



# Golden Eagle Charter School Use Permit (UP-23-08)

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PLANNING COMMISSION MEETING

JANUARY 17, 2024

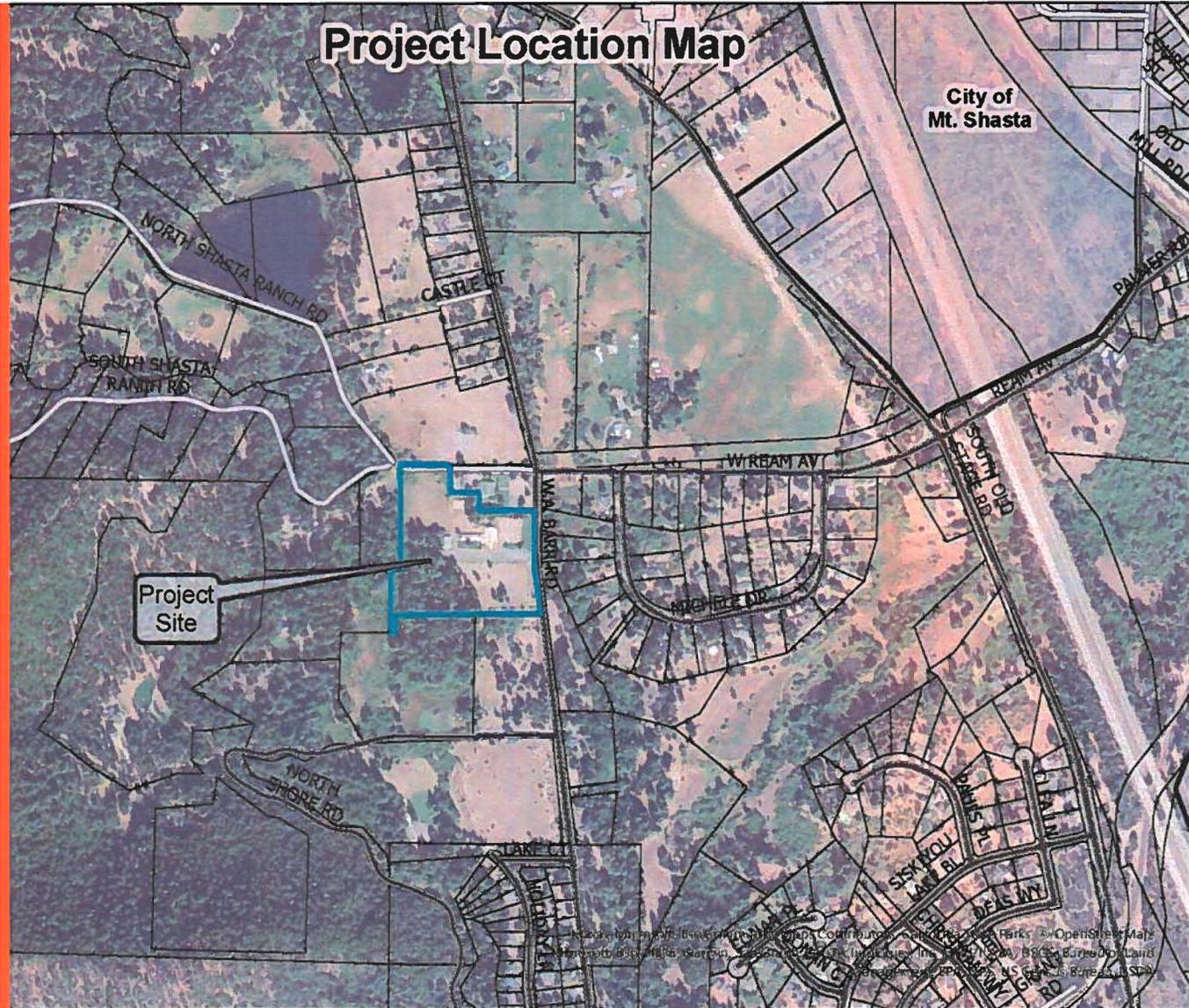
## Project Location Map

City of  
Mt. Shasta

# Project Site

1030 W A Barr Road, Mount Shasta,  
APN: 036-230-361

Zoning: Neighborhood Commercial  
(C-U) and Single-Family Residential  
(Res-1)



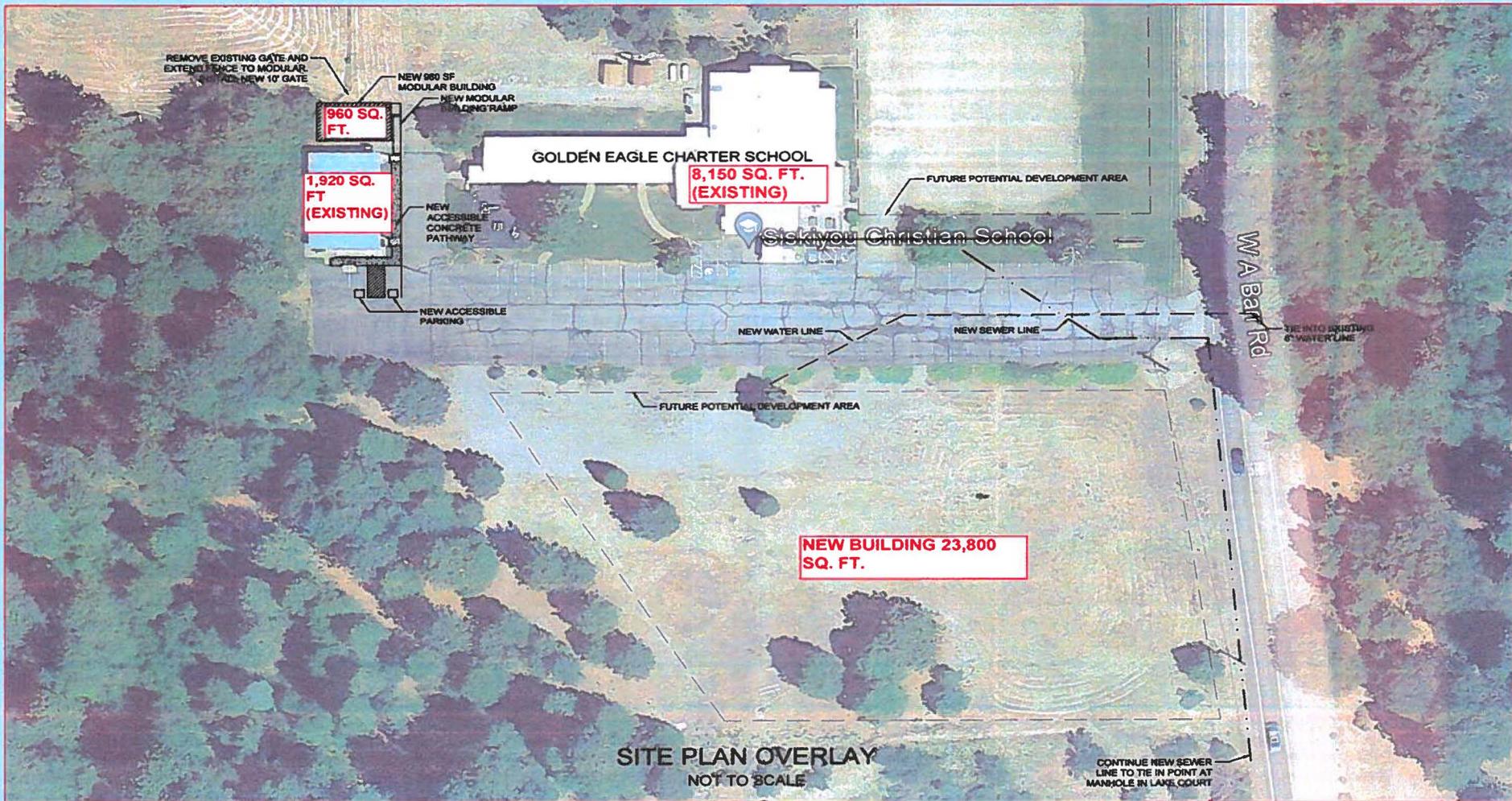
# Project Description

Rescind existing use permit (UP-96-03) and create a new use permit (UP-23-08) to include allowance of existing school with an increase in school capacity from 60 students to 225 students and 35 staff

Proposal includes addition of new 23,000 sq. ft. building and 960 sq. ft. modular classroom

There is an existing 8,150 sq. ft. building and existing 1,920 modular classroom

Abandon existing onsite septic system and connect to Lake Siskiyou Mutual Water Company System



# Zoning and General Plan Consistency

## Neighborhood Commercial (C-U)

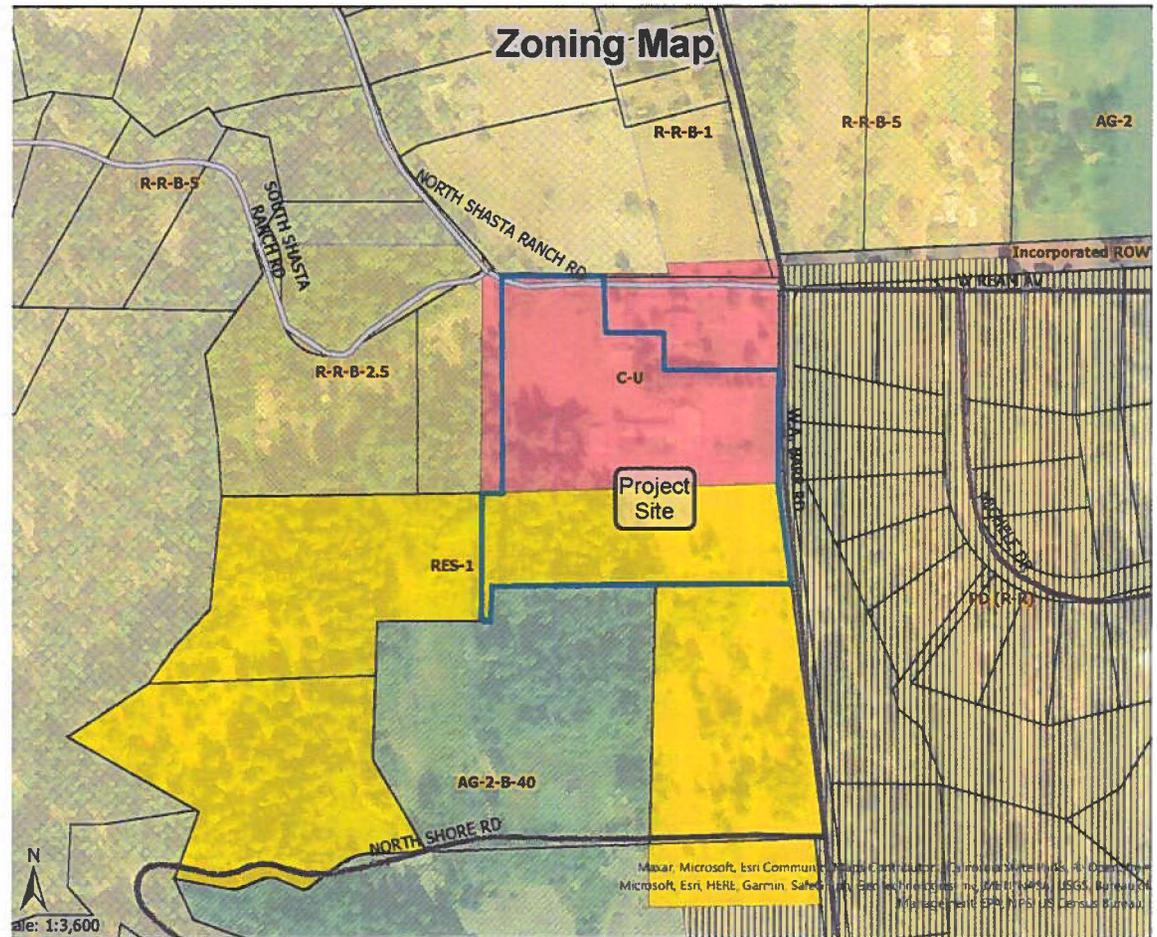
Sec. 10-6.4203. - Conditional uses permitted

(c) Churches, libraries, parks, playgrounds, schools, and public utility and public buildings and uses

## Single-Family Residential (Res-1)

Sec. 10-6.3703. - Conditional uses permitted

(a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses



## Previous Project Approvals

**UP-94-15**

UP 94-15: Project allowed to place a portable building on compacted pad for classrooms

**UP-96-03**

UP 96-03: Project allowed for a private K-8 school facility for up to 60 students, in conjunction with an existing church per Section 10-6.4203(c)

- In the event church operations cease, school operations must also cease

# Permit Occupancy

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Approved Occupancy (UP-96-03)	Number of People	Proposed Occupancy (UP-23-08)
Church	250	N/A: Church operations will be eliminated
School	60	260
Total	310	260

California  
Environmental  
Quality Act  
(CEQA)

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Mitigated Negative Declaration (MND) for the Evangelical Free Church of Mount Shasta (State Clearinghouse No. 1996052035 and State Clearinghouse No. 1996104248), certified by the County in July 1996

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MND evaluated the potential environmental impacts of the operation of a K-8 grade school (with a 60-student occupancy) in conjunction with an existing church.

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Property was developed with a church (250-seat maximum occupancy), 79 paved parking stalls and 41 gravel overflow parking stalls, congregation hall and related Sunday School classrooms with a play field/ball diamond

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Staff is proposing an Addendum to this MND pursuant to CEQA Guidelines 15164

# CEQA Guidelines: Section 15162 Subsequent EIRs and MNDs/NDs

- a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
    - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

# CEQA Guidelines: Section 15164 Addendum to an EIR or MND/ND

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

## Addendum #1

Updated biological, noise, and transportation studies were submitted as part of this project

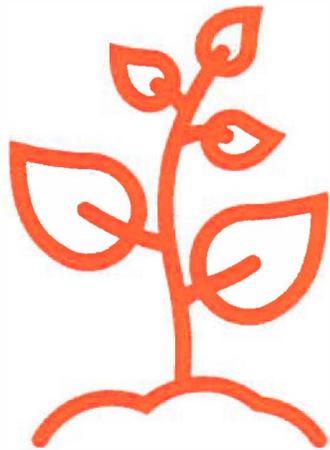
Analysis from Addendum confirmed that there were no new significant impacts from the occupancy and square footage increases of the project site

Previous Mitigation Measures are still in place:

- **NOI-1:** (Formerly named Mitigation Measure #1): The use of outdoor Public Address systems or “recess bells” or carillons is prohibited, with the exception of the mandated fire alarm.
- **PS-1:** (Formerly named Mitigation Measure #2): A water supply for fire protection is to be provided on or off-site at Cold Creek. A 40' x 10' pad of all-weather construction shall be constructed within 1,000' of the site. This pad shall be suitable to support the load of Fire Department pumpers and equipment. The location and improvements shall be to the satisfaction of the Fire District.
- **PS-2:** (Formerly named Mitigation Measure #3): All classrooms shall be monitored for smoke or fire by a 24-hour detection agency.

# Biological Study

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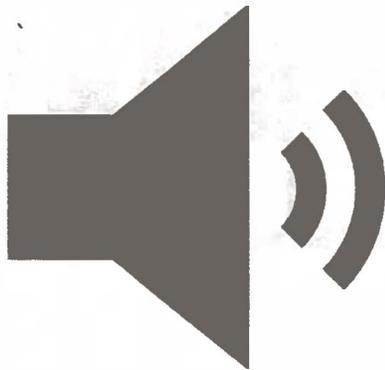


A new biological assessment was completed in July 2023 and determined that there are still no significant impacts to biological resources on the project site. The result of the assessment is summarized below:

- Review of the USFWS species lists for the study area did not identify any federally listed or Candidate plant species as potentially being affected by the proposed project.
- No special-status plant or animal species were observed during the biological survey, nor are any expected to be present.
- Wetlands, other waters of the U.S. and/or State, and sensitive riparian habitat are present on the site, primarily along the northern and western site boundaries.
- If work in or adjacent to the mapped features is proposed in the future, subsequent evaluation would be warranted, and permits from regulatory agencies may be required.

# Noise Analysis

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A new noise assessment was completed in July 2023 to determine if the increase in student capacity would create additional noise impact. The noise assessment determined that the noise impact is the same. The result of the assessment is summarized below:

- Off site noise levels, which include drop off and pick up times and employees driving to and from work, is considered a less than significant increase in DNL.
- Off site circulation and parking lot noise is considered to be less than significant.
- Because noise exposure from project playground activities is predicted to be satisfactory relative to Siskiyou County noise standards, and because playground usage occurring under the proposed project would not result in a substantial increase in noise levels at the nearest residences to the project site, this impact is identified as being less than significant.
- Study noted that the construction activities are not significant because no 'vibration-generating activities or equipment are proposed at the site.



# Transportation Impact Study

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A new transportation impact study was conducted in April 2023 to determine if the proposed project would create any significant impacts to the project site. The result of the study is summarized below:



- The project would not make any changes to any existing public transit system/services or conflict with any public transit programs or plans. Therefore, the project would have a less than significant impact on public transit.
- The Project would not conflict with any roadway programs, long-range planning, or vehicle circulation policies. Traffic operations, level of service, and delay are no longer considered environmental impacts under the current CEQA guidelines.
- The Project would not conflict with any multimodal (bicycle or pedestrian) transportation programs or plans or impact any existing multimodal facilities. Therefore, the project would have a less than significant impact on bicycle or pedestrian travel.
- There is adequate existing public infrastructure (roadways) available to serve the local area and project, and to our knowledge the site is not within an environmentally sensitive area (the project site is already developed). The project is therefore exempt from VMT analysis.
- Lead agencies can consider increasing and varied school options and new locations as a potential measure to reduce VMT. With this understanding, existing/former use, the categorical exemption for existing facilities, student count, and building size are not critical factors in determining potential VMT impacts since providing increased access (more locations) of schools is deemed a VMT benefit.
- Initial evaluation of the existing access routes to the Project does not indicate any incompatible uses or unusual conditions, and the Project will not introduce features significantly affecting safety. Any modifications at the project driveway will be in accordance with Municipal Code standards. The project would have a less than significant impact related to safety and design features.
- The project will provide adequate emergency access per City and Fire Code standards. Therefore, the project will have a less than significant impact related to emergency access

# Addendum #1 Conclusion

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The original Project resulted in one significant impact unless mitigated, related to noise impacts. All other impact areas were measured at 'No Impact' or 'Less than Significant'. MND mitigation measures were included related to Noise and Public Services.

Changes and proposed updates to the Project would not be considered substantial. The school expansion would not cause any new significant impacts or substantial increases in the severity of a previously identified significant impacts (CEQA Guidelines, Section 15162(a)(1)) that would require major revisions to the MND. All new impacts associated with the school expansion would be similar to the impacts previously analyzed in the MND.

There is sufficient evidence in support of the County's determination that the minor changes to the Project do not meet the conditions for preparing an EIR or subsequent MND under CEQA Guidelines, Section 15162, and Section 15164.

# Agency Comments

Environmental Health s requiring a Condition of Approval to be added based on the school abandoning the existing septic system (PN-90-248) and connecting to the Lake Siskiyou Mutual Water Company. Any future plans to upgrade the existing kitchen or modify food service shall be reviewed and approved by Environmental Health prior to implementation (Condition of Approval numbers 3 and 4).

The Lake Siskiyou Mutual Water Company provided a 'will serve' letter, confirming that the district will allow Golden Eagle Charter School to connect to their system (Condition of Approval number 5).

Comments were submitted regarding Cal Fire's requirements for this project, specifically those pertaining to road and street networks, road signing, and fuel modification and standards as specified pursuant to Public Resources Code 4290 (Condition of Approval number 6).

# Public Comments: Support

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Community benefits

Educational benefits

School growth potential

Ability to keep children of all school ages at one site instead of multiple sites

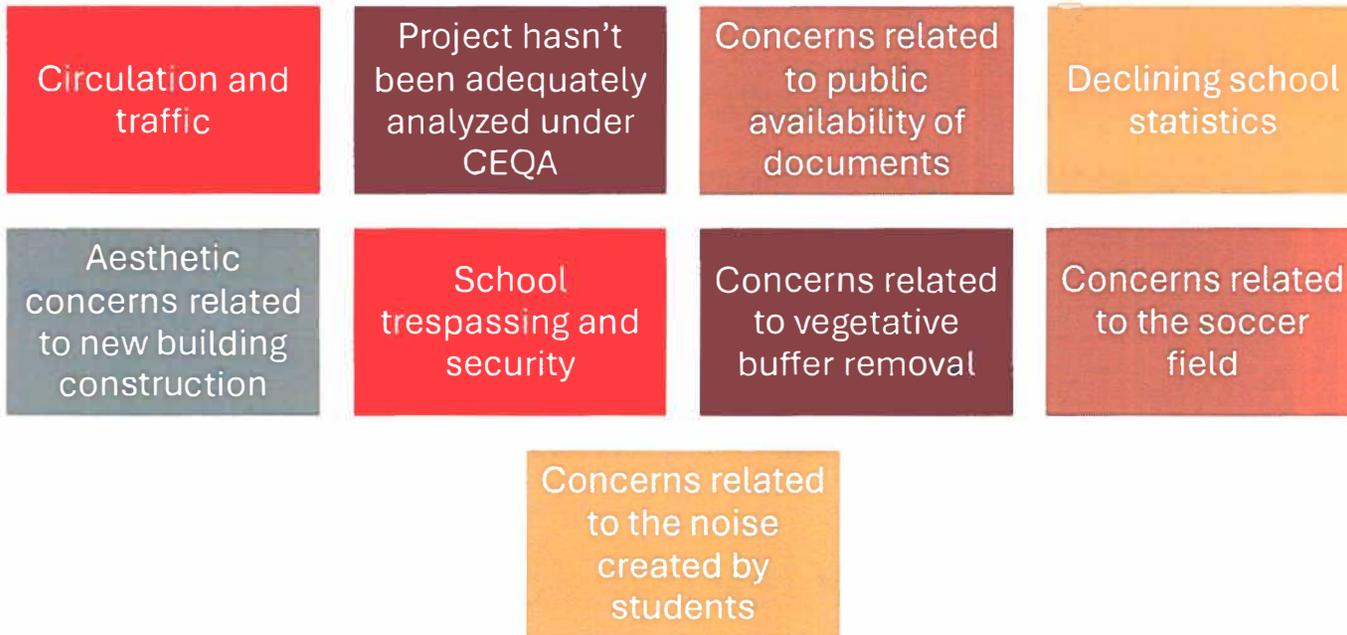
Improve school operations

Minimal change in use



# Public Comments: Opposition

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## Conditions of Approval

3. The project site shall abandon the existing septic system (PN-90-248) to the satisfaction of the Environmental Health Division.

4. Any future plans to upgrade the existing kitchen or modification to food service shall be reviewed and approved by Environmental Health prior to implementation.

5. The Lake Siskiyou Mutual Water Company connections must be approved and in place prior to use permit issuance. Golden Eagle Charter School must provide documentation confirming this to the Siskiyou County Community Development Department to the satisfaction of the Environmental Health Division.

6. The applicant shall comply with, and provide verification of compliance, with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and 4291, and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division.

7. The maximum school capacity shall be 225 students and 35 staff members.

## Conditions of Approval

8. The applicant must submit an evacuation plan to Siskiyou County Office of Emergency Services (OES) and OES must approve the plan prior to use permit issuance.

9. The project must adhere to the parking standards identified in Section 10-6.5610. Parking of the Siskiyou County Code.

10. Mitigation Measures identified in the Mitigated Negative Declaration/CEQA Addendum #1 shall be adhered to.

11. If construction and/or vegetation removal occur between February 1 and August 31, a nesting bird survey shall be conducted prior to commencement of construction and/or vegetation removal by a qualified biologist. If active nests are found, the biologist may prescribe appropriate measures to comply with the MBTA and California Fish and Game Code.

12. The school shall install a security system to mitigate trespassing onto the property.

13. The vegetation buffers currently in place on the school property shall be maintained.