



COUNTY OF HUMBOLDT

For the meeting of: 9/18/2025

File #: 25-1130

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:
McKinleyville Town Center Zoning Amendment Ordinance

Assessor Parcel Numbers (APN) 508-251-060, 510-133-013-000, 508-251-008, 508-251-061, 508-251-040, 508-251-051, 508-251-052, 508-251-034, 508-251-035, 508-251-023, 508-251-024, 510-133-006, 510-411-031, 510-133-032, 510-133-028, 510-411-025, 510-411-014, 510-411-006, 510-411-016, 510-401-027, 510-401-026, 510-401-022, 510-401-011, 510-401-028, 510-401-003, 510-341-015, 510-341-019, 510-341-039, 510-341-017, 510-341-041, 510-132-013, 510-132-031, 510-132-007, 510-132-032, 510-132-017, 510-132-015, 510-132-003, 510-122-022, 510-122-005, 510-122-036, 510-122-037, 510-122-024, 510-122-003, 510-122-031, 510-122-033, 510-134-022, 510-122-035, 510-122-032, 510-122-028, 510-122-027, 510-122-026, 510-122-025.

Record No.: PLN-2020-16567
McKinleyville

The McKinleyville Town Center Ordinance will rezone the area as Mixed Use with a Qualified Combining Zone (Q-Zone) overlay. The Q-Zone will apply specific regulations to the Town Center site. The Q-Zone will support a mix of commercial, civic, and residential uses while emphasizing bicycle and pedestrian connectivity, public gathering spaces, open space, and wetland preservation. The Q-Zone includes form-based building design standards. Changes are contemplated in how wetlands are defined in the Community Plan.

RECOMMENDATION(S):
That the Planning Commission:

1. Request that Staff present the Staff Report; and
2. Receive public comment; and
3. Close the public hearing and recommend the Board of Supervisors take the following actions:

- a. Adopt the Resolution to certify the Environmental Impact Report including adopting findings of Overriding consideration for the McKinleyville Town Center Zoning Amendment Ordinance (Attachment 1); and
- b. Adopt the Mitigation Monitoring and Reporting Program (Attachment 6); and
- c. Adopt the Resolution to make all required findings for approval of the Zoning Ordinance Amendment to change the zoning in the Town Center to Mixed Use with a Q-Zone Overlay to establish development criteria (Attachment 2); and
- d. Adopt the ordinance to change the zoning in the Town Center to Mixed Use with a Q-Zone Overlay to establish development criteria (Attachment 3).

DISCUSSION:

Project Location:

Generally, between Railroad Avenue on the north and Heartwood Drive on the south and between McKinleyville Avenue on the west and the eastern boundary of Pierson Park on the east.

Present General Plan Land Use Designation: Public Facilities, Commercial Services, Mixed Use, Medium Density Residential

Present Zoning: Community Commercial (C-2), Residential Multiple Family (R-3)

Environmental Review: An Environmental Impact Report (EIR) was prepared for the project (SCH #2024031111).

State Appeal: This is not in the Coastal Zone

Major Concerns: The Major concerns associated with the Proposed Town Center include the reconfiguration of Central Avenue, Open Space, Wetlands, and the amount of development analyzed in the EIR.

Executive Summary: The McKinleyville Municipal Advisory Committee (MMAC) has developed an ordinance to implement the Community Plan provisions for a Town Center. The MMAC and the public have spent countless hours developing and refining an ordinance that creates a distinctive place for McKinleyville. The policy guidance comes from the Community Plan and from a significant amount of technical and public input. This staff report presents policy guidance, the process used by the MMAC to develop the ordinance, the ordinance itself, outstanding issues, areas of controversy and the EIR prepared for the project.

Discussion

1. Background

A. Policy Guidance

The Town Center Ordinance has its policy guidance in the McKinleyville Community Plan which was adopted in 2002. The MCP specifically calls for the adoption of a Town Center ordinance by establishing the following goals and policies:

Town Center Goals and Policies

2351 Goals

- 1. To establish a unique identity for McKinleyville through the development of a viable town center, serving as a community focal point and providing a center for social/community interaction.*
- 2. To develop an area of mixed land uses which encourages bicycle and pedestrian travel, yet allows for convenient and safe automobile access.*

2352 Policies

- 1. The County shall adopt a Town Center Area ordinance to identify permitted land uses and standards for the Town Center area identified on the McKinleyville Community Plan Zoning Map.*
- 2. The Town Center Area shall permit mixed-use categories of zoning, including higher density urban housing in concert with retail commercial uses and shopfronts, and shall include an abundance and variety of open spaces.*
- 3. The Town Center Area shall offer a full range of commercial, offices and civic activities. Allowable uses may include, but are not limited to, an expanded grocery store, additional shops, a department store, hardware home supply, restaurants, office space, medical and dental clinic, a movie complex, town green for athletic and civic events, civic buildings, library, high density residential, laundromat, farmers market, residences above shopfronts, child care facilities, and art galleries.*
- 4. The Town Center Area shall have no additional drive-thru restaurants, and no large "big-box" department stores, as defined. Rather, the department stores should be divided into several separate rooms or buildings to avoid the look of the giant retail, department store.*
- 5. The Town Center Area shall permit all public facility uses currently identified in the Public Facility land use designation in the Humboldt County Framework Plan (chapter 2761). All existing and proposed public facility uses shall remain as public facilities, and shall not be converted to incompatible commercial uses.*
- 6. The Town Center Area shall identify implementation alternatives associated with a Central Avenue pedestrian crossing. The alternatives should contain solutions which ease pedestrian traffic, including longer time frames at the crosswalk light, funding mechanisms for a pedestrian bridge over Central Avenue, and traffic calming measures as illustrated herein.*

Design Standards Goals and Policies

2641 Goals

1. *To promote safe, accessible and human scale residential and commercial areas where people of all ages can work and play.*
2. *To promote preservation and development of pedestrian-oriented neighborhoods and commercial areas.*

2642 Policies

1. *Design review standards shall be adopted for the Town Center area as identified on the Plan's land use maps. A Design Review Committee shall be formed to develop those standards within the Town Center area. No Special Permit shall be required as part of the process.*
2. *The County shall adopt a Design Review ordinance which establishes clear development standards. The design review standards must be consistent and compatible with the overall principles, objectives and policies of the entire General Plan.*
3. *Mixed-use categories of zoning, including higher density urban housing above retail commercial uses and shopfronts shall be 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.*
4. *Intersections and streets within the Town Center shall be designed to facilitate pedestrian movement, and shall provide bicycle connections to commercial areas and transit stops. Transit stops should provide shelter for pedestrians and provisions for secure bicycle storage.*
5. *Clear, direct and comfortable pedestrian access to the Town Center shall be encouraged.*
6. *The design review standards shall include a review of street lighting and commercial lighting impacts. Exterior lighting shall be compatible with the surrounding setting, and will not be directed beyond the boundary of the parcel.*
7. *All designs shall include the protection of natural land forms through minimizing alteration caused by cutting, filling, grading or clearing.*
8. *All designs shall screen or soften the visual impact of new development through the use of landscaping. If appropriate, species common to the area and known fire resistant plants should be used.*
9. *Where feasible, new utilities shall be underground. When aboveground facilities are the only feasible alternative, they shall be sited as unobtrusively as possible.*
10. *Signs shall be limited in size, scale and number.*
11. *The design review standards shall include an evaluation of the basic qualities of building and places including:*

- *entries and windows that create frequent points of interest along public streets;*
- *ease of access for the physically impaired;*
- *well crafted durable materials;*
- *elements that are human scaled, relating to human activities, such as seating, gathering places, etc.;*
- *passages, terraces, balconies and courts;*
- *diversity within a coherent whole;*
- *mid-town bicycle and pedestrian corridor; and*
- *sign standards.*

12. *The Community Principles of Section 2100 (Overview) shall be used, as applicable, in developing the design review standards.*

Between 2002 and 2019 there was no work done toward completion of the Town Center. This becomes part of the discussion about some of the park and civic spaces. There are existing facilities within the Town Center boundaries (Pierson Park, Sheriff's substation, Azalea Hall, Library, and Community Center.) This is not the creation of a Zoning District for completely undeveloped property. There has been some development in the town center including the community building on Heartwood, the Lays building on Nursery Way, and Starbucks.

B. Ordinance Development.

Work began on developing the ordinance in 2019. In approaching the work, it was important that this be a very public process and that the result represents how the community envisions a town center. Initially the MMAC considered appointing a separate group of people to facilitate this public process, but the purpose of the MMAC is to solicit public input and make recommendations, so it was decided the MMAC would be the best group to facilitate this process.

The process started on November 13, 2019 with a meeting in Azalea hall, providing the participants to identify the elements that are important to them in development of a Town Center Ordinance, This was followed by a meeting on December 18, 2019 where participants were given the opportunity to go to tables that were broken out by topic including: Community Space and Art, Design, Economic Vitality, Housing and Homelessness, Land Use, Sustainability, transportation and wetlands. There were at least 35 public meetings where the Town Center Ordinance was discussed, including an open house on November 13, 2021 to allow people to come and ask questions and look at what was being proposed. During the Period of 2020 to 2021 the County hired Kash Boodjeh to help with the design elements of the Town Center. In July of 2023 Walkability and Complete Streets innovator and expert Dan Burden performed a walk audit in the Town Center Area along Central Avenue.

2. Ordinance Provisions

- A. Zoning. The proposal is to Zone the entire area of the Town Center (Shown in Map 1 of the Town Center Ordinance) to Mixed Use Urban with a Q Zone overlay. The Q Zone overlay is what is described in the Town Center Ordinance. Under the Q Zone the area of Pierson Park will be designated for Public Facilities (PF), and in that area the PF zoning regulations of the Zoning Ordinance will be applied. The Trailer Park on the east side of Central Avenue will be designated R -3 with the R-3 standards applying. An area along McKinleyville Avenue will be designated as wetlands and in that area the standards from the Streamside Management Areas and Wetlands standards will apply. The remainder of the area will be designated as Mixed Use, and the ordinance is dedicated to describing the standards for that area. The table on Page 2 of the ordinance shows the permitted uses in the area designated as Mixed Use.
- B. Building Design - Form Based Code. The building design will follow a simple form-based code approach that is differentiated by the type of street on which the building is located. The Street Frontage types are shown in Map 2 with the following table showing the building form standards according to the building type. The purpose of the code is to allow development patterns that are creative and interesting while establishing a walkable community with buildings adjacent to the sidewalk, prioritizing development at the human scale creating opportunities for the town center where people come to meet.
- C. Connectivity. This section of the ordinance discusses all modes of travel with a priority placed on pedestrians, bicycle, and transit. Vehicular traffic is not ignored. The circulation network for the town center focuses on creating internal and external connections for pedestrians and bicyclists. This is shown on Map 3 of the ordinance. There is a new east/west trail extending from McKinleyville Avenue, through the shopping center, across central to Pierson Park. Ideally this will become the central core of the western portion of the Town Center where people come to meet and gather. There is also the completion of the Mid Town trail (north/south) through the middle of the site, in addition to bicycle paths on Railroad, Central Avenue and Hiller. The ordinance also calls for the creation of a transit center to facilitate transit travel to and from the Town Center.
- D. Central Road Diet. The most divisive discussion associated with the town center is whether to reduce the number of lanes on Central Avenue. Policy 6 above of the Town Center Goals and Policies clearly wanted to address pedestrian crossings of Central Avenue. The most effective approaches are to reduce the distance pedestrians need to travel to cross the street and to slow traffic. In addition, there was significant testimony that the bicycle lanes and sidewalks along Central Avenue do not feel safe. It is also important to consider that many communities have slowed traffic through their business districts resulting in an increase in business. The objective of the road diet is multi-faceted in that it improves bicycle and pedestrian safety and creates a better sense of place where people are not just traveling through, but this becomes more of a destination. Not many well-planned community centers have a high-speed roadway bisecting the

area. This tends to detract from crossing from one side to the other unless there is a dedicated pedestrian overcrossing. A pedestrian overcrossing was eliminated early due to space constraints and cost.

In their meeting on September 10, 2025, the MMAC adopted a hybrid of the proposed road diet. The MMAC was concerned about maintaining buffered bike lanes and was also wanted to address the McKinleyville Community Service District concern that the landscape buffer separating the bike path was above their utilities and did not want to have landscaping conflicting with maintenance efforts. The MMAC removed that landscaping and replaced that with some type of hardscape and recommended planters be placed in this area. This has been reviewed by Public Works and found to be acceptable. Exhibit 1 in the ordinance shows this design.

- E. Design and Development Standards. The Design and Development standards begin with insuring that any proposed project for which permits are being sought must comply with the provisions of the ordinance. A unique feature of the ordinance is there is no minimum parking requirement for the mixed use and if parking is desired it must be put into a common parking facility (Ord Section 5.2). There is a maximum number of spaces specified for residential parking. There is a minimum number of spaces required for bicycle parking.
- F. Public Open Space. This is in Section 5.5 of the design standards, but since it is an area receiving public attention, it is being called out separately. Open space is a requirement of the town center. A minimum of three percent of the undeveloped town center shall be devoted to open space with a single space that is a minimum of 20,000 square feet. The Arcata Square scales out at slightly over an acre (acre = 43,560 sf.). This open space requirement cannot be satisfied in the wetland area or using the bicycle/pedestrian facilities. The MMAC revisited this at their meeting of September 10, 2025, and was not unanimous on the requirement. Ultimately, they chose to accept the draft as presented. It was discussed that the 3% open space requirement is 1.5 acres of open space within the approximately 50 undeveloped acres. This is a concern for the public wanting to know how adequate park space will be provided. Some will be addressed with the 3% open space requirement, but most of it will be accomplished with the payment of park fees, which has been the practice in McKinleyville. McKinleyville Community Service District operates the parks. When fees are collected, they are held by the County. When MCSD is ready to develop a park facility (such as the BMX park under construction) the district requests funds that are then provided to develop or purchase parkland.
- G. Protection and Conservation of Wetlands. The MMAC decided not to use a three-parameter definition within the Town Center and stay with the Community Plan definition of a single parameter. There is no need for a Community Plan Amendment. The Ordinance recognizes that a single parameter definition will be used.

4. Areas of Concern.

- A. Lack of Public Process. As the MMACs work on the Town Center Ordinance nears completion there is the complaint of a lack of public process. Some of these commenters are new to the process and have not experienced 6 years and over 35 meetings. Others have been consistently present but do not feel like what they have advocated for has been heard. The MMAC has repeatedly discussed that not every idea somebody has will be incorporated into the ordinance and there needs to be give and take. The MMAC has listened to the public comment. Some complain that the nature of only having 3 minutes limits people's ability to address the issues. This format has provided the ability for people to be heard and allow some amount of equality for all who want to speak to have the ability. No process is perfect, but it would be a discredit to the MMAC's efforts to say there has not been a public process. If the MMAC were somehow all ideologically the same and rejected other points of view, there could be an argument made that certain viewpoints were not accepted, but the MMAC is a very diverse group. There has been a very long public process with points along the way to bring in more of the community (Initial meetings, open house, Dan Burden Walkability Survey).
- B. Wetlands. There are some in the community who would like to see the wetlands be retained in place and believe that the Community Plan does not allow relocation of wetlands.

It is alleged the McKinleyville Town Center Ordinance and the way it treats wetlands is inconsistent with the McKinleyville Community Plan policies regarding wetlands because the proposed ordinance allows relocation of wetlands subject to specific performance criteria. The wetland requirements for the Town Center are attached.

The Town Center Ordinance is not a departure from the Wetlands conservation policies of the Community Plan. It is consistent with the objectives of the Community Plan to create a town center and preserve wetlands on the same property. It is important to note that the community plan does not prohibit the relocation of wetlands. There are two principal policies related to wetlands, one addresses existing parcels, the other addresses new parcels. These are contained in the Community Plan policies governing Development Within Wetland Areas, policies 14 and 15, as follows:

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.

The first question to be answered is what is a new versus an existing parcel in this context. This must be viewed from the perspective of the Community Plan. 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. Accordingly, Policy 15 only applies to parcels created or to be created after adoption of the Community Plan. The parcels created prior to the adoption of the Community Plan would be subject to Policy 14.

In the Town Center Area, 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. It is acceptable practice to relocate wetlands where the wetlands can be relocated (even if off site), and result in improved wetland environment via mitigation.

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. If any wetlands remain on any newly created lots to be developed, they would then be subject to Policy 15. Policy 15 does not apply to existing parcels prior to subdivision, or because they may be subdivided in the future.

The only parcel that is currently subject to Policy 15 is the Life Plan Humboldt Parcel. This parcel was part of a two-parcel split in 2021. The question is whether Policy 15 simply requires wetlands to remain in place with a buffer around them, or are there other options?

There is no doubt Policy 15 sets a higher threshold for compliance than Policy 14. Policy 15 starts with very strong language: No land use or development shall be permitted in Wetland Areas (on newly created parcels). If this were the entirety of the policy, it would be clear that it is not permissible to impact an existing wetland in any way on new parcels. The policy adds a modifier “which degrade the wetland or detract from the natural resource value.” At face value this allows land use and development within a wetland provided it does not degrade the wetland or detract from the natural resource value.

The first question is does the Community Plan identify allowed activities within wetland areas. Policy 13 of the Community Plan states the following:

13. New development within Wetland Areas shall be limited to the following uses:

- A. Fish and wildlife management.*
- B. Nature study.*
- C. Wetland restoration.*
- D. Hunting and fishing including development of duck blinds and similar minor facilities.*
- E. Removal of trees for significant disease control and public safety purposes. Snags shall be retained unless felling is required by CAL-OSHA or State fire regulations. Heavy equipment shall be excluded from the designated natural resource area. Live or dead trees with visible evidence of use as nesting or*

roosting sites by hawks, owls, eagles, osprey, herons, egrets or any species known to be endangered or threatened shall be retained.

F. Incidental public service purposes.

G. Aquaculture.

H. Wells in rural areas.

I. New fencing, so long as it would not impede the natural drainage or would not adversely effect the stream environment or wildlife.

There are uses specifically identified as being allowed in wetlands within the McKinleyville Community Plan. 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.

Another important interpretive clue is when there are similar policies constructed in the same manner. There is parallel construction in Policy 19 which states:

No land use or development shall be permitted in Wetland Buffer Areas which degrade the wetland or detract from the natural resource value.

That section is preceded by Policy 18 which explicitly allows for development in the Wetland Buffer Areas, indicating that development is allowed as long as it does not degrade the wetland or detract from the natural resource value. The use of this phrasing consistently in Policies 15 and 19 indicates that development is allowed in Wetland Areas on new parcels, so long as it does not degrade the wetland or detract from the natural resource value. The question then becomes, what does it mean to degrade the wetland or to detract from the natural resource value?

Degrade is used five times in the McKinleyville Community Plan and six times in the California Environmental Quality Act Guidelines, but in neither place is it defined. There are no available references which use and define this term. The Cambridge dictionary defines degrade as to spoil or destroy the beauty or quality of something. In the present case, degrading a wetland would center around the loss of quality and quantity of wetland resources. The degradation could come from loss of wetlands due to land conversion, pollution (primarily from stormwater laden with vehicular components, fertilizers and pesticides) and introduction of invasive and/or non-native species. This issue is then whether 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 with the understanding that the consolidation take lower quality wetlands and convert them into a higher value wetland complex. Truly high value wetlands that are difficult to relocate should remain in place. If re-creation is difficult for a particular wetland complex, attempting to relocate it would risk loss of value and successful

replanting becomes questionable. Wetland restoration, including the combining of and reconfiguration of wetlands on site, is acceptable provided it does not result in a loss of quality or quantity of wetland values.

The term “Natural Resource values” is understood to have a different meaning than just to the wetland itself. Encyclopedia Britannica defines natural resources as any biological, mineral, or aesthetic asset afforded by nature without human intervention that can be used for some form of benefit, whether material (economic) or immaterial. Under this definition the most applicable value of a wetland would be the aesthetic value. In the case of wetlands in McKinleyville, there is no extractive value to be had (nothing to harvest.) Under the topic of a natural resource there must be consideration given to the types of habitats supported by the wetland, plant communities, and scarcity of the species supported by the wetland community.

Detract means to diminish the worth or value of something. In policies 15 and 19 it is used in relation to the natural resource value. To detract from a natural resource is to do something that results in a decline in the value of the resource. The decline could be related to the aesthetic of the wetland, critical habitat or sensitive plant community. If wetland restoration including consolidation and reconfiguration of wetlands on site can be accomplished without losing any of these values, then it would not detract from natural resource values.

Policy 14 has a higher threshold of performance relative to wetlands than Policy 15. Policy 14 allows filling and relocation of wetlands subject to broad criteria including the ability to mitigate off site for existing parcels at the time of adoption of the McKinleyville Community Plan. Policy 15 places the added criteria of not losing value on the site and looking more broadly at resource values the wetland provides to newly created parcels. 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.

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. There must be a plan for long-term maintenance and monitoring to ensure success of the wetland replacement plan. The objective at the end of the process is that the resulting wetlands will be of higher value than those that are being replaced, and the area of the wetland will then be maintained as wetlands.

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.

Neither Policy 14 nor Policy 15 provide specific mitigation measures on how to achieve the policies, but they do provide parameters which much be followed in order to maintain consistency with the policies.

In summary, the four existing parcels formed prior to the adoption of the Community Plan and discussed at the beginning of this analysis are subject to Policy 14 which allows relocation of wetlands. These parcels are not subject to Policy 15. The Life Plan Humboldt Project is subject to Policy 15. Policy 15 can allow reconfiguration or relocation of wetlands on site, provided that after mitigation is completed the wetlands are not degraded and the natural resource values are enhanced and not detracted from.

- C. Amount of development analyzed in the EIR. As discussed in the EIR the town center ordinance proposal would allow less development than the current C-2 and R-3 zoning could allow, due to the heights allowed primarily in the C-2 zone which allows a 75' height limit with residential above the first floor. The Town Center allows up to 4 stories, which does not need 75' in height. In the DEIR an effort was made to look at what could develop in the Town Center if it was done with absolute efficiency. Some of this is because off Street parking is not required for Mixed-Use Development, so this greatly affects how much can be constructed. It is important to recognize the numbers in the EIR were used to make sure the EIR adequately disclosed the maximum development that could occur while it is the Form Based Code that will set the limits of what can be constructed. The numbers in the EIR simply set the assumptions of what is evaluated. If a time comes when that would be exceeded, then additional environmental work would need to be completed. To that end the numbers are conservative.

The EIR basically evaluated that 105 acres would be developed at maximum density. The entire town center is approximately 140 acres. There are approximately 50 acres of land that is undeveloped or underdeveloped. The EIR has evaluated development of the undeveloped land and also redevelopment of much of the existing development existing in the town center which is not likely to happen in the foreseeable future.

Environmental Review: A Draft Environmental Impact Report (DEIR) was prepared to evaluate the potential environmental effects of development which could result from the Town Center. Life Plan Humboldt had prepared significant technical material and contributed this to the information contained in the DEIR. The DEIR was circulated for public review from April 11, 2025, to May 27, 2025.

The DEIR found one significant and unavoidable impact related to implementation of the ordinance and that was traffic noise to sensitive receptors along Railroad Avenue. There is no feasible mitigation for this and slowing traffic below the posted speed limit of 25 miles per hour is not viewed as effective. The DEIR found 13 potentially significant impacts which can be reduced to a level of less than significant with the implementation of mitigation measures. Topically these relate to Air Quality,

Biology, Greenhouse Gas Emissions, and Noise.

In response to the public review of the DEIR, 27 letters were received, including a letter from CDFW, McKinleyville Community Services District, an NGO and 24 letters from private individuals. There is also a set of comments from a public meeting at the MMAC on April 23, 2025.

In response to the comments that have been received on the DEIR, a final EIR was prepared. A Final EIR consists of the comment letters received on the DEIR, responses to those comments, any changes to the DEIR, and the DEIR. Many of the comments on the DEIR focused on the Town Center ordinance and the Central Avenue Road Diet rather than on the environmental analysis presented in the DEIR. Three master Responses were prepared to address these comments. A master response is used when there are many duplicative comments on the same topic. One response is written and referred to. The responses are all contained in chapter 2 of the FEIR, with copies of the actual letters. It should be noted that many of the comments on the ordinance were requested changes to the ordinance on items the MMAC had already decided upon.

As a result of the comments on the DEIR there were some changes, some of which were minor corrections to text or the addition of a map, but most of the changes were related to modifications to mitigation measures. The changes were related to

- a. Air Quality Mitigation 5-4 - Added monitoring component
- b. Biological Resources
 - i. Western Bumble Bee - Developed alternative approaches to address a listed species which probably is not located on the property, but was once prevalent in the area.
 - ii. Migratory Bird and Raptor Nesting Season - -refined the date.
 - iii. Wetlands - Conformed requirements to Town Center language
 - iv. Noise - Addition of Construction noise coordinator

The FEIR was made available to the Public on August 22, 2025, and to CDFW on August 26, 2025.

Statement of Overriding Considerations: Pursuant to Section 15093 of the CEQA Guidelines, the County may only approve a project with unavoidable significant impacts if specific economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the project outweigh its unavoidable, adverse environmental impacts. The project provides significant economic and public benefits as identified below.

A. Housing Needs

The Regional Housing Needs Allocation (RHNA) indicates that the County is expected to accommodate 3,390 new housing units within the four income levels between December 31,

2018, and August 31, 2027. RHNA shows that forty percent of the total housing units will need to be within the unincorporated areas of the County. This project would provide opportunities for housing to be provided. Life Plan Humboldt is ready to move forward and would be the first to provide both market rate and affordable housing.

B. Economic Benefits

Potential economic impacts that could be generated from the project would extend into numerous areas of the economy, including significant employment gains in the immediate term from construction, increased income generated and spent in the local economy and increased tax revenue directed towards local and state entities. Approval of the project would provide important economic growth.

C. Town Center.

McKinleyville is the largest unincorporated community in the County. If it were incorporated it would vie for the second largest city in the County. There is a desire to see a town center which is typically associated with higher density, mixed use development. It is important for the community of McKinleyville to have a Town Center that establishes the identity of the place, where people meet and gather.

Staff Recommendation

Because the project involves a Zoning Amendment, the Planning Commission must make a recommendation to the Board of Supervisors who will make the final decision on the project. Staff recommends that the Planning Commission recommend that the Board of Supervisors certify the EIR, adopt a Statement of Overriding Considerations, adopt the MMRP, make the findings for approval and adopt the ordinance as recommended by staff.

ALTERNATIVES:

Several alternatives to the recommended action have been identified:

1. The Planning Commission could elect not to recommend certification of the EIR and approval of the project. This is not recommended as this is a well-designed project with multiple types of uses which will meet the goals set forth in the McKinleyville Community Plan.
2. The Planning Commission could elect to recommend that amendments to the project not currently considered. If this alternative is chosen staff recommends the continuance of this project to a date uncertain to enable the County to complete any additional environmental review necessary.

ATTACHMENTS:

1. Draft Resolution to Certify the Environmental Impact Report
2. Draft Resolution to make all required findings for approval of the Zoning Ordinance

Amendment to change the zoning in the Town Center to Mixed Use with a Q-Zone Overlay to establish development criteria

3. Ordinance to change the zoning in the Town Center to Mixed Use with a Q-Zone Overlay to establish development criteria.

4. Draft Environmental Impact Report

<https://humboldt.gov/2564/McKinleyville-Town-Center-Master-Plan>

5. Final EIR

<https://humboldt.gov/2564/McKinleyville-Town-Center-Master-Plan>

6. Mitigation Monitoring and Reporting Program

Please contact John Ford, Planner, at jford@co.humboldt.ca.us or 707-268-3738 if you have questions about this item.