



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

Hearing Date: August 6, 2020

To: John Ford, Humboldt County Zoning Administrator

From: Steve Werner, Supervising Planner

Subject: **New Heart Community Church** Coastal Development Permit Extension
Case Number CDP-07-067XXXMX,
Application Number: PLN-2020-16164
Assessor Parcel Number: 511-401-039
899 Murray Road, McKinleyville

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Please contact Tricia, Planner, at 268-3704, or by email at tshortridge@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 6, 2020	Coastal Development Permit Extension	Tricia Shortridge

Project: The project is for a two-year extension of CDP-07-067XXXM, in accordance with Humboldt County Code section 312-11.3. The applicant filed an application on January 9, 2020 requesting the fourth two-year extension of a Coastal Development Permit to facilitate construction of the New Heart Community Church. This 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. 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 CDP is not vested. The previously approved project includes an open campus concept consisting of three separate buildings surrounding a quad of open space. The project is proposed to be built in three phases, as funding becomes available. Precise square footage of each phase is not known at this time as construction plans are still under development. Each phase of the project will be under the (same Coastal Development Permit and further extensions may be necessary. The first phase will be construction of the church facility which will be approximately 6,000-8,000 square feet in size and 24 feet in height. Phase two will consist of a large auditorium and be approximately 15,000-20,000 square feet and a maximum of 35 feet in height. Phase three will facilitate construction of a seminar and classroom building which will be 8,000-14,000 square feet and up to two stories. The total maximum square footage of all structures will be approximately 42,000 square feet which is consistent with the previously approved original proposed project. New Heart will make extensive use of the remaining outdoor and open space areas, throughout various phases of construction, for recreational purposes and community events. The north-eastern corner of the property will be kept as open space for a playing field or a community garden. 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 feet in front of the property. **There are no changes to the previously approved project. If approved, the two-year extension will expire on January 14, 2022.**

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 as 899 Murray Road.

Present Plan Designations: Public Facility (Urban) McKinleyville Area Plan (MCAP)
Density: N/A Slope Stability: Relatively Stable (0)

Present Zoning: Public Facility - Urban (PF1)

Assessor Parcel Number: 511-401-039

Case Number: (formerly CDP-07-067XXXMX)

Application Number: 16164

Applicant

New Heart Community Church
PO Box 2608
McKinleyville, CA 95519

Owner

Same as applicant

Environmental Review: On December 9, 2008, the Humboldt County Board of Supervisors adopted a Mitigated Negative Declaration for this project (SCH# 2008092066).

Major Issues: None.

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

**NEW HEART COMMUNITY CHURCH
COASTAL DEVELOPMENT PERMIT EXTENSION**

Case Number PLN-2020-16164

(Formerly CDP-07-067XXXXMX)

APN 511-401-039

Recommended Zoning Administrator Action

1. Describe the application as part of the Consent Agenda;
2. Survey the audience 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:

Find that none of the conditions warranting preparation of a subsequent Mitigated Negative Declaration pursuant to Section 15162 of the State CEQA Guidelines exist for the project, make all of the required findings for approval of the Coastal Development Permit, based on evidence in the staff report, and adopt the Resolution approving the New Heart Community Church project subject to the recommended conditions.

Executive Summary:

Original Project Description:

The original project included four phases of construction. The first phase, which was completed under a separate coastal development permit in 2007, was the construction of the Hammond Trail along the east side of the property. 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 accessed by Murray Road.

Project Modification:

A modification to the previously approved Coastal Development Permit was approved on August 23, 2018 to change the project design to allow for an open-campus concept, constructed in three phases, consisting of three buildings surrounding a quad rather than one large structure. The first phase will be construction of the church facility that will be approximately 6,000 to 8,000 square feet in size and 24 feet in height. Phase two will consist of a large auditorium and will be approximately 15,000 to 20,000 square feet and a maximum of 35 feet in height. Phase three will be a seminar or classroom building which will be 8,000 to 14,000 square feet and up to two stories. The total square footage of all structures will be an approximate 42,000 square feet, which is consistent with the originally approved Coastal Development Permit.

Extension Request and Analysis of the Evidence Supporting the Required Findings:

The present application for a two-year extension of the approved Coastal Development Permit. **There are no changes to the previously approved project. If approved, the two-year extension will expire on January 14, 2022.**

Sections 312-11 (Extension of an Approval of a Development Permit or Variance) of the Humboldt County Code Zoning Regulations establishes the authority to grant time extensions for approved or conditionally approved development permits, including Coastal Development Permits, when it can be found that the findings and conditions of the original project have not changed significantly.

Recommendation: The findings and conditions of the original project have **not** changed significantly based on the following analysis.

All responding referral agencies have recommended approval of the project. It is staff's opinion having reviewed the application and supporting evidence that **the findings and conditions of the project, effective January 14, 2011, have not changed significantly based on the following staff analysis and are applicable to the proposed extension because:**

1. The proposed use is consistent with the Public Facility (PF) land use designation, for which the original project was evaluated, has not changed;
2. The proposed use is consistent with the Public Facility – Urban (PF1) Zoning, for which the original project was evaluated, has not changed;
3. The applicable development standards, for which the original project was evaluated, have not changed.
4. The applicable design standards, for which the project was evaluated, have not changed.
5. All other standards and requirements to which the project is subject, and as administered by other departments or agencies, have not changed.
6. A Notice of Determination has been adopted for the project by the Humboldt County Planning and Building Department as lead agency under CEQA.

Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Coastal Development Permit Extension.

ALTERNATIVES:

The Zoning Administrator could elect not to approve the project. This alternative should be implemented if the Zoning Administrator is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Case Number PLN-2020-16164
(formerly CDP-07-067XXXMX)
Assessor Parcel Number 511-401-039**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the New Heart Community Church Coastal Development Permit Extension.

WHEREAS, Kathleen Ely, acting on behalf of New Heart Community Church, submitted an application and evidence in support of approving a Coastal Development Permit Extension; and **WHEREAS**, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Division, the lead agency, prepared a Mitigated Negative Declaration (MND) for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Humboldt Board of Supervisors at their meeting of December 9, 2008 adopted the MND for the project; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Coastal Development Permit Extension for the proposed project;

NOW, THEREFORE, be it resolved, determined, and ordered by the Zoning Administrator that:

1. The Zoning Administrator finds that there is no substantial evidence that the proposed project will have a significant effect on the environment and that the MND prepared for this project is adequate and no further documentation be required for this Extension pursuant to Section 15162(b) of the State CEQA Guidelines.
2. The Zoning Administrator further makes the findings in the Planning Division staff report for Case Number PLN-2020-16164 based on the submitted evidence; and
3. The Zoning Administrator approves the Coastal Development Permit applied for as recommended and conditioned in Attachment 1 for Case Number PLN-2020-16164.

Adopted after review and consideration of all the evidence on August 6, 2020

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

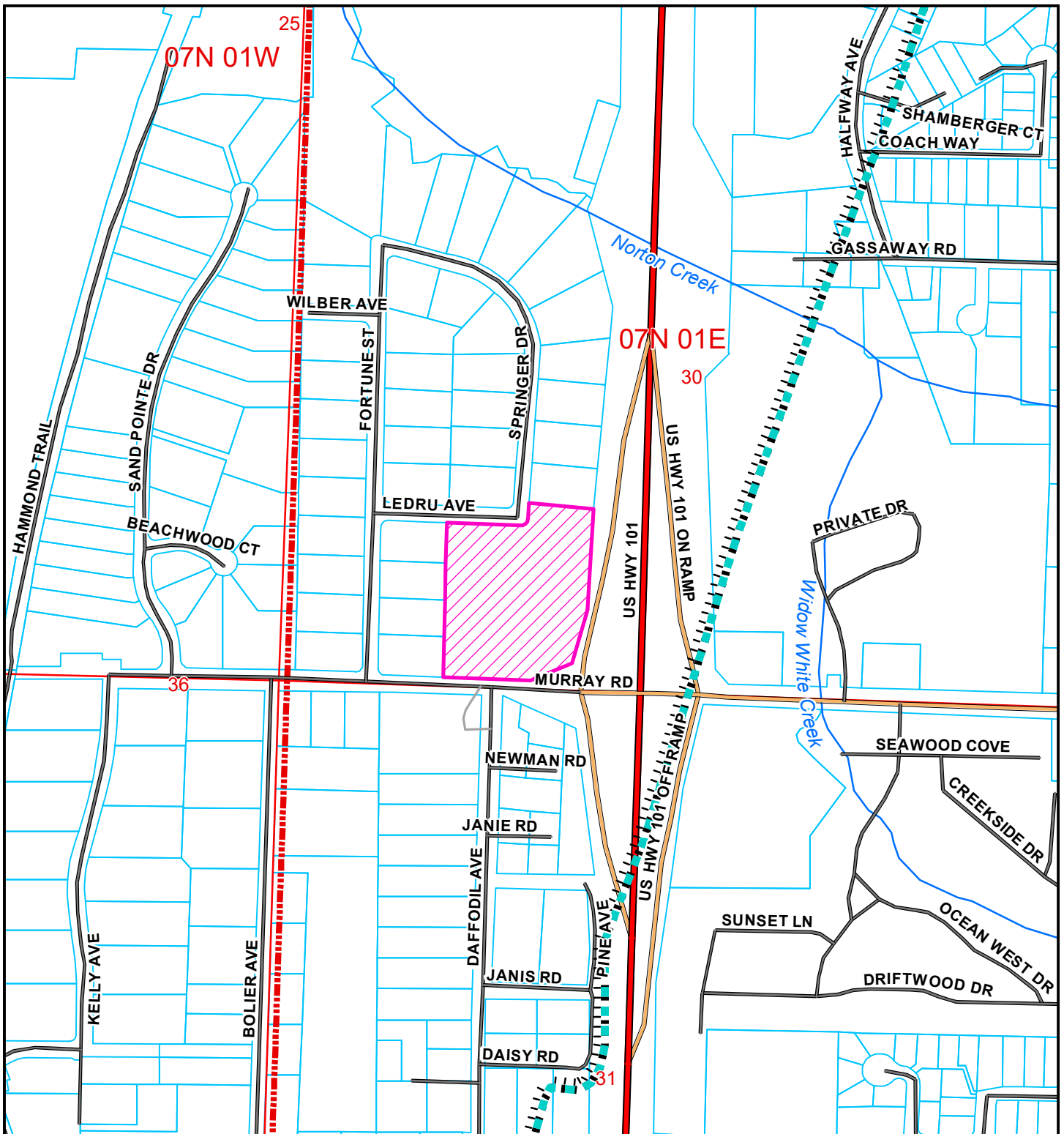
John H. Ford,
Zoning Administrator
Planning and Building Department

ATTACHMENT 1
Original Conditions of Approval

The conditions of approval effective January 14, 2011 shall remain in full force and effect. The conditions are listed below.

1. 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).
2. 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.
3. The applicant shall obtain an encroachment permit from the Department of Public Works.
4. The applicant shall submit a letter from the McKinleyville Community Services District stating they have no objections to issuance of the building permit.
5. The applicant shall submit a letter from the Arcata Fire Protection District stating they have no objections to the issuance of the building permit.
6. Plans submitted for building permit approval conform to the terms and recommendations of the approved R-1 report.
7. 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.
8. 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.
- ~~9. Within five (5) days of the effective date of this permit, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,330.75. [Note: In order to comply with the time limits for filing the Notice of Determination per CEQA, this payment will be requested from the applicant prior to hearing and will be held by the Planning Division pending a decision on the permit.] Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2018 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFW by phone at (916) 651-0603 or through the DFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,280.75 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required. (Condition fulfilled on January 18, 2011)~~
10. 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.

**ATTACHMENT 2
MAPS AND PROJECT SITE PLAN**



LOCATION MAP

PROPOSED NEW HEART COMMUNITY CHURCH EXTENSION

MCKINLEYVILLE AREA

PLN-2020-16164

APN: 511-401-039

T07N R01E S30 HB&M (Arcata North)

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.



0 250 500
Feet



AERIAL MAP

PROPOSED NEW HEART COMMUNITY CHURCH EXTENSION

MCKINLEYVILLE AREA

PLN-2020-16164

APN: 511-401-039

T07N R01E S30 HB&M (Arcata North)

Project Area = 

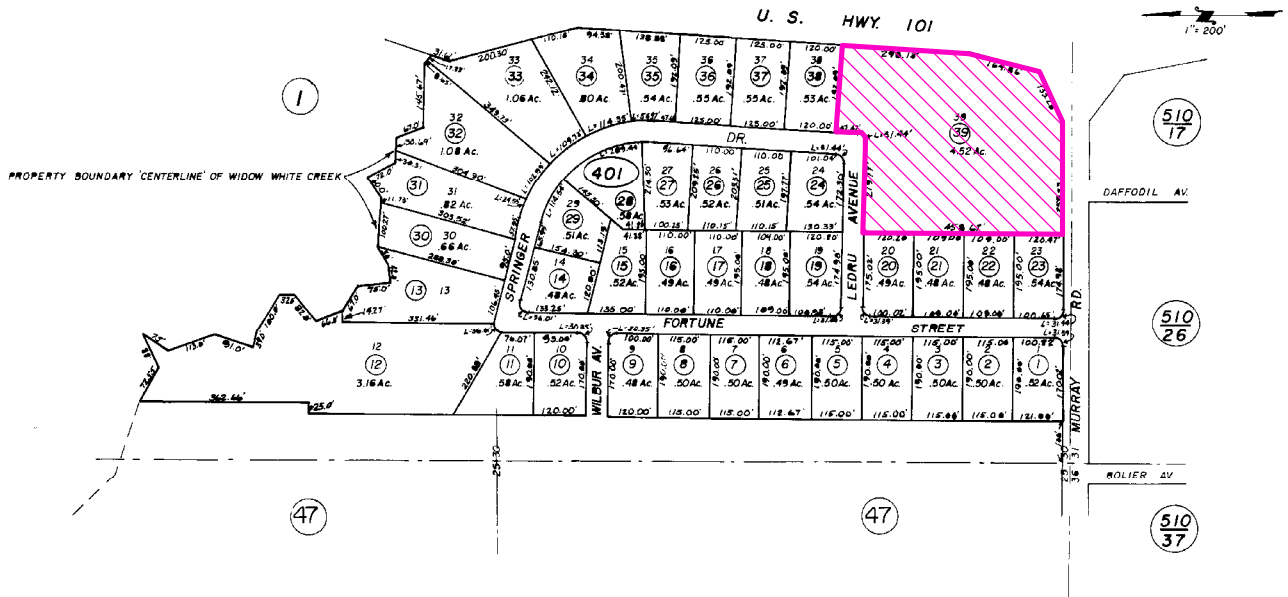
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 50 100 150 200
Feet

POR. SW 1/4 SEC. 30, T. 7 N., R. 1 E., H.B. & M.
PACIFIC SUNSET SUBDIVISION

511-40



Pacific Sunset Sbdvn. Tct. No. 239,
R. M. Bk. 18, Pg. 76-77

Assessor's Maps Bk. 511-Pg. 40
County of Humboldt, California

ASSESSOR PARCEL MAP

PROPOSED NEW HEART COMMUNITY CHURCH EXTENSION

MCKINLEYVILLE AREA

PLN-2020-16164

APN: 511-401-039

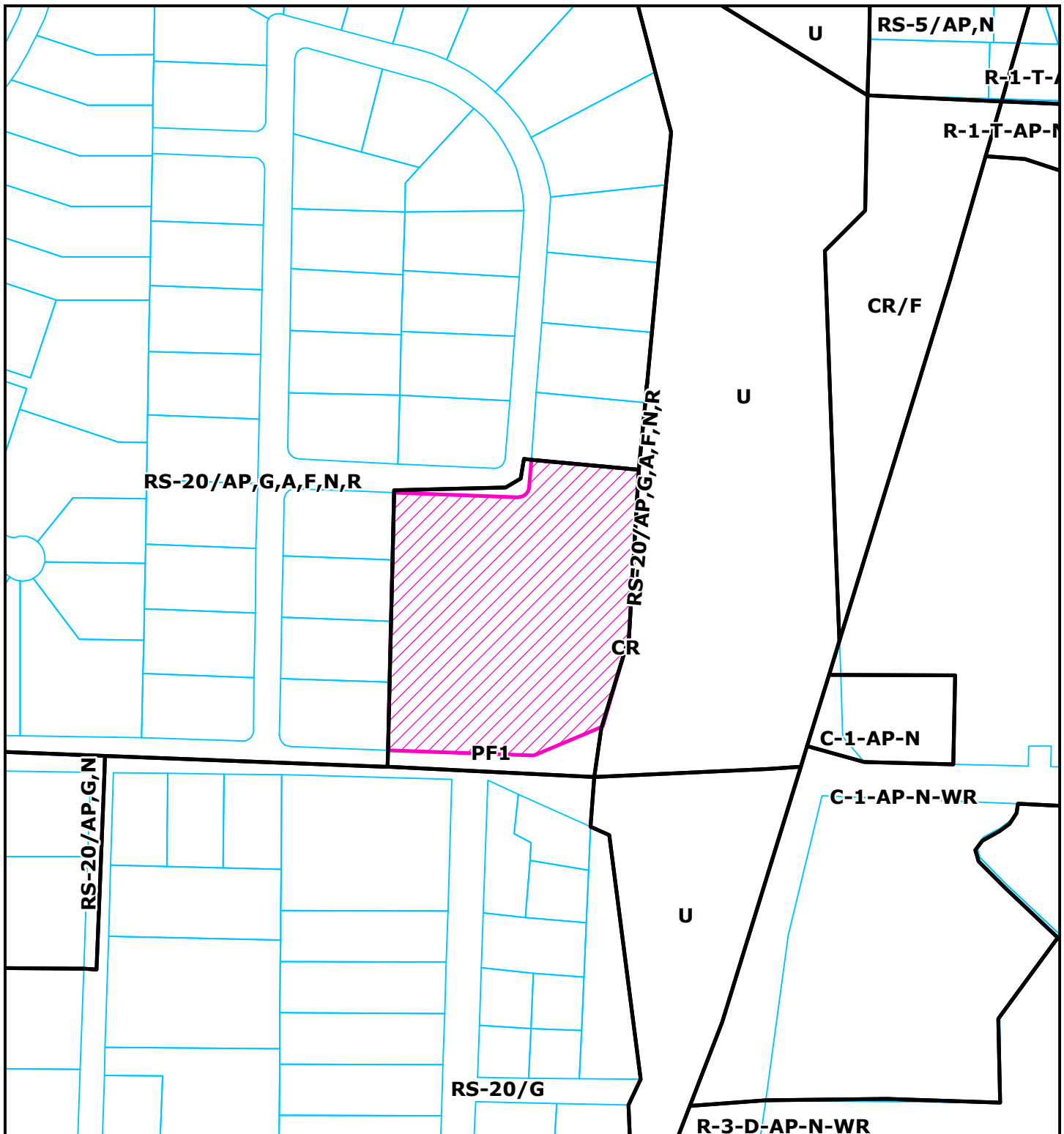
T07N R01E S30 HB&M (Arcata North)

Project Area = 

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for accuracy.



MAP NOT TO SCALE



ZONING MAP

PROPOSED NEW HEART COMMUNITY CHURCH EXTENSION

MCKINLEYVILLE AREA

PLN-2020-16164

APN: 511-401-039

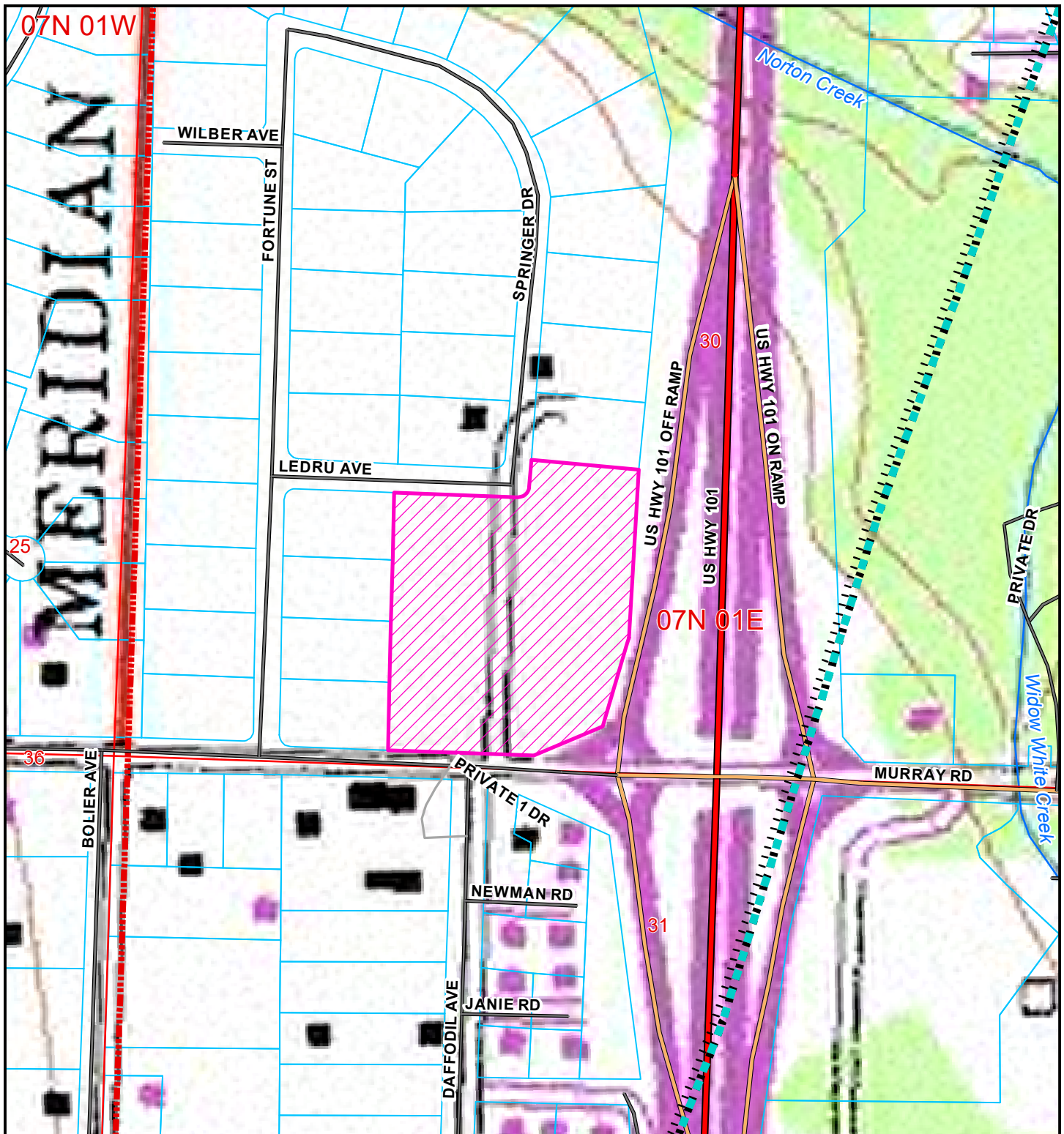
T07N R01E S30 HB&M (Arcata North)

Project Area = 

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.



0 100 200 300
Feet



TOPO MAP

PROPOSED NEW HEART COMMUNITY CHURCH EXTENSION

MCKINLEYVILLE AREA

PLN-2020-16164

APN: 511-401-039

T07N R01E S30 HB&M (Arcata North)

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.



0 100 200 300
Feet

KEYNOTES

1.

August 23, 2018

CDP 07-067XXXXM New Heart Community Church 10110

Project Name :

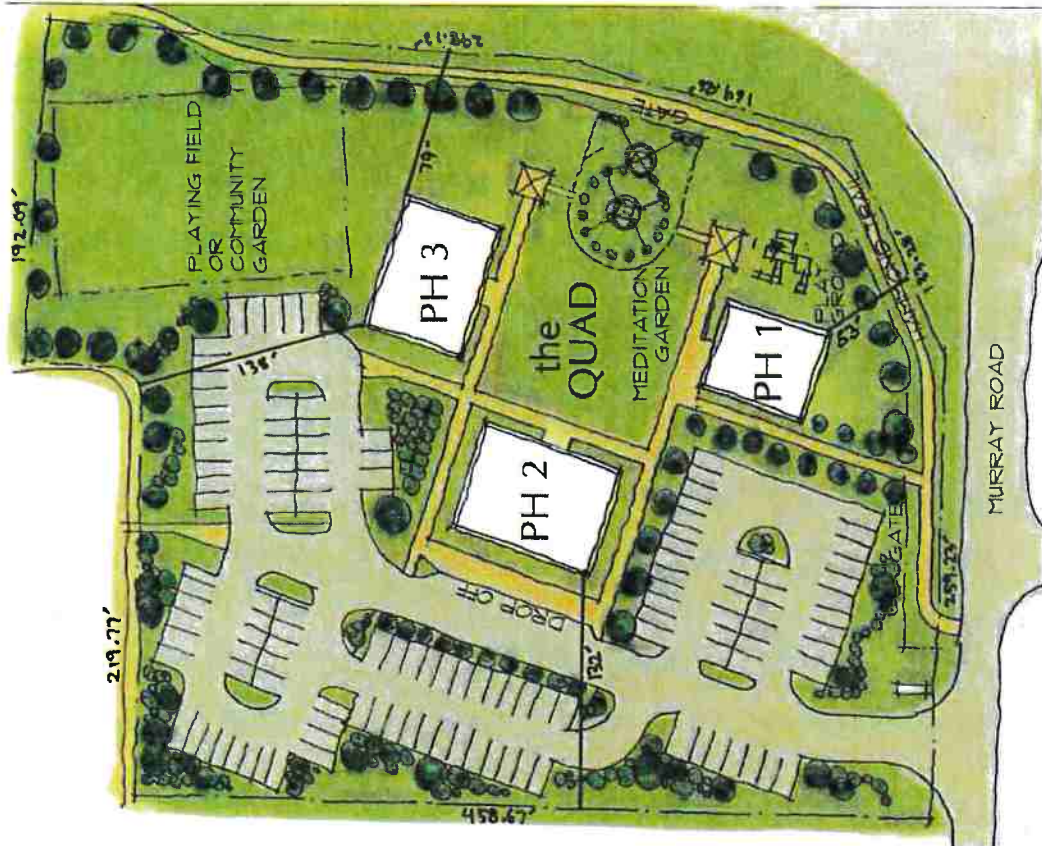
NEW HEART
COMMUNITY
CHURCH



SITE PLAN

A1

01.25.11



1 SITE PLAN

NOT TO SCALE 1" = 66' ±