

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

Resolution Number 24-

Record Number PLN-2024-18914

Assessor's Parcel Numbers 313-091-019 & 313-091-020

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the RPCA Solar 5, LLC Conditional Use Permit Extension.

WHEREAS, RPCA Solar 5, LLC submitted an application and evidence in support of approving a second two-year extension of an approved Conditional Use Permit for a small-scale commercial energy generating facility (PLN-2020-16320); and

WHEREAS, the County, as Lead Agency, prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) and circulated it for a 45-day public review and comment period, from January 11, 2021, to February 26, 2021. The IS/MND determined that the project would have a less than significant effect on the environment with the incorporation of specified mitigation measures; 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 Conditional Use Permit Extension (Record Number PLN-2024-18914); and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on May 2, 2024, and reviewed, considered and discussed the application for the Extension and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING:

Project Description: A second two-year extension for the approved Hatchery Road Solar Project (PLN-2020-16320 & PLN-2022-17636). 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 extension will expire April 16, 2026.

EVIDENCE: a) Project File: PLN-2020-16320 & PLN-2024-18914.

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been met.

EVIDENCE: a) During prior approval of the original permit the Planning Commission adopted a Mitigated Negative Declaration (MND) on April 1, 2021 (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. 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. No changes to the project are proposed and there have been no changes to the applicable regulations and standards governing the proposal. Furthermore, conditions at the property have not changed since the original approval. For these reasons, further environmental review is not required.

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

EVIDENCE: a) The owner's project description states that no changes to the original permit have been proposed. An extension is

necessary to grant the owner more time to complete the requirements of the Conditions of Approval.

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

EVIDENCE: a) The parcels are planned Agricultural Exclusive (AE). This designation has not been changed for the affected properties.
- 5. FINDING:** The zoning and associated development standards for which conformance findings were made has not changed.

EVIDENCE: a) The Unclassified (U) zoning designation and associated 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:

1. Adopt the findings set forth in this resolution; and
2. Approve the Conditional Use Permit Extension (Record Number: PLN-2024-18914) subject to the original Conditions of Approval (Attachment 1A).

Adopted after review and consideration of all the evidence on **May 2, 2024**.

The motion was made by Commissioner _____ and seconded by Commissioner _____ .

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: 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