

ATTACHMENT 3

Solar Shading Exception Request

July 15, 2022 (*Revised 8-30-22*)

Trevor Estlow, Senior Planner
County of Humboldt Planning Department
3015 H St
Eureka, CA 95501

Re: Request for Exception to Solar Shading Requirements
Santos Subdivision Phase 3 (APN 508-391-045)

Dear Trevor,

This letter is to request an exception to the design for solar access requirements specified in County Code Section 322.5 of the Subdivision Regulations for two proposed lots (36 and 40) that cannot meet the county standard. Per County Code Section 325.5-9, exceptions to the requirements and regulations of the code may be granted if the following conditions exist:

- (a) Compliance would reduce densities below those allowed by the zoning at the time of the application is submitted; or
- (b) Compliance is not feasible; or
- (c) Compliance would preclude orienting the primary building to the best available view; or
- (d) All lots in the proposed development are one (1) acre or larger in size and lot configuration does not constrain solar access.

A previously prepared solar shading study by Spencer Engineering, on file with the County, identified these same two lots (known then as Lots 75 and 85) as not having adequate solar exposure and an exception request was granted during the approval of the original project. The proposed project's lot layout, as shown on the tentative map, substantially adheres to the original project's layout and configuration and so all but Lots 36 and 40 meet or exceed adequate solar access by limiting houses to one and two story where required.

The proposed residential parcels are consistent with the prescribed density, minimum parcel size, building setbacks, parking regulations, and other developmental regulations. The proposed project is also consistent with the surrounding housing developments such as the Santos Subdivision Phase 1 and 2 project to the north and west, and the School Ridge Subdivision to the east of the site. The lot configuration, size, and minimum lot area of this subdivision makes the adequate solar access requirement difficult to obtain without reducing the number of lots in the subdivision.

As the proposed project, as shown on the tentative map, satisfies other County Subdivision requirements, granting this exception does not appear to be providing special privileges not available to others; but rather upholding the preservation and enjoyment of a substantial property right to the

landowner. Denying the exception request would deprive the property owner of the ability to subdivide the subject property to the maximum potential as described in the County Code. Therefore, based on the above, I am requesting that this exception request be granted.

Sincerely,



Jakob Schillinger, P.E.
Schillinger Engineering