BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of October 20, 2025

RESOLUTION NO. 25-_____

Record Number LRP-2020-16567

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS FOR CERTIFICATION OF EIR AND ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION, MONITORING AND REPORTING PROGRAM FOR ADOPTION OF THE ORDINANCE CREATING THE MCKINLEYVILLE TOWN CENTER

1. FINDING: **CEQA (EIR) -** The County of Humboldt has complied with the requirements of the California Environmental Quality Act in completing an Environmental Impact Report (EIR) prepared in compliance with CEQA.

EVIDENCE: a) The California Environmental Quality Act (CEQA) requires preparation of an environmental impact report if there is substantial evidence in light of the whole record that the project may have a significant effect on the environment.

b) A Notice of Preparation (NOP) was issued on March 28, 2024, in accordance with CEQA Guidelines Section 15082 to inform interested parties of the County's determination that an EIR would be required for the project, solicit input about the desired content and scope of the DEIR, announce the dates and times of a public scoping meeting, and provide information on where documents about the project were available for review and where comments could be sent on the project. The NOP was posted at the County Recorder's office; mailed to property owners and tenants of parcels within project area and parcels adjacent to/just outside of the project area boundary; and circulated through State Clearinghouse. The NOP was circulated for a period of 30 days, ending on April 26, 2024. The County received 5 comments on the NOP.

c) Pursuant to CEQA Guidelines Section 15083, prior to completing the Draft EIR, the County of Humboldt held a scoping meeting on April 16, 2024, to solicit input from the regulatory agencies and public. Appendix A of the Draft EIR includes a summary of the public scoping process and summarizes the comments received in writing and during the scoping meetings.

d) Areas of potential controversy known to the County include the proposal to reduce the number of lanes on Central Avenue in McKinleyville

through the town center.

e) The Draft Environmental Impact Report ("DEIR") for LRP-2020-16567 McKinleyville Town Center was prepared in accordance with CEQA and circulated for public review initially from April 11, 2024 through May 27, 2024 (SCH#: 2024031111), a 45 day review period, in compliance with CEQA guidelines section 15105 which requires a minimum of 45 days and a period which does not exceed 60 days.

f) The project evaluated by the DEIR is the creation of a set of ordinances with a possible amendment to the McKinleyville Community Plan as follows:
   i. Rezone the entire Town Center site to Mixed Use-Urban (MU1); and
   ii. Adopt "Q-Zone" combining regulations (Q) that, among other guidance, would modify the proposed principal Mixed Use zoning regulations and set standards for development of the town center; and
   iii. A modification to the McKinleyville Community Plan to incorporate the General Plan adopted definition of a wetland as three parameters, rather than the current McKinleyville Community Plan single parameter definition.

g) SUMMARY OF IMPACTS

   Issues that were analyzed in the Draft EIR include Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Energy, Greenhouse Gas Emissions, Hydrology/Water Quality, Noise, Transportation, Water Supply, Wastewater, Growth Inducing, Cumulative impacts, and Alternatives.

   Aesthetics, Agricultural and Forestry Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Parks and Recreation and Wildfire were impacts found not to be significant and not discussed further in the DEIR. The DEIR identified potential significant impacts that are either less than significant or can be mitigated to less than significant levels on Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Energy, Greenhouse Gas Emissions, Hydrology/Water Quality, Noise, Public Services, Transportation, Water Demand and Supply, Wastewater, Growth Inducing, Cumulative impacts. The DEIR identified a significant impact

related to traffic noise on Railroad Avenue and parts of Hiller Road that cannot be mitigated to less than significant levels.

h) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Mitigation Monitoring and Reporting Program has been prepared in accordance with Humboldt County regulations and is designed to ensure compliance during project implementation and is recommended to be adopted in conjunction with project approval.

i) Evidence that has been received and considered includes: technical studies/reports that have been reviewed and reflect the County's independent judgment and the FEIR, and information and testimony presented during public hearings before the Board of Supervisors. These documents are on file in the Planning and Building Department (LRP-2020-16567 McKinleyville Town Center) and are hereby incorporated herein by reference.

j) DEPARTMENT OF FISH AND GAME FEES.

State Department of Fish and Wildlife reviewed the DEIR to comment and recommended necessary mitigations to protect biological resources in this area. Therefore, the project will be required to pay the State fee in effect at the time of filing the Notice of Determination (NOD) with the Humboldt County Clerk/Recorder.

k) FINAL EIR -- RESPONSE TO COMMENTS.

The County prepared a FEIR including responses to comments on the "McKinleyville Town Center EIR." The Responses to Comments respond to comments that were received during the Draft EIR circulation period. The Responses to Comments document (FEIR) was released to the public on August 22, 2025 and responded to all environmental points raised by people and organizations that commented on the DEIR. The FEIR was introduced to the McKinleyville Municipal Advisory Committee on September 10, 2025, and the Planning Commission on September 18, 2025.

Electronic copies of the FEIR were provided to the California Department of Fish and Wildlife on August 26, 2025. CDFW was the only agency commenting on the DEIR. The County received a total of 28 comment letters, one from a state agency, one from a local agency, one from a non-governmental organization, two from property owners, 1 set of comments from a MMAC meeting and 22 letters from individuals on the

DEIR. The FEIR considered the comments received during the public review period for the Draft EIR and provided appropriate responses. In order to better address repetitive comments, the FEIR used Master Responses to address three different topics. The Master Comment allows a more complete response to the comments made rather than individually responding to all the comments.

2. FINDING: The Final EIR reflects the County of Humboldt's independent judgment and analysis.

EVIDENCE: a) The EIR (DEIR/FEIR) was prepared by EMC Planning Group under contract to the County of Humboldt. Technical studies were provided by property owners which were peer reviewed by the county's consultant prior to incorporation into the environmental analysis. County staff reviewed and evaluated the EIR and accompanying documents.

b) The Board of Supervisors considered the information presented in the record relative to the FEIR and considered the public comment on the FEIR prior to rendering its decision. The Board of Supervisors considered all public comments, including those made by subject manner experts. Based on the evidence in the public record, the Board of Supervisors finds that the FEIR adequately addresses all potential environmental impacts and presents adequate feasible mitigation to reduce impacts to a less than significant level where possible. For the impact that cannot be mitigated to a level less than significant, all feasible mitigation has been presented and considered.

3. FINDING: **RECIRCULATION of the DEIR IS NOT REQUIRED**. No new information was included in the FEIR as part of responding to the comments on the DEIR. The only minor changes to the DEIR were to Mitigation Measures based on comments received.

EVIDENCE: a) The FEIR does not present any new information as can be seen in the FEIR.

b) Changes to the DEIR as reflected in the FEIR were suggested by the California Department of Fish and Wildlife, and public commenters requesting clarification.

4. FINDING: REVISED MITIGATION MEASURES. Revisions have been made to DEIR Mitigation Measures 5-4,6-3, 6-5, 6-6a and Mitigation Measure 11-1 in the FEIR that are more effective and clearer than the mitigation measures presented in the DEIR.

EVIDENCE:

a) Air Quality Mitigation Measure 5-4 was modified to clarify construction permits will not be issued until the construction air quality requirements are written into the construction plans.

b) Biology Mitigation Measure 6-3 was modified to provide options as provided by the California Department of Fish and Wildlife for addressing the Western Bumble Bee.

c) Biology Mitigation Measure 6-5 was modified to provide the correct referent to the bird nesting season.

d) Biology Mitigation Measure 6-6a was modified to address comments from the California Department of Fish and Wildlife and bring consistency between the wetland mitigation already provided in the Town Center Ordinance and the mitigation in the EIR.

e) Noise Mitigation Measure 11-1 was modified to provide for a construction noise disturbance coordinator.

5. FINDING: **EIR- ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT. -** The EIR identified impacts that would not be significant and do not need further analysis. These include Aesthetics, Agricultural and Forestry Resources, Geology and Soils, Hazards and hazardous materials, Mineral Resources, Parks and Recreation and Wildfire. These impacts are found not to be significant.

EVIDENCE:

a) Aesthetics**:** There is a less than significant impact to aesthetics because there is no impact on any scenic vista, the ordinance does not conflict with regulations protecting scenic qualities, and there will not be new sources of light or glare which conflict with local regulations.

b) Agricultural and Forestry Resources: There is a less than significant impact to Agricultural and Forestry Resources because the ordinance will not convert prime farmland or conflict with agricultural zoning, and the area does not contain forest resources.

c) Geology and Soils: There is a less than significant impact to Geology and Soils because any construction authorized by the ordinance will

be required to comply with the California Building Code which addresses seismic concerns, the site is fairly flat and any grading will have erosion control as a requirement of the grading permit, and the Building Permit will be based on a Geologic Report which will address unstable or expansive soils.

d) Hazards and Hazardous Materials: There is a less than significant impact to Hazards and Hazardous Materials because there is no evidence of hazardous materials on the site except in existing buildings where asbestos and testing and removal would be a requirement of any demolition permit or existing building modification permit, new development is not projected to use hazardous materials, the site has excellent access for emergency personnel, and a small portion of the project site near the Railroad Drive/Central Avenue intersection is within Airport compatibility zone 6 related to the Redwood Regional Airport, but this poses no restrictions on the development of this area.

e) Land Use and Planning: There is a less than significant impact to Land Use and Planning because the proposal will not physically divide an established community or conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

f) Mineral Resources: There is a less than significant impact to Mineral Resources because the development of the town center will not result in the loss of a known mineral resource or result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan.

g) Parks and Recreation: There is a less than significant impact to Parks and Recreation because while the town center will generate additional residents, there is an existing park in the town center and the new residential units will pay park fees for development of new parks or improvement to existing parks.

h) Wildfire: There is a less than significant impact to Wildfire because the Town Center site is located within Very Low and Low Wildfire Hazard areas.

6. FINDING: **EIR- ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT- NO MITIGATION REQUIRED.** Impacts have been

found to be less than significant, and mitigation is not required to reduce project related impacts.

EVIDENCE:

a) Cultural and Tribal Resource: The impacts to Cultural and Tribal Resources are found to be Less than Significant without mitigation because technical studies were performed finding no evidence of Historic Resources or unique Archaeological Resources exists on site, there is no evidence that Native American Human Remains exist on site and government consultation did not result in the identification of any Tribal Cultural Resources.

b) Energy: The impact to energy is found to be less than significant because the pedestrian, bicycle and public transit focused design will reduce the amount of energy devoted to transportation and the new construction will be required to comply with Building Code Requirements.

c) Hydrology and Water Quality: The impact to Hydrology and Water Quality is found to be less than significant because existing regulations will address the potential to violate Water Quality Standards or Waste Discharge Requirements. Existing requirements within the McKinleyville Community Plan area limit runoff from 100-year storm event for a newly developed site to that of a 2-year storm on the undeveloped site. This will preclude an increase in Storm Water Runoff with the potential to cause flooding or exceed storm drainage system capacity.

d) Public Services: The impact to Public Services is found to be less than significant because Fire Services are available and there are funding mechanisms in place that can address a potential future need for providing additional services, the Sheriff's facilities can accommodate the additional deputies needed to support the increase in population, and the census in schools within McKinleyville have been declining, so the existing facilities can accommodate the potential growth.

e) Transportation: The impact to Transportation was evaluated based on the pedestrian/bicycle orientation of the project and Vehicle Miles Traveled. The analysis showed that the VMT for both the commercial and residential components of the project would be more than 15% below the countywide baseline for VMT. In addition, the design features of the town center do not create circulation hazards or insufficient access requiring physical improvements.

f) Water Supply: The impact to Water Supply is found to be Less than Significant because the McKinleyville Community Services District has the water allocation and infrastructure to serve the proposed buildout of the Town Center.

g) Wastewater: The impact to Wastewater is found to be Less than Significant because the MCSD has the ability to expand infrastructure to keep pace with development.

h) Cumulative Impacts: The Town Center Ordinance does not have the potential to create impacts which are individually less than significant but cumulatively significant primarily because the town center site is an infill site within the community of McKinleyville.

7. FINDING: **EIR-ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT –** The EIR identified potentially significant impacts to Air Quality, Biological Resources, Greenhouse Gas Emissions, and Noise. The incorporation of mitigation measures from the EIR (as modified in the FEIR) into the ordinance will reduce these impacts to a less that significant level. (CEQA Guidelines § 15091(a)(1).)

EVIDENCE: a) Air Quality. Potentially significant impacts on Air Quality have been mitigated to a less than significant level by prohibiting wood burning fireplaces in the Town Center and by limiting construction equipment to those vehicles that are tuned according to manufacturers' recommendations and limiting the amount of time vehicles are allowed to idle.

b) Biology. Potentially significant biological impacts have been mitigated to a less than significant level by requiring focused plant surveys prior to construction activity, by requiring preconstruction surveys for special status species (Northern Red Legged Frog), by allowing a future developer to take one of several actions to address the Western Bumble Bee, by taking precautions to avoid impacts to special status bat species, by conducting surveys or avoiding the nesting period of migratory bird species, by requiring mitigating for impacts to wetlands, and by avoiding other sensitive natural communities.

c) Greenhouse Gas Emissions. Potentially significant impacts to Greenhouse Gas Emissions have been mitigated to a less than

significant level through requiring future development to be electric and requiring EV charging stations.

d) Noise. Except for noise impacts at existing sensitive receptors, potentially significant impacts to noise have been mitigated to a less than significant level by requiring use of best management practices to minimize noise during construction on sensitive receptors, and by requiring construction design to address Central Avenue Noise on sensitive receptors in new construction.

8. FINDING: **EIR-ENVIRONMENTAL IMPACTS NOT MITIGATED TO LESS THAN SIGNIFICANT –** The proposed Town Center Ordinance would result in one significant and unavoidable impact (noise impacts at existing sensitive receptors) that would not be mitigated to a less than significant level even with incorporation of mitigation measures, as further described in the evidence below. There are specific economic, legal, social, technological or other considerations which make infeasible mitigating these impacts to a less than significant level, see below. (15091(a)(3).)

EVIDENCE: a) The DEIR found that noise impacts to residents along Railroad Avenue and Hiller (east of McKinleyville and west of Central) would be significant and unavoidable and there is no feasible mitigation to address this. The significant impact comes from the projection that the noise would not exceed the 65 decibel (db) criterion for acceptable noise, but the increase in noise would be 7 db which triggers the 5 db threshold at which the community would notice the change. Due to residences fronting on the street, and the already low posted speed limit of 25 mph, it was deemed infeasible to either construct sound attenuation along Railroad or to lower the speed limit and thus lower the noise generation. Sound walls would be uncertain due to not all property owners living adjacent together and because they would rely on the approval of the property owners, which may not be provided. It is not certain that non-continuous soundwalls would be effective at attenuating noise. Alternative pavement was also considered as a mitigation measure, but because it wears down quickly, it was not found to be a practical long-term noise reduction option. Thus, noise impacts along Railroad Avenue and portions of Hiller are deemed significant and unavoidable.

9. FINDING: **MITIGATION MEASURES NOT IMPOSED** – Mitigation measures have been requested by commenters in response to the DEIR. These mitigation measures have not been included either because the mitigation is already applied, the mitigation is not more effective than the mitigation being applied or because the mitigation is not feasible.

EVIDENCE:

a) A request was made that the Air Quality Mitigation Measure for construction be modified to require that 25% of all construction equipment be electrically powered. This was not added to the mitigation measure, but additional requirements were added to ensure air quality mitigation is complied with. It is not certain that electrical construction equipment is available to satisfy this requirement. If electrical construction equipment is not available, then it would make the project infeasible. This mitigation measure is too uncertain and thus, not feasible.

b) Request to modify Biological Mitigation Measure 6-1 to reduce the length of time required for monitoring. The five-year monitoring requirement is not unreasonable to ensure the success of the mitigation requirement.

10. FINDING: TRIBAL CONSULTATION – SB 18 and AB 52 Consultation occurred for the project.

EVIDENCE:

a) On June 3, 2021, the Bear River Rancheria, Blue Lake Rancheria, Che-Ae-Heights Indian Community, Wiyot Tribe and Tsnungwe Council were offered government to government consultation.

b) The Blue Lake Rancheria and Wiyot Tribe responded that the chance of archaeological resources at this location are very minimal and did not wish to consult.

c) The Bear River Band of the Rohnerville Rancheria did wish to consult, and consultation was conducted on November 15, 2021. The only request was to include unexpected discovery protocol which is a matter of state law, is addressed in the related policies in the General Plan and is included in all county issued permits.

d) On April 4, 2024, each tribe was offered government to government consultation under AB52.

e) No Tribes responded to the offer of AB52 consultation.

11. FINDING: **EIR-CEQA ALTERNATIVES TO THE PROPOSED PROJECT** - In compliance with CEQA Guidelines section 15126.6, the DEIR considered two alternatives to the proposed ordinance. The EIR considered the alternatives described below which are more fully described in the DEIR. There are specific economic, legal, social, technological or other considerations which make infeasible the project alternatives identified in the EIR for reasons discussed below.

EVIDENCE: a) Alternative No. 1: No Project Alternative.
The No Project Alternative assumes that no changes would be made to the existing zoning, and no specific measures would be introduced to create a Town Center concept.

The No Project Alternative would not meet any of the basic project objectives:

i. Establish a unique identity for McKinleyville through developing a viable town center that serves as a community focal point and provides a center for social/community interaction.

ii. Develop an area of mixed land uses which encourages bicycle and pedestrian travel yet allows for convenient and safe automobile access.

iii. Permit mixed-use categories of zoning, including higher density housing, in concert with retail commercial uses and shopfronts, and an abundance and variety of open spaces.

iv. Offer opportunities for developing a full range of commercial uses including a grocery store, shops, department store, hardware home supply, movie complex, laundromat, and restaurants; office space and medical and dental clinic; town green for athletic and civic events, civic buildings and a library; high density residential and mixed use residential above commercial uses; farmers market; child care facilities; and art galleries.

v. Focus on community scale needs without drive-thru restaurants and no large “big-box” department stores, with

store design that avoids the look of giant retail department stores.

vi. Identify design alternatives for Central Avenue which ease pedestrian and bicycle traffic, including traffic calming measures.

vii. Promote safe, accessible and human scale residential and commercial areas where people of all ages can work and play.

viii. Promote development of pedestrian-oriented neighborhoods and commercial areas.

ix. Develop appropriate design review standards consistent and compatible with the overall principles, objectives and policies of the entire Humboldt County General Plan.

x. Include mixed-use categories of zoning, including higher density housing above retail commercial uses and shopfronts designed to include an abundance and variety of open spaces, such as urban parks, courtyards and gardens, with a connected system of pedestrian walkways, alleys and streets.

xi. Design intersections and streets within the Town Center to facilitate pedestrian movement, provide bicycle connections to commercial areas and transit stops, and provide transit stops with shelter for pedestrians and provisions for secure bicycle storage.

xii. Protect natural land forms by minimizing alteration caused by cutting, filling, grading or clearing.

xiii. Screen or soften the visual impact of new development through the use of landscaping and promote use of species common to the area and known fire resistant plants.

Alternative 1 would not achieve the objectives of the Mckinleyville Community Plan to establish zoning regulations to guide the creation of a Town Center.

b) Alternative 2- Reduced Scale Project

This alternative would retain the project site boundaries but reduce development capacity for each of the proposed mixed uses by 20 percent. This would be achieved by incrementally reducing residential development density and incrementally reducing non-residential development intensity. The purpose of the alternative is to substantially lessen or avoid the significant unavoidable traffic noise impact and to lessen a range of significant, mitigable impacts that are not related to the size of the development footprint.

Alternative 2 would reduce the amount of development evaluated in the EIR but would not reduce the noise impact on Railroad Avenue and Hiller Road. The EIR evaluated a certain amount of projected development that could occur during buildout of the Town Center. The need to allow housing in an area that has a shortage of housing is a higher priority than the small reduction in noise along Central Avenue. The demand by the State for the County to produce housing is a more important consideration and this alternative is found to be inconsistent with the direction of the state to provide property available for housing. Thus alternative 2 is deemed infeasible.

12. FINDING: **OTHER ISSUES RAISED BY COMMENTERS CONSISTENCY WITH MCKINLEYVILLE COMMUNITY PLAN WETLAND POLICIES** The Town Center Ordinance is consistent with the adopted McKinleyville Community Plan policies related to retention and preservation of wetlands.

EVIDENCE: a) There are two primary policies addressing wetlands:

14. On existing parcels, development within Wetland Areas shall be permitted where the least environmentally damaging alternative of development techniques is employed and where mitigation measures have been provided to fully offset any adverse effects. Mitigation measures for development within Wetland Areas shall, at a minimum, include those prescribed by the administration of the Open Space & Grading ordinance

15. No land use or development shall be permitted in Wetland Areas which degrade the wetland or detract from the natural resource value on newly created parcels.

b) Parcels that were in existence prior to adoption of the Community Plan must be considered existing, and parcels that have been created after the Community Plan must be considered new.

c) There are 5 undeveloped parcels that could be affected by these policies. The three undeveloped or partially developed parcels on Picket Road and the parcel behind and including the McKinleyville Shopping Center have remained unchanged since before adoption of the Community Plan. All these parcels would fall under the policy direction of Policy 14 which provides opportunities to fill and relocate wetlands with appropriate mitigation

d) Policy 14 would allow a property owner to relocate wetlands under the provisions allowed in the Town Center Ordinance as part of a subdivision or associated with a new construction permit on that parcel.

e) There are uses specifically identified as being allowed in wetlands within the McKinleyville Community Plan (Policy 13). The most relevant of these is wetland restoration. Wetland restoration typically involves the manipulation of a former or degraded wetland's physical, chemical, or biological characteristics to return its natural functions. In an area that has significant past activity, grading, grazing and public events, the wetlands on this property are degraded, so wetland restoration is an appropriate activity.

f) Policy 15 uses the same language as Policy 19 relative to wetland buffers. Policy 18 allows development within wetland buffers. The fact that the same performance criteria (degrade the wetland or detract from the natural resource value) are used in both Policy 15 and 19 and 19 allows development support the interpretation that Policy 15 would also allow development under the same provisions.

g) Under the premise that activity cannot degrade a wetland, Wetland Restoration could be done to consolidate and reconfigure wetlands on site in a manner that does not result in loss of quality or quantity. Consolidation of wetlands into a managed wetland complex would allow for the restoration of wetland values on a parcel.

h) Natural Resource values extend beyond just the wetland. The wetlands in the town center are in locations that have been previously graded, disced, and grazed. It is a commonly accepted practice that lower quality and/or smaller wetlands can be relocated

and consolidated into higher functioning wetlands, and that doing so can be a net benefit to the resource value and generally restorative to wetlands. This is consistent with Policy 15.

i) The Town Center ordinance requires replacement of wetlands at a 1.5:1 ratio and this can be reduced if a higher quality of wetland is pursued, but in no case can it be less than 1:1. The ordinance requires grading to achieve a wetland environment, and stormwater cannot drain directly into the wetlands.

j) The Life Plan Humboldt project is within the town center and is the only known project to date. The project proposes to maintain the existing large wetland on site and consolidate wetlands around that. The wetland will be reconfigured to allow better use of the property while enhancing the wetlands on the property as a whole thereby increasing the resource value of the wetlands. Based on the proposal of Life Plan Humboldt and the criteria in the Town Center ordinance, the Life Plan Humboldt Project can be found consistent with Policy 15.

13. FINDING: **OTHER ISSUES RAISED BY COMMENTERS- STABLE PROJECT DESCRIPTION** The project description has been stable and has not changed. The project evaluated in the DEIR was a draft of the Town Center Ordinance approved by the McKinleyville Municipal Advisory Committee, and the amount of allowed development, the design of the development and the overall design of the Town Center Ordinance has not changed.

EVIDENCE:

a) The EIR evaluated the Draft Town Center Ordinance approved by the McKinleyville Municipal Advisory Committee dated Marh 28, 2024.

b) The amount of development or the requirements for future development contained in the ordinance have not changed.

c) The ordinance allows ministerial review of future building development, and identified the uses permitted.

d) The ordinance has requirements for street cross sections that have taken into account the need for the McKinleyville Community Services District to access their facilities in Central Avenue.

14. FINDING: **EIR-STATEMENT OF OVERRIDING CONSIDERATIONS**

There is one significant and unavoidable impact of this project; noise impacts to residents along Railroad Avenue and parts of Hiller Road. In accordance with Section 15093 of the CEQA Guidelines, the County has evaluated the economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the project against its unavoidable environmental risks in determining whether to approve the project, and has determined that the specific economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the project outweigh its unavoidable, adverse environmental impacts so that the identified significant unavoidable impact(s) may be considered acceptable. The proposed project will result in a net environmental gain and will provide benefits described herein to the surrounding community and the County as a whole. Each benefit set forth below constitutes a separate, independent, and severable overriding consideration warranting approval of the project, despite the unavoidable impact. Substantial evidence in the record demonstrates that the County would derive the following benefits from the project:

EVIDENCE: a) The Town Center Ordinance is a Policy requirement of the McKinleyville Community Plan. The Plan states:

"A key element in establishing a unique identity for McKinleyville is the development of a viable town center. This is consistent with the move to mixed use planning being proposed today throughout the country to reduce dependence on the automobile, and encourage pedestrian and bicycle travel.

This configuration provides for a complete and integrated community containing housing, shops, work places, schools, parks and civic facilities essential to the daily life of the residents. The scale is designed so that housing, jobs, shopping, recreation and other activities are within easy walking distances of each other. This area also is intended to serve as a community focal point by providing an activity center and a place for formal and informal social/community interaction.

Design of the commercial area is intended to create an aesthetic composition of buildings and open space that will encourage frequent

use. Guidelines will help create a basis for building siting to assure a traditional village form and to avoid the standard strip shopping center look. The design encourages pedestrian and bicycle use, yet allows for convenient and safe automobile access.

Multi-family housing is located near the town center. The close proximity of housing, commercial services, parks and the provision of a comprehensive pedestrian pathway network ensure the opportunity for residents to walk to stores and services."

The Town Center Ordinance has been prepared directly in response to that policy guidance. These goals formed the project objective. Achieving the goals of the project will result in social and community benefits.

b) The Town Center is designed to include a wetland preservation area of 14 acres, which will increase habitat values and wetland conservation, resulting in social, community, and environmental benefits.

c) The Town Center is designed to achieve a pedestrian and bicycle-oriented community, with an emphasis on connecting to public transportation. This style of development is consistent with the Regional Transportation Plan Adopted by Humboldt County Association of Governments and the County's climate resiliency goals. This provides economic and social benefits.

d) The mixed-use zoning of the project will promote higher density urban housing, fulfilling local housing needs and furthering housing goals of the state government.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt Board of Supervisors does the following:

1. Certify that the Final Environmental Impact Report for the McKinleyville Town Center (SCH#: 2024031111) has been completed in compliance with CEQA; and

2. Adopt the above Findings supported by the included evidence and evidence in the record; and

3. Adopt the Statement of Overriding Considerations; and

4. Adopt the Mitigation Monitoring and Reporting Program;

5. Direct Planning Staff to prepare and file a Notice of Determination within five working days of project approval.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on October 20, 2025.

Dated:

_____
Supervisor Michelle Bushnell, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, seconded by Supervisor_____ , and the following vote:
AYES: Supervisors
NAYS: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

STATE OF CALIFORNIA)
County of Humboldt)

I, TRACY DAMICO, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

_____
By Kaleigh Maffei
Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California