



COUNTY OF HUMBOLDT

For the meeting of: 6/26/2025

File #: 25-813

To: Zoning Administrator

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Socha Variance for Solar Panel Array
Assessor Parcel Number: 202-231-023
Record Number: PLN-2025-19243
Fortuna Area

A Variance is requested to reduce the front and side yard setbacks on a 4.1-acre parcel to accommodate a ground-mounted photovoltaic solar array to support an existing residence. The proposed array will be located approximately ten (10) feet from Mill Street right-of-way setback, and approximately ten (10) feet from the westerly (side) property line. The Humboldt County Code requires front yard setbacks to be 20 feet and side yard setbacks to be 30 feet in the Agriculture General (AG) zone districts with a B Combining zone (special building site) on properties over 2.5-acres. The Variance is requested to place the approximately 52-foot by 10-foot solar array in an area providing the most solar gain without having to remove legacy orchard trees and is otherwise undevelopable due to slope. The parcel is currently developed with an approximately 2,300 square foot single-family residence and served with municipal water and an on-site wastewater treatment system.

RECOMMENDATION(S):

That the Zoning Administrator:

1. Adopt the resolution (Attachment 1), which does the following:
 - a. Makes all of the required findings for approval of the Variance based on evidence in the staff report and public testimony; and
 - b. Approves the Socha Variance as recommended by staff and subject to the conditions of approval (Attachment 1A).

DISCUSSION:

Project Location:

The project site is located in the Fortuna area, on both sides of Mill Street, approximately 700 feet northeast of the intersection of Mill Street and County Club Estates Road, on the property known as 4929 Mill Street.

Present General Plan Land Use Designations:

RA5-20 (Residential Agricultural). Density range: 5-160 acres per unit. Slope Stability: Moderate Instability (2).

Present Zoning:

AG-B5(5) (Agriculture General, minimum lot size 2.5-acres). Combining Zones B (Special Building Site).

Environmental Review:

The project is exempt from environmental review per section 15303(a) of the California Environmental Quality Act (CEQA)- New construction or conversion of small structures.

State Appeal Status:

None.

Major Concerns:

None.

Monitoring Required:

None.

Executive Summary:

A Variance is requested to reduce the front and side yard setbacks on a 4.1-acre parcel to accommodate a ground-mounted photovoltaic solar array to support an existing residence. The proposed array will be located approximately ten (10) feet from Mill Street right-of-way setback, and approximately ten (10) feet from the westerly (side) property line. Humboldt County Code requires front yard setbacks to be 20 feet and side yard setbacks to be 30 feet in the Agriculture General (AG) zone districts with a B Combining zone (special building site) on properties over 2.5-acres. The Variance is requested to place the approximately 52-foot by 10-foot solar array in an area providing the most solar gain without having to remove legacy orchard trees and is otherwise undevelopable due to slope. The subject 4.1-acre property has unique circumstances to support the setback variance. Mill Street runs through the bottom third of the property, which requires both a 25-foot right of way setback and an additional 20-foot front yard setback. The location of the proposed solar

array in the side yard setback is due to the topography and orientation to the sun with minimal impacts to established vegetation. The site is currently developed with an approximately 2,300 square foot single-family residence and served with municipal water and an on-site wastewater treatment system.

Air Quality:

No air quality impacts are anticipated with the proposed project.

Biological Resources:

No biological resource impacts are anticipated with the proposed project. The proposed solar array is approximately 52-feet by 10-feet on a 4.1-acre parcel. The subject property is located within the Agriculture General zone district, with a B Combining Zone (special building site) designation. The property is divided by Mill Street, and the seasonal Mill Creek flows through the south side of the property where a Streamside Management Area is located. Mill Creek is mapped as a Class II water source by both the California Department of Fish and Game (CDFW) and Cal Fire and requires a 100-foot buffer for development. The project is proposed to be more than 100 feet from the creek, as well as across the road and up the hill. There are no additional mapped wetlands or rare and endangered species within the proposed solar array development site. The property is within the Lower Eel Planning Watershed. The solar panel array installation is not anticipated to impact any agricultural activities or biological resources.

Cultural Resources and Tribal Cultural Resources:

The proposed project is not anticipated to impact any cultural resources or Tribal cultural resources. The project was referred to Bear River Band of Rohnerville Rancheria, NWIC, and the Wiyot tribe. The Bear River Band responded that the activities did not appear to represent a source of significant impacts on cultural resources. They requested that inadvertent archaeological discovery protocols be in place for any ground-disturbing activities. NWIC responded that no record of previous cultural resources had been identified in field surveys, and they recommended consulting with local tribes. The standard inadvertent discovery protocols have been included within the conditions of approval for this project.

Hazards and Hazardous Materials:

The proposed project is not anticipated to create additional hazards or hazardous materials. The subject parcel is located in an area that is moderately stable (2), is not within a fault hazard zone, is outside the tsunami hazard area, outside an area of potential liquefaction and outside any identified 100-year Flood Zone (A). The subject parcel is within the State Responsibility Area for fire protection with Fortuna Fire Protection District provides structural fire protection as well as responds to medical emergencies. Cal Fire was consulted as part of the project and have determined that ground mounted solar arrays are exempt from the required 30-foot property line setbacks for development on parcels over one acre. Cal Fire does not consider solar arrays flammable, being made of metal, concrete and

silicon. No hazardous materials are anticipated as part of the proposed solar panel array and/or the Variance for the front yard and side yard setback reduction.

Hydrology and Water Quality:

The proposed solar array for an existing 2,300 square foot house is not anticipated to impact hydrology and/or water quality within the surrounding area. The residence is served with municipal water from City of Fortuna and an on-site wastewater treatment system (septic). The Department of Environmental Health reviewed the proposed project and recommended approval. The addition of the solar panel array within the front yard and side yard setback is not expected to significantly impact these systems.

Noise:

The proposed solar panel array is not anticipated to create additional or significant noise impacts. The project site is a 4.1-acre parcel in the Agriculture General zone district, with a B Combining Zone (special building site). According to the Data Sheet for the proposed solar panel array, acoustic noise is expected to be less than 60 dba one meter away from the installation. Even though the Variance would allow a reduction in setbacks, the noise emitted is not anticipated to be significant.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment, or recommended approval or conditional approval. (Attachment 4)

ALTERNATIVE TO STAFF RECOMMENDATIONS:

The Zoning Administrator could elect not to approve the project. This alternative should be implemented if the Zoning Administrator is unable to make all the required findings. Planning Division staff is confident that the required findings can be made. Consequently, planning staff does not recommend further consideration of this alternative.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Site Plan
2. Location Map
3. Applicant's Evidence in Support of the Required Findings for the Variance
4. Referral Agency Comments and Recommendations

File #: 25-813

Applicant

Mathew and Mavelyn Socha
1632 Broadway #445
Eureka, CA 95501

Owners

Same as applicant

Agent

N/A

Please contact Alice Vasterling, Associate Planner, at 707-268-3777 or by email at avasterling@co.humboldt.ca.us if you have any questions about this item.