



COUNTY OF HUMBOLDT

For the meeting of: 11/7/2024

File #: 24-1552

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Renewable America, LLC Conditional Use Permit Modification
Assessor Parcel Numbers: 505-151-012, 506-231-019 and 506-231-022 (one separate legal parcel)
Record Number: PLN-2022-17922-MOD01
Arcata area

A Modification to an approved Conditional Use Permit. The approved Conditional Use Permit was for a two phased community-scale solar energy and storage project that included the development of approximately 549,696 square feet of solar panels and a 5,000 square-foot equipment pad within pollinator habitat, in an area of approximately 30 acres (Record Number: PLN-2022-17922). The Modification to the approved project is to allow for the design change and reconfiguration of the solar panels and the equipment pad. The new design will include approximately 493,389 square feet of solar panels and two equipment pads, 2,500 and 2,156 square feet in size within pollinator habitat, in an area of approximately 27.43 acres. In addition, the layout of the panels will now shift from the west and extend north to within 50 feet of the northern parcel boundary. The new solar panels will be configured like those proposed in the approved permit; however, they are approximately 9.75 feet in height instead of 14 feet.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 24-__) (Attachment 1), which does the following:
2. Finds the Planning Commission has considered the adopted Initial Study/Mitigated Negative Declaration for the previously approved project (SCH No. 2022110533) (Attachment 3) and the Addendum (Attachment 2) that was prepared for the project Modification; and
3. Finds the proposed project Modification complies with the General Plan and Zoning Ordinance; and
4. Approves Conditional Use Permit Modification subject to the conditions of approval

(Attachment 1A).

DISCUSSION:

Project Location: The project is in the Arcata area, between Foster Avenue and 27th Avenue, directly northwest of the intersection of Foster Avenue and Janes Road, on the property known to be in the 2500-2600 block of Foster Avenue.

Present Plan Land Use Designations: (all three parcels) Agricultural Exclusive (AE), Humboldt County General Plan (HCGP), Density: 20-60 acres/unit, Slope Stability: Relatively Stable (0)

Present Zoning: 505-151-012 Agriculture Exclusive (AE), Agriculture General (AG), and Heavy Industrial with a Qualified Combining Zone (MH-Q)

506-231-019 Agriculture Exclusive (AE) and Heavy Industrial with a Qualified Combining Zone (MH-Q)

506-231-022 Heavy Industrial with a Qualified Combining Zone (MH-Q)

Environmental Review: An Addendum to a previously adopted Initial Study/Mitigated Negative Declaration has been prepared for consideration per §15164 of the State CEQA Guidelines.

State Appeal Status: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major Issues: None

Executive Summary: A Modification to an approved Conditional Use Permit. The approved Conditional Use Permit was for a two phased community-scale solar energy and storage project that included the development of approximately 549,696 square feet of solar panels and a 5,000 square-foot equipment pad within pollinator habitat, in an area of approximately 30 acres (Record Number: PLN-2022-17922). The Modification to the approved project is to allow for the design change and reconfiguration of the solar panels and the equipment pad. The new design will include approximately 493,389 square feet of solar panels and two equipment pads, 2,500 and 2,156 square feet in size within pollinator habitat, in an area of approximately 27.43 acres. In addition, the layout of the panels will now shift from the west and extend north to within 50 feet of the northern parcel boundary. The new solar panels will be configured like those proposed in the approved permit; however, they are approximately 9.75 feet in height instead of 14 feet. Other minor modifications to the project are included below.

All of the proposed modifications to the approved project are listed below. All other elements of the previously approved project as described in the January 19, 2024 PC Staff Report (Attachment 4) remain unchanged.

1. The total project area will change from approximately 30 acres to approximately 27.43 acres.
2. The Phase I project footprint will change from approximately 12 acres to approximately 12.97 acres.
3. The Phase II project footprint will change from approximately 18 acres to approximately 14.46 acres.
4. The total square footage of solar panels will change from approximately 549,696 square feet to 493,389 square feet.
5. The layout of the panels for Phase II will now shift from the west and extend north to within 50 feet of the northern parcel boundary.
6. The 5,000 square-foot equipment pad originally proposed to be located north of Phase I will now consist of two equipment pads, 2,500 and 2,156 square feet in size, creating 344 square feet less impervious surface area. One will be located north of Phase I, and one will be in the center of Phase II.
7. The proposed 3.75-MW battery energy storage system proposed for Phase II will now have a capacity of 1.25-MW.
8. Both Phases of the project will be constructed concurrently as opposed to the two-year phasing originally proposed.
9. The solar panels will be approximately 9.75 feet in height instead of 14 feet as originally proposed.
10. The solar panels will be approximately 7 feet apart instead of 10-12 feet apart as originally proposed.
11. The existing access between the existing perimeter road and equipment pads will be utilized as opposed to creating a new 15-foot-wide access road as originally proposed.

The original project was approved by the Planning Commission on January 19, 2023. The modification is required as the proposed changes to the project do not meet the requirements for a Minor Deviation to the Plot Plan due to the project footprint location differing from what was originally approved. The Conditions of Approval included in Planning Commission Resolution 23-011 (Attachment 5) as modified in Attachment 1A remain in effect.

Environmental Review

Environmental review for the approved project included the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The IS/MND was circulated from November 30, 2022, to December 30, 2022, at the State Clearinghouse. No comments were received during the circulation period. An Addendum to the IS/MND has been prepared for the proposed Modification.

RECOMMENDATIONS:

Based on a review of Planning Division reference sources, Planning staff is confident that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit Modification.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

Staff prepared a thorough environmental analysis which included the preparation of an IS/MND pursuant to the CEQA Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387) and a subsequent Addendum. The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant unmitigable impacts.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Adopted Mitigation and Monitoring Report
 - C. Modification Site Plan
2. CEQA Addendum
3. Adopted Initial Study and Mitigated Negative Declaration ([≤](https://ceqanet.opr.ca.gov/2022110533)
<https://ceqanet.opr.ca.gov/2022110533>[≥](https://ceqanet.opr.ca.gov/2022110533))
4. PC Staff Report January 19, 2023

A. Approved Site Plan

5. PC Resolution 23-011

APPLICANT AND OWNER INFORMATION:

Applicant

Renewable America, LLC
c/o: Ardeshir Arian
4675 Stevens Creek Blvd., Ste. 250
Santa Clara, CA 95051

Owner

Arcata Land Company, LLC
c/o: Lane Devries
3160 Upper Bay Road
Arcata, CA 95521

Agent

None

Please contact Rodney Yandell, Senior Planner, at 707-268-3732 or by email at ryandell@co.humboldt.ca.us, if you have any questions about the scheduled item.