray Road where the Hammond Trail intersects. This crosswalk could be enhanced, if needed to adjust driver expectations.
- 2) A raised and enhanced crosswalk at the Hammond Trail connection may serve to slow traffic speed and increase pedestrian visibility in front of the school.
- 3) Westbound Murray Road has a designated Class II bikeway (Bike Lane) which corresponds with the no parking zone. There does not appear to be a formally designated Class II, nor parking prohibition, on the eastbound side of Murray Road. If the County allows the perpetuation of existing conditions, school-related traffic may use the eastbound shoulder of Murray Road for parking, which may force bicycles and pedestrians into the eastbound travel lane or otherwise conflict with non-motorized traffic.
- 4) Only Emergency Parking is allowed on a freeway, including the ramps. No parking or student loading/unloading is permitted within State right-of-way. Caltrans may need to post no parking signs on the ramp between the yield line and where Caltrans right of way ends on Murray Road (about 110 feet west of the yield line).
- 5) If the County, or applicant, is interested in creating a designated School zone on Murray Road, the County needs to coordinate with Caltrans Traffic Safety as

soon as possible to determine if and where signage within Caltrans right of way may be needed.

Please contact me with questions or for further assistance at: (707) 684-6879 or by email at: <jesse.robertson@dot.ca.gov>.

Sincerely,

Jesse G. Robertson

Jesse Robertson
Transportation Planning
Caltrans District 1

e-copy: Greg Pratt, Humboldt Transit Authority

ATTACHMENT 8
Public Comment

From: [Robert Fornes](#)
To: [Planning Clerk](#)
Subject: Public Hearing Comments
Date: Sunday, March 27, 2022 2:48:13 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Regarding the Friday, April 1, 2022 Public Hearing on Laurel Tree Charter School (Record Number PLN-2021-17206)

I am a resident of Springer Drive, next to the Laurel Tree Charter School land. I have two comments that I hope will be addressed.

1) There has been an opening in the new fence near the U.S post office mailbox at the corner of Springer Dr. and Ledru Ave. that has allowed continued access from Springer to the Hammond trail, which has been available to the public since that portion of the Hammond Trail was established a number of years ago. A similar opening was available at the Hammond Trail after the short walk across school property from Springer.

Both of those two gates have been nailed shut recently. I want to ensure that both gates will be unlocked and available to the public for our continued access to the Hammond Trail.

2) There is not room on the two residential streets (Springer & Ledru) for student pick-up and drop-off. All such activities should occur from the large Murray Ave. entrance to the school property. The Ledru Ave. exit from the school should not be used by students or school personnel for exit or entrance, as it would seriously impact our small residential area.

Thank you,

Robert
Fornes
2930 Springer Drive, McKinleyville, Ca 95519

(707)840-0754 rfornes@arcatanet.com

From: [Rosemary Holifield](#)
To: [Jacobson, Rebecca](#)
Subject: Pln-2021-17206 parcel no 511-401-039
Date: Monday, March 28, 2022 6:02:25 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Regarding the upcoming meeting on the above mentioned property I would like to see a map of how the planned connections to Hammond Trail from the proposed building are intended. I live in close proximity to this development and directly across from the Hammond Trail. If you could email this I would appreciate it.

Thank you

R. HOLIFIELD

RMHAPP46@GMAIL.COM