



COUNTY OF HUMBOLDT

For the meeting of: 5/2/2024

File #: 24-812

To: Planning Commission

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

RPCA Solar 5, LLC Conditional Use Permit Extension
Assessor Parcel Numbers (APN) 313-091-019 & 313-091-020
Record No.: PLN-2024-18914
Blue Lake area

A second two-year extension for the approved Hatchery Road Solar Project Conditional Use Permit (PLN-2020-16320). Original permit approval includes a small-scale commercial energy generating facility that would be located on ±26.56 acres of two (2) adjoining parcels (APNs 313-091-019 & -020) that together total ±38 acres of undeveloped land. The Project would generate approximately four (4) megawatts (MW) of alternating current (AC) emission free, clean, renewable power. The Project would interconnect to PG&E's pre-existing electrical distribution system located along Hatchery Road. Power generated by this facility would be sold to the Redwood Coast Energy Authority (RCEA) through a long-term Power Purchase Agreement (PPA). The Project would utilize 14,336 modules and 32 string inverters which convert the sun's energy into usable AC power. Single axis tracking technology would be utilized to allow the modules to efficiently track the sun throughout the day and maximize the efficiency of solar collection. The modules would be mounted on a steel racking system, which would be anchored into the ground using driven steel piers. The overall height of the array would be no more than 8-feet tall as measured from existing grade. If approved, the second extension will expire on April 16, 2026.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution (Resolution 24-__) (Attachment 1) which does the following:
 - a. Approves the second two-year extension subject to the original conditions of approval (Attachment 1A).

DISCUSSION:

Project Location: This project is in the Blue Lake area, on the east side of Hatchery Road,

approximately 3,700 feet south from the intersection of Hatchery Road and West End Road, on the property known to be in the northwest quarter of the southeast quarter of Section 31 of Township 06 North, Range 02 East, Humboldt Base & Meridian.

Present General Plan Land Use Designation: Agricultural Exclusive (AE); 2017 General Plan; Density: 60 acres per unit; Slope Stability: Low Instability (2).

Present Zoning: Unclassified (U).

Environmental Review: An Initial Study/Mitigated Negative Declaration (SCH #2021010092) has been prepared for the original project per §15070 of the State CEQA Guidelines. Further environmental review is unnecessary, as no changes to the project are proposed.

State Appeal: Project is NOT appealable to the California Coastal Commission.

Major concerns: None.

Staff Analysis of the Evidence Supporting the Required Findings: Section 312-11.3.2 of the Humboldt County Code establishes the authority to grant time extensions for approved permits or variances when it can be found that the development has not changed from that for which the permit or variance was granted and that the findings made when the permit or variance was granted can still be made.

The applicant states that the conditions of the property have not changed since the original application/approval of PLN-2020-16320. This is the second applicant requested extension, and if approved, the Conditional Use Permit will expire on April 16, 2026.

Staff concludes that the findings and conditions of the original project, effective April 16, 2021, have not changed based on the following staff analysis, and are applicable to the proposed extension because:

1. The development has not changed from that for which the permit or variance was granted. The site plan and project description have not changed from what was approved as PLN-2020-16320 on April 1, 2021 (Resolution 21-41); and
2. The General Plan Land Use designation for which consistency findings were made has not changed. The parcels are planned Agricultural Exclusive (AE). This designation has not been changed for the affected properties; and
3. The zoning for which conformance findings were made has not changed. The parcels are zoned Unclassified (U). The zoning designation has not changed from when the project was previously

approved; and

4. The applicable development standards, for which the original project was evaluated, have not changed; and

5. All other standards and requirements to which the project is subject, and as administered by other departments or agencies have not changed; and

6. The Planning Commission adopted a Mitigated Negative Declaration (SCH #2021010092) 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.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect not to approve the extension however circumstances and conditions have not changed substantially since the original approval of the project. Consequently, Planning staff does not recommend further consideration of this alternative.

ATTACHMENTS:

1. Draft Resolution
 - A. Original Conditions of Approval
 - B. Mitigation, Monitoring, and Reporting Program
 - C. Planning Commission Resolution 21-41, April 1, 2021
2. Planning Commission Staff Report PLN-2020-16320

Applicant

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