

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

Resolution Number: 25-

Record Number: PLN-2023-18176

Assessor's Parcel Number: 511-401-039-000

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

WHEREAS, Laurel Tree Charter School, has submitted an application and evidence in support of approving a three-year extension of an approved Coastal Development Permit (PLN-2021-17206) for a school and associated facilities in the McKinleyville area; and

WHEREAS, the Planning Commission adopted a Mitigated Negative Declaration (MND; SCH# 2008092066) in May 2008 for the project as required by Section 15074(b) of the CEQA Guidelines and found that there is no substantial evidence that the proposed project will have a significant effect on the environment, and no new information or changes to the project or the circumstances under which the project is to be undertaken have become available necessitating the preparation of a subsequent MND pursuant to Section 15162 of the State CEQA Guidelines; and

WHEREAS, Section 312-11.3 provides the authority for the Hearing Officer to approve extensions of approved permits; and

WHEREAS, the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Coastal Development Permit, Conditional Use Permit and Special Permit Extension (PLN-2023-18176); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on July 18, 2024, and reviewed, considered, and discussed the application for the Coastal Development Permit Extension and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING:

A three-year extension to a previously approved Coastal Development Permit (PLN-2021-17206) to accommodate development of a school to be operated by Laurel Tree Charter School serving children from Kindergarten through High School. PLN-2021-17206 is a modification to Coastal Development Permit CDP-07-067 – New Heart Community Church, a CDP permitting development of a church and private school in three phases. Five extensions have been applied for and approved. The first in 2012, the second in 2014, the third in 2018 (including a Modification), the fourth in 2020, and the fifth under PLN-2021-17206, which is due to expire April 6, 2023. The CDP is not vested.

No modifications to the project are proposed. If approved, the extension will expire on May 16, 2026.

EVIDENCE:

- a) Project Files: PLN-2023-18176

2. FINDING:

CEQA: The Mitigated Negative Declaration was adopted for the project as required by Section 15074(b) of the CEQA Guidelines and no new information or changes to the project or the circumstances under which the project is to be undertaken have become available necessitating the preparation of a subsequent MND pursuant to Section 15162 of the State CEQA Guidelines.

EVIDENCE:

- a) Initial Study and Mitigated Negative Declaration State Clearinghouse Number (SCH#) 2008092066 has not changed.

FINDINGS FOR EXTENSION OF AN APPROVAL OF A DEVELOPMENT PERMIT OR VARIANCE

3. FINDING:

The development has not changed from that for which the permit or variance was granted.

EVIDENCE:

- a) The site plan and project description have not changed from what was approved as PLN-2021-17206 (previous extension and modification supporting development of school) approved on April 7, 2022.

4. FINDING: The General Plan Land Use designation for which a consistency finding was made has not changed.

EVIDENCE: a) The parcel is planned Public Facility (PF). This designation has not been changed for the affected property.

5. FINDING: The zoning and associated development standards for which conformance findings were made has not changed.

EVIDENCE: a) The parcel is zoned Public Facility Urban (PF1); The zoning designations and development standards have not changed from when the project was previously approved.

6. FINDING: All other standards and requirements to which the project is subject to and as administered by other departments or agencies have not changed.

EVIDENCE: a) There is no evidence that the standards and requirements to which the project is subject to and as administered by other departments or agencies have changed.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Approve the Coastal Development Permit subject to the original conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence **February 20, 2024**.

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

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

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

John H. Ford, Director
 Planning and Building Department