

## CITY OF STANTON STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA

## PLANNING COMMISSION REGULAR MEETING

## WEDNESDAY, JANUARY 15, 2020, 6:30 P.M.

## AGENDA

Supportive and descriptive documentation for agenda items, including staff reports, is available for review in the Planning Secretary's Office.

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Community Development Department at (714) 379-9222, extension 210. Notification by noon on the Monday prior to the Commission meeting will enable the City to make the reasonable arrangements to assure accessibility to this meeting.

Please turn off all cellular phones and pagers while the Planning Commission meeting is in session.

## 1. CALL TO ORDER

## 2. <u>PLEDGE OF ALLEGIANCE</u>

## 3. <u>ROLL CALL</u>

Chairperson Ash Vice Chairman Frazier Commissioner Marques Commissioner Moua Commissioner Grand

PC Agenda – Regular Meeting – January 15, 2020 – Page 1 Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Public Counter at City Hall located at 7800 Katella Avenue, Stanton CA, during normal business hours.

## 4. SPECIAL PRESENTATION

None.

## 5. APPROVAL OF MINUTES

None.

## 6. PUBLIC COMMENTS

At this time members of the public may address the Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission, for a maximum of three (3) minutes, provided that **NO** action may be taken on non-agenda items.

## 7. PUBLIC HEARINGS

7A. PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT C19-07 AND PRECISE PLAN OF DEVELOPMENT PPD-801 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A MAJOR UTILITY SERVICE FACILITY (STANTON BATTERY ENERGY STORAGE) LOCATED AT 8230 PACIFIC STREET IN THE IG (INDUSTRIAL GENERAL) ZONE.

### **RECOMMENDED ACTION**

That the Planning Commission:

- Conduct a public hearing; and
- Adopt Resolution No. 2513 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON CALIFORNIA, APPROVING CONDITIONAL USE PERMIT C19-07 AND PRECISE PLAN OF DEVELOPMENT PPD-801 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A MAJOR UTILITY SERVICE FACILITY (STANTON BATTERY ENERGY STORAGE) LOCATED AT 8230 PACIFIC STREET IN THE IG (INDUSTRIAL GENERAL) ZONE AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PER CALIFORNIA ENVIRONMENTAL QUALITY ACT, PUBLIC RESOURCE CODE SECTION 15332, CLASS 32 (IN-FILL DEVELOPMENT).

8. <u>NEW BUSINESS</u>

None.

2 Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Public Counter at City Hall located at 7800 Katella Avenue, Stanton CA, during normal business hours.

### 9. OLD BUSINESS

None.

## 10. PLANNING COMMISSION REORGANIZATION

- 1. The City Planner will accept nominations for Chair.
- 2. The Chairperson will accept nomination for Vice Chair.

## 11. PLANNING COMMISSION COMMENTS

At this time Commissioners may report on items not specifically described in the agenda which are of interest to the Commission <u>provided no discussion or action may be taken</u> except to provide staff direction to report back or to place the item on a future agenda.

## 12. PLANNER'S REPORT

## 13. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 72 hours prior to the meeting. Dated this 9<sup>th</sup> day of January, 2020.

Amy Stonich, AICP City Planner



## CITY OF STANTON REPORT TO THE PLANNING COMMISSION

- TO: Chairperson and Members of the Planning Commission
- DATE: January 15, 2020
- SUBJECT: PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT C19-07 AND PRECISE PLAN OF DEVELOPMENT PPD-801 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A MAJOR UTILITY SERVICE FACILITY (STANTON BATTERY ENERGY STORAGE) LOCATED AT 8230 PACIFIC STREET IN THE IG (INDUSTRIAL GENERAL) ZONE.

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## BACKGROUND

The applicant, Kara Miles, representing Stanton Energy Holdco LLC, proposes construction and operation of the Stanton Battery Energy Storage (SBES), a major utility service facility, located at 8230 Pacific Avenue. The site is currently a paved yard used for temporary staging and storage for the construction of the adjacent Stanton Energy Reliability Center (SERC).

### ANALYSIS/JUSTIFICATION

**PROJECT LOCATION/DESCRIPTION** – The applicant is proposing to construct and operate a new 11,500 square foot major utility service facility, with new site improvements inclusive of landscaping and signage. The subject parcel is located on a corner lot at the southeast corner of Fern Avenue and Pacific Street. The property is zoned as Industrial General (IG) and has a General Plan Designation of Industrial General (IG). The floor area ratio (FAR) for development is limited to a maximum of 1.0 and the project is proposed at an FAR of 0.4. In accordance with the SMC, the proposed project is subject to approval of the following planning entitlements:

- Conditional Use Permit Section 20.220.020 of the Stanton Municipal Code (SMC) requires a conditional use permit for a major utility service facility.
- Precise Plan of Development Section 20.220.020 of the Stanton Municipal Code (SMC) requires a precise plan of development for a major utility service facility.

Direction	Zoning	Existing Land Use
North	Industrial General (IG)	Nonconforming residential neighborhood
South	Industrial General (IG)	One-track railroad owned by Union Pacific
East	Industrial General (IG)	Stanton Energy Rehabilitation Center (SERC)
West	Industrial General (IG)	City of Stanton Corporate Yard

Surrounding land uses and zoning include:

The project site is adjacent to the SERC facility which was approved by the California Energy Commission and is currently under construction. Other uses on the South side of Pacific Street and East side of Fern Avenue include the Stanton corporate yard and other industrial uses. Nonconforming residential uses are located northwest of the project site on the opposite side of the entrance on the corner of Pacific Street and Fern Avenue. An environmental document supporting a Class 32 CEQA exemption shows

that the surrounding uses will not have significant effects relating to traffic, noise, air quality, or water quality. The full analysis of the Class 32 CEQA exemption can be found in Attachment E.

**PROPOSED OPERATIONS** – The proposed SBES facility would provide local and regional ancillary services to the electric grid to benefit the residents of the City of Stanton (City) and adjacent cities. The proposed project consists of up to 70mW/ 280MWh battery energy storage system. It is designed to receive energy from an interconnection point with Southern California Edison (SCE). When electricity demand is low, it will store energy in batteries and later discharge the energy back into the SCE electric system via the interconnection point between the two different telecom operators. For this project, the two operators are SBES and SCE.

The battery equipment used for this project will depend on the vender selection. The applicant has indicated that the vender selection is a competitive process that will occur concurrently with the development of the site. The equipment, regardless of vender, would be housed in an 11,500 square foot building and will include inverters and transformers that will convert alternating current electric energy into direct current electrical energy and switchgears and other protective electrical equipment. The project also includes an integrated fire protection and HVAC systems.

The proposed project is designed for complete unmanned remote operations and would remain unoccupied. The project includes two (2) internal parking spots for maintenance vehicles. A business identification sign is proposed and will be subject to separate review from this application.

**SITE DESIGN CIRCULATION/PARKING** –The site is designed with one primary access gate located on the northern part of the property which allows access along a 25 foot road overlying an existing SCE easement. A secondary access gate will provide access to the abutting SBES Project. The two (2) proposed parking spots will be located outside of the proposed structure. A portable bathroom facility and a trash enclosure are proposed on site. New block walls would be added on the northern, eastern, and southern boundaries of the property. The north and south walls would be six (6) feet high and the east wall would be seven (7) feet high. There is an existing six (6) foot block wall that separates the project site from the City corporate yard facility to the west.

In regard to setbacks, the SMC allows industrial buildings to be built at a zero lot line setback when adjacent to other non-residential zones, and to maintain front and street-side setbacks of 20 feet. The new building is proposed to be setback approximately 25 feet from the front of the property line off Pacific Street and Fern Avenue and will provide a rear and side yard setback of five (5) feet. The setbacks and coverage of the new structure are in compliance with Chapter 20.220.030 of the Stanton Municipal Code.

The new building is approximately 238 feet by 50 feet. The SMC allows a building height up to 32 feet in the Industrial General zone. The proposed height of the new building is 31 feet 6 inches which is under the maximum.

The proposed building structure would be constructed of prefabricated panels with flat or slightly pebbled finish, and metal panels. The exterior of the building is proposed to be painted with a palette of medium and light beige/tan and medium and dark grey. The project has been designed to give the appearance of a warehouse and includes false windows along the north elevation. Landscaping is proposed to include Blue Chalkstick, Vangated New Zealand Flax, Bushy Yate, Pine Muhly, Red Fountain Grass and boulders in compliance with City landscape and water conservation standards. The construction and improvements proposed at the project site are consistent with the existing industrial uses. Further, the project is set back 25 feet and is only visible from the right-of-way at the corner where Pacific Street meets Fern Avenue. Therefore, the proposed project would not have a substantial adverse effect on the visual character of the area.

The project access for maintenance and emergency response vehicles is proposed from the corner of Pacific Street and Fern Avenue. A 20 foot wide access road continues inside the Project and through to the neighboring SERC facility. All entrances will have Stanton and OCFA-required lock box access.

## ENVIRONMENTAL IMPACT

Staff recommends that the Planning Commission find that the effects of the proposed project are Categorically Exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15332, Class 32 (In-fill Development). Class 32 consists of projects characterized as in-fill development meeting the conditions described in Section 15332. These conditions include that the proposed project is (a) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (b) occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services.

The CEQA checklist, attached to this staff report as Attachment E, provides evidence that the proposed project meets these conditions. Pursuant to Section 15300.02 (c) and Section 15332 of Title 14 of the California Code of Regulations, there are no unusual circumstances in respect to the proposed project for which staff would anticipate a significant effect on the environment and, therefore, the proposed project is categorically exempt from the provisions of CEQA.

### PUBLIC NOTIFICATION

Notice of Public Hearing was mailed to all property owners within a five hundred-foot radius of the subject property, posted at three public places, and made public through the agenda-posting process.

Prepared by,

Approved by,

Amy Stonich, AICP City Planner

Izzak Mireles Planning Specialist

## **ATTACHMENTS**

- A. Resolution No.2513
- B. Vicinity Map
- C. Applicant Narrative
- D. Project Plans
- E. Class 32 Categorical Exemption

### **RESOLUTION NO. 2513**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON CALIFORNIA, APPROVING CONDITIONAL USE PERMIT C19-07 AND PRECISE PLAN OF DEVELOPMENT PPD-801 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A MAJOR UTILITY SERVICE FACILITY (STANTON BATTERY ENERGY STORAGE) LOCATED AT 8230 PACIFIC STREET IN THE IG (INDUSTRIAL GENERAL) ZONE AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PER CALIFORNIA ENVIRONMENTAL QUALITY ACT, PUBLIC RESOURCE CODE SECTION 15332, CLASS 32 (INFILL DEVELOPMENT)

# THE PLANNING COMMISSION OF THE CITY OF STANTON HEREBY RESOLVE AS FOLLOWS:

**WHEREAS**, Section 20.220.020 of the Stanton Municipal Code (SMC) requires a conditional use permit and Section 20.220.020 of the Stanton Municipal Code (SMC) requires a precise plan of development for a major utility service facility;

**WHEREAS**, on October 2, 2019, Kara Miles, President of Stanton Energy Holdco, LLC, submitted application for Conditional Use Permit (CUP) C19-07 and Site Plan and Design Review through a Precise Plan of Development (PPD) PPD-801 to allow for the construction and operation of a major utility service facility at 8230 Pacific Street;

**WHEREAS**, on January 15, 2020 the Planning Commission of the City of Stanton conducted a duly noticed public hearing concerning the request to approve Conditional Use Permit (CUP) C19-07 and Precise Plan of Development (PPD) PPD-801 to allow for the construction and operation of a major utility service facility at 8230 Pacific Street within the IG (Industrial General) zone;

WHEREAS, the Planning Commission finds and determines that the Project is within that class of projects (i.e., Class 32 - In-fill Development projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines; that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA staff has reviewed the environmental form submitted by the applicant in accordance with the City's procedures. Based upon the information received and staff's additional analysis, the project has been

### ATTACHMENT A

determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15332, Class 32 (In-fill Development);

**WHEREAS**, the Planning Commission has carefully considered all pertinent testimony and information contained in the staff report prepared for this application as presented at the public hearing; and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this resolution.

## NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FINDS AND DETERMINES THAT:

**<u>SECTION 1</u>**: All of the facts, findings and conclusions set forth in this resolution are true and correct.

**SECTION 2**: The Project is within that class of projects (*i.e.*, Class 32 – In-fill Development projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines; that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA;

**<u>SECTION 3</u>**: In accordance with the findings as set forth in Chapter 20.550.060 of the Stanton Municipal Code for a Conditional Use Permit:

A. The proposed use is consistent with the General Plan, including Community Development Goal LU-1.1, to create an economic and fiscal balance of residential, commercial and industrial uses.

Approval of CUP C19-07 which will allow for a major utility service facility would be consistent with the surrounding uses and would be compatible with the abutting residential use by being adequately screened and buffered.

B. The proposed use is allowed within the applicable zone and complies with all other provisions of this Zoning Code and the Municipal Code.

The IG (Industrial General) zone permits a major utility facility subject to approval of a conditional use permit. The proposal complies with all other development standards and land use standards in the SMC.

C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.

The proposed land use allows a major utility service facility subject to the approval of a conditional use permit. The property is located in the IG (Industrial General) zone and is adjacent to Stanton Energy Rehabilitation Center (SERC) that was approved by the California Energy Commission. The project site is adjacent to other industrial uses. Existing nonconforming residential uses are located on the northwest side of the entrance at the corner of Pacific Street and Fern Avenue. The CEQA checklist, attached to the staff report as Attachment E, was prepared after environmental analysis reports were conducted which support a Class 32 CEQA exemption. Findings indicate that the project will not have significant effects relating to traffic, noise, air quality, or water quality on surrounding uses. The project operations would occur solely within the enclosed structure and would comply with all outside agency permitting requirements to ensure the business does not adversely affect the surrounding air quality or water quality. Therefore, based on the analysis of the proposed operations, building design, and existing surrounding uses, the project is compatible with existing and future land uses.

- D. The site is physically suitable in terms of:
  - 1. Its design, location, shape, size, and operating characteristics of the proposed use;
  - 2. The provision of public and emergency vehicle access;
  - 3. Public protection services;
  - 4. The provision of utilities; and
  - 5. Served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate.

The project site is located in the IG (Industrial General) zone. The project includes two (2) parking spaces, adequate to accommodate maintenance vehicles. The operations of this facility will be completely unmanned and would not require any additional parking. Adequate access for emergency vehicles is along the corner of Pacific Street and Fern Avenue, via a 20-foot wide access road which continues inside the project and through to the adjacent SERC facility. All entrances will be secured with gates and have a Stanton and Orange County Fire Authority (OCFA) -required lock box. In accordance with the environmental assessment, potential impacts associated with fire protection and police protection would be less than significant and no impacts would occur to schools, parks and other public facilities since it is an unmanned facility. Less than significant impacts would occur for storm water drainage, water supplies, solid waste disposal, and other utilities. In accordance with the analysis, there would be a temporary minor increase in traffic due to construction vehicles. However, long-term potential impacts associated with traffic on surrounding roadway segments and intersections would be less than significant. Therefore, the project can be served by existing highway streets and roadways to support the use.

E. The site's suitability ensures that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially detrimental to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

All operations will be conducted indoors within a fully enclosed building. The project has been conditioned to obtain all required permits from the City's Building Division who enforces local, State and Federal laws to protect the public safety and general welfare of Stanton. The Building Division administers and enforces compliance with the provisions of the Stanton Municipal Code (SMC) to protect life and property from fire hazards. Further, the City has adopted the 2007 California Fire Code. Therefore, potential impacts would be less than significant and will not constitute adverse affects.

F. The requirements of the California Environmental Quality Act (CEQA) have been satisfied.

The CEQA checklist provides evidence that the proposed project meets conditions for Class 32 Categorical Exemption for in-fill development. Pursuant to Section 15300.02 (c) and Section 15332 of Title 14 of the California Code of Regulations, there are no unusual circumstances in respect to the proposed project for which staff would anticipate a significant effect on the environment. Therefore, the proposed project is categorically exempt from the provisions of CEQA.

**<u>SECTION 4</u>**: In accordance with the findings as set forth in Chapter 20.520.050 of the Stanton Municipal Code for Site Plan and Design Review:

A. Allowed within the subject zone.

The IG (Industrial General) zone permits a major utility facility subject to approval of Section 20.220.020 of the Stanton Municipal Code (SMC) requires a Site Development and Design Review through a precise plan of development. The applicant has applied for said permit.

- B. Designed so that:
  - 1. The project will not be detrimental to the public health, safety, or general welfare, and not detrimental to adjacent property;

All operations will be conducted indoors within a fully enclosed building. The project has been conditioned to obtain all required permits from the City's Building Division who enforces local, State and Federal laws to protect the public safety and general welfare of Stanton. The Building Division administers and enforces compliance with the provisions of the Stanton Municipal Code (SMC) to protect life and property from fire hazards. Further, the City has adopted the 2007 California Fire Code. Therefore, potential impacts would be less than significant and will not constitute adverse affects.

2. Architectural design and functional plan of the structure(s) and related improvements are of reasonable aesthetic quality and compatible with adjacent developments;

The proposed building structure would be constructed of prefabricated panels with flat or slightly pebbled finish, and metal panels. These materials match the adjacent SERC facility and are similar to and compatible with the surrounding industrial uses. Therefore, the project is consistent and compatible with adjacent developments.

 Structure(s) and related improvements are suitable for the proposed use of the property and provide adequate consideration of the existing and contemplated uses of land and orderly development in the general area of the subject site; and

The use is permitted subject to approval of a CUP and site development and design review. The project has been designed to be consistent with adjacent and surrounding uses with the use of similar materials. The new building is proposed to be setback approximately 25 feet from the front of the property line off Pacific Street and Fern Avenue and meets all site development standards. Therefore, the project is designed with adequate consideration of the existing and contemplated land and development.

4. The project's site plan and design is consistent with the City's Design Standards and Guidelines, if any.

The project is not subject to City's Design Guidelines, however, the project was designed to be architecturally integrated with surrounding uses and meets all site development standards.

- C. Designed to address the following criteria, as applicable:
  - 1. Compliant with this Chapter, this Zoning Code, Municipal Code Title 16 (Buildings and Construction), and all other applicable City regulations and policies;

The project is compliant with the Zoning Code, Municipal Code Title 16 and all other applicable City regulations in that it meets all site development standards. Additionally, the project is designed to be architecturally compatible and consistent to adjacent properties. Security measures including new block walls and gates have also been designed to secure the site. Therefore, the project meets applicable land use and development standards.

2. Efficient site layout and design;

The site is designed with adequate access, parking, setbacks and meets all site development standards. Therefore, the project is designed efficiently and adequately.

3. Adequate yards, spaces, walls, and fences, parking, loading and landscaping that fit in with neighboring properties and developments;

New block walls will be added on the northern, eastern, and southern boundaries of the property. Landscaping will be planted along the frontage. Overall, the proposed project would not have a substantial adverse effect on the visual character of the area.

 Relationship to streets and highways that are adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed development;

The operations of this facility will be completely unmanned and would not require any additional parking. Adequate access for emergency vehicles is along the corner of Pacific Street and Fern Avenue, via a 20-foot wide access road which continues inside the project and through to the adjacent SERC facility. All entrances will be secured with gates and have a Stanton and Orange County Fire Authority (OCFA) -required lock box. In accordance with the environmental assessment, potential impacts associated with fire protection and police protection would be less than significant and no impacts would occur to schools, parks and other public facilities since it is an unmanned facility.

5. Compatible and appropriate scale to neighboring properties and developments;

The new building is under the building height up to 32 feet in the Industrial General zone. The construction and improvements proposed at the project site are consistent with the existing industrial uses. Further, the project is set back 25 feet and is only visible from the right-of-way at the corner where Pacific Street meets Fern Avenue. Therefore, the proposed project would not have a substantial adverse effect on the visual character of the area.

6. Efficient and safe public access (both pedestrian and vehicular) and parking;

Adequate access for emergency vehicles is along the corner of Pacific Street and Fern Avenue, via a 20-foot wide access road which continues inside the project and through to the adjacent SERC facility. All entrances will be secured with gates and have a Stanton and Orange County Fire Authority (OCFA) -required lock box.

7. Appropriate and harmonious arrangement and relationship of proposed structures and signs to one another and to other development in the vicinity, based on good standards of design;

8. Appropriate relationship to land use and development of adjacent properties, including topographic and other physical characteristics of the land;

The construction and improvements proposed at the project site are consistent with the existing industrial uses. Further, the project is set back 25 feet and is only visible from the right-of-way at the corner where Pacific Street meets Fern Avenue. Therefore, the proposed project would not have a substantial adverse effect on the visual character of the area.

9. Proper site utilization and the establishment of a physical and architectural relationship to existing and proposed structures on the site;

The project has been designed to give the appearance of a warehouse and includes false windows along the north elevation. This creates a compatible facility to the existing industrial uses and is visually pleasing to other surrounding uses.

10. Compatible architectural style with the character of the surrounding area, both to avoid repetition of identical design where not desired, and to ensure compatibility in design where desired;

The project has been designed to give the appearance of a warehouse and includes false windows along the north elevation. This is consistent with and compatible to surrounding industrial uses.

11. Harmonious relationship with existing and proposed developments and the avoidance of both excessive variety and monotonous repetition;

The building will be designed to be consistent with the SERC building but will improve the appearance of the neighborhood with the new facility where none exists.

12. Compatible in color, material, and composition of the exterior elevations to neighboring visible structures;

The exterior of the building is proposed to be painted with a palette of medium and light beige/tan and medium and dark grey. This is the same color palate as the adjacent SERC building and compatible with adjacent industrial buildings.

13. Appropriate exterior lighting that provides for public safety and is not of a nature that will constitute a hazard or nuisance to adjacent properties;

The building is an unmanned facility which will be enclosed with gate and block wall. Lighting has been conditioned and shall consist of one small down light at each external door of the building (9 total).

14. Compatible in scale and aesthetic treatment of proposed structures with public areas;

and would comply with all outside agency permitting requirements to ensure the business does not adversely affect the surrounding air quality or water quality. Therefore, based on the analysis of the proposed operations, building design, and existing surrounding uses, the project is compatible with existing and future land uses.

15. Appropriate open space and use of water-efficient landscaping; and

Water efficient landscaping will be planted at the main entrance. The unmanned facility operations would occur solely within the enclosed structure are not anticipated to need or generate water use.

16. Consistent with the General Plan and any applicable Specific Plan. (Ord. 1017, 2013)

The project is consistent with the General Plan and IG (Industrial General) zone which permits a major utility facility subject to approval of a Site Development and Design Review through a precise plan of development. The project meets all site development standards and will not have a significant impact on the environment.

**<u>SECTION 5</u>**: That based upon the above findings, the Planning Commission hereby approves Conditional Use Permit 19-07 and Site Development and Design Review PPD-801 to allow the construction and operation of a major utility service facility (Stanton Battery Energy Storage) subject to the following Conditions of Approval:

# A. That all conditions of the Planning Division be met, including, but not limited to, the following:

- 1. The applicant(s)/owner(s) shall comply with all requirements of the City of Stanton Municipal Code, as it pertains to the application for this proposed project, and such requirements shall be made a condition of permit approval.
- 2. This project is subject to the approval of a Development Agreement as approved by City Council. This approval shall but null and void should the Development Agreement not be executed.
- 3. The proposed project will be constructed, developed, used, operated and permanently maintained in accordance with the terms of the application, plans, drawings submitted, and conditions imposed in this Resolution of Approval.

- 4. Any deviations to the approved plans must first be approved by the Planning Division. Any approval by the Building Division does not constitute approval by the Planning Division.
- 5. The applicant(s)/owner(s) shall agree and consent in writing within 30 days to the conditions of approval as adopted by the Planning Commission. In addition, the applicant(s)/owner(s) shall record the conditions of approval in the Office of the County Recorders. Proof of recordation shall be provided to the Planning Division prior to final of the building permit.
- 6. The project shall abide by Orange County Fire Authority Guideline G-10 for Stationary Storage Battery Systems that outline the requirements and regulations for stationary storage battery systems.
- 7. The project shall comply with all requirements set forth in the 2018 International Fire Code Section 1206 and Section 608 of the California Fire Code.
- 8. New block walls shall be added on the northern, eastern, and western boundaries of the project site. The north and south walls would be at least six (6) feet high. The east wall would be seven (7) feet high. In order to provide security and additional screening for the project site, an eight (8) foot tall metal perimeter fence with vehicular access gate would span the northwest corner of the project site (i.e., the Pacific Street and Fern Avenue frontage).
- 9. The project shall not involve any additional development of structures that could impair implementation of, or physically interfere with, an adopted emergency response plan or emergency access.
- 10. The project shall include a security system for remote monitoring 24 hours per day, seven (7) days per week.
- 11. Lighting at the project site shall consist of one small down light at each external door of the building (9 total).
- 12. Outdoor storage of battery energy storage systems shall be prohibited. All batteries shall be kept indoors.
- 13. Construction-related trucks shall not be allowed to park, idle, or stage along Fern Avenue and Pacific Street.
- 14. Project construction shall restrict heavy equipment and noisy construction activities between 7 AM and 8 PM on weekdays and Saturdays, and shall use well-maintained equipment installed with properly functioning mufflers, where applicable.
- 15. Project must comply with the noise findings set forth in the modeling conducted by Ramboll.

- 16. Construction equipment shall be required by regulation to use low sulfur content fuel to minimize potential odors.
- 17. The project is required to have an onsite HVAC system used to cool the building and comply with the allowed emissions threshold.
- 18. The project shall comply with the approved landscape at the setback area along Fern Avenue and Pacific Street. Within the project site, areas not covered by the energy storage system enclosures and associated electrical equipment pads shall be surfaced with low maintenance crushed rock or live plants.
- 19. A business identification sign stating "Stanton Battery Energy Storage" shall be located at the entrance of the building on pacific street under a separate sign permit.
- 20. The applicant shall comply with all requirements of the City of Stanton Municipal Code, as it pertains to this use, and such requirements shall be made a condition of permit approval.
- 21. Approval for modifications of the proposed use shall be obtained from the Planning Commission, subject to an amended Conditional Use Permit.
- 22. Graffiti on the property shall be removed at the property owner's expense within 24 hours.
- 23. In accordance with policies adopted by the City, the applicant(s)/owner(s) shall be responsible for any cost incurred as a result of local law enforcement or code enforcement investigations/inspections, which result in a finding of violation of any applicable laws and/or conditions of approval. The applicant/owner shall have 30 days from the date of receipt of invoices to make payment to the City of Stanton.
- 24. As a condition of issuance of this approval, the applicant shall agree, at its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The City agrees to promptly notify the applicant of any such claim filed against the City and fully co-operate in the defense of any such action. The City may, at its sole cost and expense, elect to participate in the defense of any such action under this condition.
- B. That all requirements of the Building Division be met.
- C. That all requirements of the Engineering Division be met.

## D. That all requirements of the Orange County Fire Authority be met.

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on January 15, 2020 by the following vote, to wit:

AYES:	COMMISSIONERS:	
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	

Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP City Planner

## 8230 Pacific Avenue Vicinity Map



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o<sub>k</sub>

## **1. PROJECT DESCRIPTION**

### 1.1 Project Background

COMMUNITY DEVELOPMENT

Stanton Battery Energy Storage (SBES) is proposing to install up to a 70MW/280MWh battery energy storage system which would provide local and regional ancillary services to the electric grid to benefit the residents of the City of Stanton (City) and adjacent cities.

### 1.2 Project Location

The Project site is located on an approximately 0.66-acre parcel at 8230 Pacific Street in the city of Stanton (City) (Figure 1). The site is currently a paved storage yard used for temporary staging and storage for the construction of the adjacent Stanton Energy Reliability Center. The site is located in an area zoned as Industrial General (IG) under the City General Plan and is zoning and generally surrounded by industrial and commercial land uses except for the residential neighborhood to the northwest of the site.<sup>1</sup>

#### 1.3 Existing Environment

The site is adjacent to an unrelated utility facility on the east side. Uses on the east side of Fern Avenue are industrial. The City's corporate yard is located immediately to the west and abutting the Project site. Residential uses begin opposite the entrance at the corner of Pacific Street and Fern Avenue and are across a public right-of-way. The residential units are on land zoned as Industrial but are designated as Medium Residential in the City General Plan. A one-track railroad extends along the length of the south side of the Project site.

### 1.4 Project Purpose

The Project is designed to receive energy from an interconnection point with Southern California Edison (SCE) when electricity demand is low (relative to supply), store that energy in batteries, and later discharge the energy back into the SCE electric system via the interconnection point. The Project would consist of up to a 70MW/ 280MWh of energy storage system which would provide local and regional ancillary services to the electric grid to benefit the residents of the City and adjacent cities.

### 1.5 Project Description and Entitlement Requirements

The Project requires both a Conditional Use Permit and a Precise Plan of Development. The Project would use one of several potential energy storage battery equipment configurations, depending on final engineering and vendor selection. That equipment is expected to include the following: (1) energy storage/batteries housed in a ~11,500 square foot building (237'  $11'' L \times 50' 4'' W \times 31' 6'' H$ ), (2) inverters and transformers that will convert alternating current electric energy into direct current electrical energy and the reverse when discharging to the SCE grid, and (3) switchgear and other protective electrical equipment.

The Project would connect to SCE's Barre 230kV/66kV "A" substation located directly east and north of the adjacent utility facility via underground electrical cables. The proposed Project would be designed for complete remote operation and generally unoccupied.

The Project site and equipment would include integrated fire protection, and HVAC systems. The maximum height of structures would be 31.5 feet. New block walls would be added on the northern, eastern, and western boundaries of the property. The north and south walls would be at least 6' high. The east wall would be 7' high. A business identification sign

<sup>&</sup>lt;sup>1</sup> City of Stanton. 2019. General Plan – Land Use and Zoning Maps. Available at: <u>http://ci.stanton.ca.us/Departments/Community-Development/Planning-Division/General-Plan-Land-Use-and-Zoning-Maps?folderId=475&view=gridview&pageSize=10</u>. Accessed: October 2019.

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COMMUNITY DEVELOPMENT

stating Stanton Battery Energy Storage would be located at the entrance on Pacific Street under a separate sign permit.

Since the proposed Project is designed for remote operation, the site would provide two internal parking spots for an occasional maintenance vehicle. A portable bathroom facility would be on site. The project would include a comprehensive security system for remote monitoring 24 hours per day, 7 days per week.

Access to the Project site would be via a City-approved entrance off the intersection of Pacific Street and Fern Avenue with a driveway approach located at the northwest corner of the site. Internal site access would be provided via a 20-foot wide all-weather driveway, as well as a fire truck turnaround located on the property to the east. In order to provide security and additional screening for the site, an 8-foot tall metal perimeter fence with vehicular access gate would span the northwest corner of Project site (i.e., the Pacific Street and Fern Avenue frontage). The Project has rights for a secondary emergency access from the adjoining property to the east via a dedicated concrete bridge over the Stanton Storm Channel.

The Project would be developed to all lot lines except in the required setback areas along Fern Avenue and Pacific Street where landscape plants and materials would include Blue Chalkstick, Vangated New Zealand Flax, Bushy Yate, Pine Muhly, Red Fountain Grass and boulders in compliance with City landscape and water conservation standards for industrial zones, subject to final City review during the building permit process. Within the project, areas not covered by the energy storage system enclosures and associated electrical equipment pads would be surfaced with low maintenance crushed rock.

The Project is intended to be built in one phase. It is possible the Project could be built out in multiple phases if required by SCE or other Load Serving Entity (LSE) counterparties. All Project site perimeter fences and/or walls, battery building, landscaping, parking, and portable restroom would be developed in one phase.



DATE	DESCRIPTION	DRAWN	REV	DATE	DESCRIPTION	DRAV
/8/19	IFP – CUP BESS BUILDING	BOSSERMAN,J				
	5	$\hat{\mathbf{r}}$		4		3



DATE	DESCRIPTION	DRAWN	REV	DATE	DESCRIPTION	DRA
1/12/19	IFP – CUP BESS BUILDING	BOSSERMAN,J				
	5	$\bigcirc$		4		3





West Elevation



North Elevation





Building Aesthetic Treatment Concept Stanton Battery Energy Storage



West Elevation



North Elevation





Building Aesthetic Treatment Concept Stanton Battery Energy Storage

CASE NO.:	CONDITIONAL USE PERMIT NO. C19-07 PRECISE PLAN OF DEVELOPMENT NO. PPD-801
PROJECT APPLICANT:	CITY OF STANTON 7800 Katella Avenue
PROJECT AGENT:	STANTON ENERGY HOLDCO, LLC. Attn: Kara Miles 650 Bercut Dr., Ste. A
PROJECT ADDRESS:	Sacramento, Ca 95811 8230 Pacific Street Stanton, CA 90680
APN(s):	126-531-40-00

### **PROJECT LOCATION:**

The Project Site is located at the southeast corner of Pacific Street and Fern Avenue in the City of Stanton, California.

#### SURROUNDING LAND USES AND SETTING:

The 0.66-acre Project Site is surrounded by industrial and commercial land uses with the exception of the residential neighborhood to the northwest of the Project Site. The nearest residential uses are located approximately 50 feet to the northwest of the Project Site.

#### **PROJECT DESCRIPTION:**

The Applicant proposes to install up to a 70MW/280MWh battery energy storage system which would help stabilize the availability of electricity to the Southern California Edison (SCE) electric grid as shown in Figure 1 - Site Plan.

The Proposed Project would use one of several potential energy storage battery equipment configurations, depending on final engineering and vendor selection. The equipment will include the following:

- Energy storage/batteries housed in an approximately 11,500 square foot (SF) building (237' 11" L x 50' 4" W x 31' 6" H);
- 2. Inverters and transformers that will convert alternating current electrical energy into direct current electrical energy when receiving power from the SCE grid, and the reverse when discharging to the grid; and
- 3. Switchgear and other protective electrical equipment.

The Project would connect to SCE's Barre 230kV/66kV "A" substation located directly east and north of the adjacent utility facility via underground electrical cables. The Proposed Project would be designed for complete remote operation and generally be unoccupied. The maximum height of structures would be 31.5 feet, as shown in Figure 2 – *North Elevation* and Figure - 3 *West Elevation*. The Project Site and equipment would include integrated fire protection and HVAC systems.

### Walls and Fences

New block walls would be added on the northern, eastern, and western boundaries of the Project Site. The north and south walls would be at least 6-feet high. The east wall would be 7-feet high. In order to provide security and additional screening for the Project Site, an 8-foot tall metal perimeter fence with vehicular access gate would span the northwest corner of Project Site (i.e., the Pacific Street and Fern Avenue frontage) (Figures 1 through 3).

## Parking and Access

Since the Proposed Project is designed for remote operation, the Project Site would provide two (2) internal parking spots for an occasional maintenance vehicle and a portable bathroom facility (Figure 1 - Site Plan).

Access to the Project Site would be via a City-approved entrance off the intersection of Pacific Street and Fern Avenue with a driveway approach located at the northwest corner of the Project Site (Figure 1 - Site Plan). Internal site access would be provided via a 20-foot wide all-weather driveway, as well as a fire truck turnaround located on the property to the east. The Project has rights for a secondary emergency access from the adjoining property to the east via a dedicated concrete bridge over the Stanton Storm Channel.

## Landscaping

The Project would be developed to all lot lines except in the required setback areas along Fern Avenue and Pacific Street where landscape plants and materials would include Blue Chalkstick, Vangated New Zealand Flax, Bushy Yate, Pine Muhly, Red Fountain Grass and boulders in compliance with City landscape and water conservation standards for industrial zones, subject to final City review during the building permit process. Within the Project Site, areas not covered by the energy storage system enclosures and associated electrical equipment pads would be surfaced with low maintenance crushed rock.

Project simulations are provided under Figure 4 – Fern Avenue Near Pacific Street Simulation and Figure 5 – Pacific Street at Sycamore Avenue Simulation.

GENERAL PLAN DESIGNATION:	Public/Institutional			
ZONING:	IG, Industrial General Zone			

Figure 1 - Site Plan





Figure 2 – North Elevation

Figure 3 – West Elevation



## Figure 4 – Fern Avenue Near Pacific Street Simulation



Figure 5 – Pacific Street at Sycamore Avenue Simulation



### INFORMATION DEMONSTRATING THAT THE PROJECT SATISFIES THE CONDITIONS DESCRIBED IN SECTION 15332 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS:

Technical documentation of the following analysis is included in *Environmental Documentation Supporting CEQA Exemption – Stanton Battery Energy Storage Project* (Ramboll, December 2019).

1. Is the project consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations?

The Proposed Project is consistent with the existing Public/Institutional General Plan Designation applicable to the Project Site, which is intended for "a wide variety of services for the public intended to promote a high-quality of life, protect the safety of the citizens, and serve as focal points to join the entire city together" (City of Stanton General Plan, p. 2-6). The Proposed Project would provide local and regional ancillary services to the electric grid to benefit the local customers of SCE. The Proposed Project would receive energy from an interconnection point with SCE when electricity demand is low (relative to supply), store that energy in batteries, and later discharge the energy back into the SCE electric system via the interconnection point. This would aid in the supply and distribution of electricity to local SCE customers and help ensure the availability of electricity in times of high power usage.

The Project Site is zoned for IG, Industrial General Zone. Per the City of Stanton Municipal Code, Title 20 – Zoning, Chapter 20.220 – Industrial Uses, the IG Zone is applied to areas appropriate for light industry and manufacturing and warehousing facilities. "Utility Service Facilities – Major" are conditionally allowed in the IG Zone. The Proposed Project is located on a lot zoned for industrial uses, of which major utility service facilities are permitted through the conditional use permit (CUP) process. The Proposed Project meets required standards for the industrial designation, including, but not limited to, setbacks and height. The Proposed Project would benefit the public through the provision of electrical service by SCE.

Therefore, the Proposed Project is consistent with the applicable general plan designation of Public/Institutional and applicable zoning designation of Industrial General, along with all applicable policies and regulations.

2. Is the proposed development located within the City limits on a project site of no more than five acres substantially surrounded by urban uses?

The Project Site is 0.66-acres, within City limits, and surrounded by urban uses.

3. Does the project site have value as habitat for endangered, rare or threatened species?

The Project Site is currently developed as a paved parking lot and industrial storage yard. Surrounding uses to the Project Site include industrial uses to the north, west and east, railroad to the south, and residential homes to the northwest. There are no areas of open habitat or bodies of water located on or near the Project Site. The Proposed Project does not have the potential to adversely affect the environment, reduce or eliminate any plant or animal species, or destroy prehistoric records of the past. The Project Site is in an area that is part of an existing industrial facility which has been previously disturbed, graded and developed, and therefore does not support any habitat of fish or wildlife species. The Proposed Project would not extend into environmentally sensitive areas.

The Project Site would not need to be altered for this project and would have no impact on habitats, species, migratory fish and wildlife, vegetation, or trees. There are no riparian or sensitive communities, or areas that are protected by any local, regional, or state habitat conservation plans located at the Project Site, so no endangered habitat, rare or threatened species would be impacted as a result of the Proposed Project. A review of the National Wetlands Inventory Map shows no wetlands located at the Project Site. Further development of the Project Site would have no impact on federally protected wetland as defined by Section 404 of the Clean Water Act. Therefore, the Project Site has no value as habitat for federal or state endangered, rare, or threatened species.

- 4. Would approval of the project result in any significant effects relating to traffic, noise, air quality, or water quality?
  - a. Traffic:

*Construction* - There would be a temporary minor increase in traffic due to construction vehicles during the construction phase. However, this impact would be temporary and fall below relevant significance thresholds. Therefore, potential impacts associated with construction traffic would be less than significant.

*Operation* - The Proposed Project consists of the construction of a one-story, 31.5-foot high utility storage facility building with 11,500 SF of floor area. Additional improvements include ancillary structures such as walls and fences, temporary restroom facility (Port-A-Potty), and additional transformer and inverter equipment. However, no additional traffic is expected post construction, as the facility would be remotely operated. The Property Owner/Developer would comply with all applicable City plans, ordinances, and policies. Therefore, potential impacts associated with traffic on surrounding roadway segments and intersections would be less than significant.

b. Noise:

A noise modeling analysis of operational activities was prepared based on the Proposed Project design specifications.

*Construction* - The Proposed Project would generate temporary noise during construction activities. To consider whether construction of the facility would result in a substantial temporary increase in ambient noise levels in the project vicinity, Ramboll applied the California Energy Commission (CEC) finding that construction noise is typically insignificant if the construction activity is temporary, use of heavy equipment and noisy activities are limited to daytime hours, and industry standard noise abatement measures are implemented for noise producing equipment. Project construction would restrict heavy equipment and noisy construction activities to the hours between 7 AM and 8 PM weekdays and Saturdays, and use well-maintained equipment installed with properly functioning mufflers, where applicable.

Project construction activities are anticipated to result in some vibration that may be felt on properties in the immediate vicinity of the Project Site. Loaded trucks carrying construction materials would operate on the Project Site temporarily during construction activities. The nearest residential receptors are located approximately 50 feet from the Project's boundaries. Any impacts would be lessened over that distance. The Stanton Municipal Code prohibits construction outside daytime hours; therefore, construction vibration would not be significant at these receptors because they would be below acceptable levels and would occur outside hours when people normally sleep. The Project site is located approximately 4.4 miles southwest of the Fullerton Municipal Airport and no impact associated with airport noise conflicts would occur from the Proposed Project.

Therefore, potential impacts associated with noise from the construction of the Proposed Project would be less than significant.

*Operation* - The Proposed Project, when constructed, would generate noise impacts consistent with those of surrounding land uses. Noise during operation of the facility may be emitted by transformers, inverters, and rooftop heating, ventilation and air conditioning (HVAC) equipment. The batteries would be installed inside of a new building, so noise from the batteries is not expected to affect outside persons including the nearby residences located to the northwest of the Project Site. Representative equipment noise sources, locations, numbers, and estimated sound levels were obtained by Ramboll and are identified in Table 6 of the *Environmental Documentation Supporting CEQA Exemption – Stanton Battery Energy Storage Project* (Ramboll, December 2019).

To assess the Proposed Project's ability to meet the nighttime noise limit of 50 decibels (dBA) at the nearest residential receivers northwest of the Project Site on Fern Avenue, Ramboll conducted a noise modeling analysis using the equipment specifications and assumptions identified in Table 1 (Ramboll, December 2019). The model-calculated sound levels indicate the Proposed Project would meet the nighttime noise limit of 50 dBA.

To consider whether operation of the facility would result in a substantial permanent increase in ambient noise levels in the project vicinity, Ramboll applied the California Energy Commission (CEC) finding that an increase in background noise levels of more than 10 dBA in a residential setting is generally considered a substantial increase resulting in significant impact. To characterize the ambient noise levels at the residences on Fern Avenue, Ramboll reviewed the sound level data recently measured for the Stanton Energy Reliability Center Noise Study. Because the SBES facility would operate 24-hours a day, the ambient noise level is best characterized by the Ldn, a 24-hour sound level average with a 10-dBA penalty applied to the more sensitive nighttime hours. Of the measurements taken in 2015 and 2016, the Ldn of 59.7 dBA measured in 2015 was the quieter of the two measurements and was used to represent the ambient noise levels at the Fern Avenue residences for this analysis. Based on Ramboll's analysis, the Proposed Project was estimated to produce a sound level of 49.9 dBA at the Fern Avenue residences over a 24-hour period, resulting in an Ldn of 56.3 dBA. Adding the estimated project level noise contribution of 56.3 dBA to the existing ambient level of 59.7 dBA would result in an overall level of 61.3 dBA, which represents a 1.6 dBA increase. Such an increase in background noise level would be below the above CEC standard, and thus would not be considered substantial.

Therefore, potential impacts associated with noise from the operation of the Proposed Project would be less than significant.

c. Air Quality:

The United States Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and South Coast Air Quality Management District (SCAQMD) have established air monitoring plans designed to obtain representative data on the ambient levels of pollutants. This data is used to classify an area as attainment, unclassified, or nonattainment, depending on whether the monitored ambient air quality data indicates compliance, sufficient data is not available, or non-compliance with the ambient air quality standards, respectively. In general, an area is designated as attainment if the concentration of a criteria air pollutant does not exceed the standard. Likewise, an area is designated as nonattainment for an air contaminant if the standard is violated. The Project site is located in the South Coast Air Basin (SCAB), which is nonattainment for the federal and state ozone standard, the federal and state standards for particulate matter less than 2.5 microns (PM2.5), and the state standard for particulate matter less than 10 microns (PM10). The SCAB is designated as attainment or unclassified for federal standard for PM10, carbon monoxide (CO), nitrogen dioxide (NO2), and sulfur dioxide (SO2).<sup>1</sup>

In order to establish if a project could cause a significant contribution to ambient air quality, SCAQMD has established air quality significance thresholds for project construction.

*Construction* - The area of disturbance includes the entire 0.66-acre Project Site. General construction activities, such as site preparation, grading, and travel by construction workers can contribute to air pollutants. All construction activities would comply with SCAQMD Rule 403 (SCAQMD 2005) regarding the control of fugitive dust emissions, and existing City dust suppression practices that minimize dust and other emissions. Such controls include frequent watering of the Project Site, the covering and/or wetting of trucks hauling dirt, sand, soil or other loose materials off-site, street sweeping, as needed, to remove dirt dropped by construction vehicles or mud that would otherwise be carried off by trucks departing the Project Site, suspending grading and excavation activities in high winds (25 miles per hour [mph] or more) as well as implementation of a traffic control plan to minimize traffic flow interference from construction activities, etc., that would be incorporated into the construction plans.

Construction phase emissions at the Project Site will mainly consist of emissions from haul road grading, earth bulldozing and excavation, and truck loading. Potential air emissions associated with the Proposed Project's construction phase activities were estimated using the California Emissions Estimator Model (CalEEMod). Construction phase emissions will be short-term and anticipated to occur over a roughly 6-month period. The fugitive emissions resultant from off-

<sup>&</sup>lt;sup>1</sup> SCAQMD. 2016. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin. Available at: https://www.aqmd.gov/docs/defaultsource/ clean-air-plans/air-quality-management-plans/naaqs-caaqs-feb2016.pdf?sfvrsn=2. Accessed: October 2019.

road equipment usage are also included in this analysis.

Construction activities can generate on-road vehicle exhaust (including evaporative emissions) and entrained road dust emissions from personal vehicles for worker/vendor commuting, and trucks for soil/materials hauling. These emissions were calculated in the CalEEMod model based on the numbers of trips and vehicle miles traveled (VMT) along with emission factors from EMFAC2014. It is estimated that the Project would have a maximum daily trip rate of 20 trucks per day during the construction period. For the purpose of air emission modeling, the number of vendor trips was conservatively estimated based on a maximum daily trip rate of up to 80 trucks per day during the Undergrounds, Construct Building including Roof, and Receive and Set Equipment phases. The number of haul trips during the Excavation and Site Clearing and Foundations phases was also conservatively estimated as up to 80 trucks per day. Based on the volume of soil to be exported (1,938 cubic yards) during the Excavation and Site Clearing phase and the amount of concrete to be imported (1,453 cubic yards) during the Foundations phase, the number of haul trips would be expected to be much lower than 80 trucks per day.

The maximum daily criteria air pollutant emissions estimated due to construction of the Project are summarized in Table 1 - Maximum Daily Construction Emissions. As shown in Table 1, the estimated emissions from Proposed Project construction activities fall well below SCAQMD mass daily significance thresholds for all criteria pollutants.

	Maximum Daily Emissions (lb/day)					
	NOx	VOC	PM10	PM2.5	SOx	CO
Total Project Construction	72.3	3.2	5.0	2.1	0.18	31.1
Mass Daily Threshold <sup>1</sup>	100	75	150	55	150	550
Above Mass Daily Threshold?	No	No	No	No	No	No
Onsite project construction	16.0	1.6	0.90	0.82	0.02	14.5
Localized significance threshold <sup>2</sup>	81		4	3		485
Above Localized Significance Threshold?	No	No	No	No	No	No

#### Table 1 – Maximum Daily Construction Emissions (pounds per day)

Notes:

<sup>1</sup> Mass daily significance thresholds obtained from SCAQMD Air Quality Significance Thresholds. Available at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. Accessed: October 2019.

<sup>2</sup> Localized significance thresholds obtained for Central Orange County (Source-Receptor Area 17), 1-acre site, 25-m receptor distance from the Project Site boundary from SCAQMD Appendix C - Mass Rate LST Look-up Tables.

Available at:

http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-cmass-rate-lst-look-up-tables.pdf?sfvrsn=2. Accessed: October 2019.

Construction equipment are typically fueled by diesel, which could lead to odors. However, diesel-fueled construction equipment is required by regulation to use low sulfur content fuel in accordance with SCAQMD Rule 431.2.7.<sup>2</sup> Compliance with this rule will minimize potential odors. Additionally, the Project site is in an urban area with few sensitive receptors near the activities of this Project. Given the intermittent and temporary nature of construction activities, potential odors are not expected to be discernible to offsite receptors. Diesel trucks that would be operated onsite as part of construction activities would not be allowed to idle longer than five minutes in any one location, in accordance with the CARB idling Airborne Toxics Control Measure (13 CCR §2485).<sup>3</sup> No construction-related truck will be allowed to park, idle, or stage along Fern Avenue or Pacific Street. Staging would be limited to areas designated by the City Public Works director to minimize impacts on residences and neighboring business operations or traffic. Therefore, construction equipment and haul trucks are not expected to generate diesel exhaust odor greater than typically present at the Project Site.

*Operation* - Operational emissions for the proposed Project are expected to be negligible, as the Project would be used only as a battery energy storage facility. The onsite HVAC systems used to cool the building will be powered with electricity, rendering the on-site operational criteria air pollutant emissions essentially zero.

<sup>&</sup>lt;sup>2</sup> SCAQMD. 2000. Rule 431.2 – Sulfur Content of Liquid Fuels. September. Available at:

http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf?sfvrsn=4. Accessed: October 2019.

<sup>&</sup>lt;sup>3</sup> 13 CCR §2485. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. https://www.arb.ca.gov/msprog/truck-idling/13ccr2485\_09022016.pdf. Accessed: October 2019.

Therefore, potential air quality impacts associated with construction and operation of the Proposed Project would be less than significant.

d. Water Quality:

The Project Site is currently developed as a paved parking lot and industrial storage yard. The Proposed Project would not increase the amount of impervious surface area on the Project Site. The Project Site is served by stormwater systems and the Proposed Project would not increase the runoff going into those systems. The Proposed Project involves temporary construction activities which are required to comply with the requirements of the Stanton Municipal Code Chapter 16.20 - Stormwater Discharge and Water Quality and would not violate any water quality standards or waste discharge requirements as a result of compliance. No changes to hydrology or water quality would occur from the Proposed Project. The site changes proposed would not substantially alter the drainage pattern of the Project Site or area and needed drainage system improvements would be incorporated in accordance with City requirements. Because impermeable surface areas would not be increased, no changes to groundwater recharge would occur, and no impacts on groundwater are expected from the Proposed Project. No impact on the existing drainage pattern resulting in erosion or siltation would occur from the Proposed Project as it does not propose to alter existing drainage onsite or in the area. The Project Site is located in Zone X of the FEMA FIRM (Map # 06059C0136C; December 3, 2009). Zone X is characterized as having a 0.2% chance for an annual flood so the Proposed Project would not increase exposure of housing to risks associated with flooding within a 100year flood hazard area. Therefore, with compliance of Chapter 16.20 and Title 20 of the SMC, as well as Federal and State requirements, potential impacts associated with water quality would be less than significant.

- 5. Can the project site be adequately served by all required utilities and public services?
  - a. Fire Protection:

According to CalFire, the Project Site is not located within a moderate, high, or very high fire hazard rated area.<sup>4</sup> However, the construction of a 11,500 SF utility storage facility building could incrementally increase demands for fire protection services and the increased demand for fire protection services would be met with existing fire resources. The Orange County Fire Authority (OCFA) maintains proactive and preventative measures to reduce fire risks and is the first responder to fire emergencies. Fire Department needs are assessed annually, and budget allocations revised accordingly to ensure that adequate levels of service are maintained throughout the county. The City's Building Division enforces local, State and Federal laws to protect the public safety and general welfare of Stanton. The City has adopted the 2007 California Fire Code. The Building Division administers and enforces compliance with the provisions of the Stanton Municipal Code (SMC) to protect life and property from fire hazards.

<sup>&</sup>lt;sup>4</sup> https://osfm.fire.ca.gov/media/6739/fhszl\_map30.pdf Accessed December 19, 2019

The SMC requires that prior to approval, new development projects obtain a guarantee from a water purveyor or appropriate government agency that adequate water supply is available to meet fire protection needs. Additionally, development of the Project Site would not result in the need for new or physically altered fire protection facilities. Therefore, potential impacts associated with fire protection would be less than significant.

b. Police Protection:

The construction of a 11,500 SF utility storage facility building could incrementally increase demands for police services. However, like fire protection services, the increased demand for police protection services would be met with existing police resources. Operation of the Proposed Project would involve remote operation and generally be unoccupied so a comprehensive security system for remote monitoring 24 hours per day, 7 days per week would be included as a part of the use. Development of the Project Site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant.

c. Schools:

The Proposed Project would include the construction of a 11,500 SF utility storage facility building. No new residents would directly result from the Proposed Project, therefore no impacts to schools would occur.

d. Parks:

The Proposed Project would include the construction of a 11,500 SF utility storage facility building. No new residents would directly result from the Proposed Project, therefore no impacts to parks would occur.

e. Other Public Facilities:

The Proposed Project would include the construction of 11,500 SF utility storage facility building. No new residents would directly result from the Proposed Project, therefore no impacts to other public facilities, such as libraries, would occur.

f. Wastewater/Sewer:

The Proposed Project does not require any new connections to existing sewer infrastructure and would not cause an increase in the amount of wastewater produced at the Project Site. The Proposed Project would not require construction of new wastewater treatment facilities or require the expansion of existing facilities. No new or expanded entitlements or new water resources would be needed. Therefore, potential impacts to wastewater treatment facilities/sewer systems would be less than significant.

g. Storm Water Drainage:

The Proposed Project consists of the construction of a one-story, 31.5-foot high utility storage facility building with 11,500 SF of floor area. Additional improvements include ancillary structures such as walls and fences, temporary restroom facility (Port-A-Potty), and additional transformer and inverter equipment. The Proposed Project involves temporary construction activities which are required to comply with the requirements of the Stanton Municipal Code Chapter 16.20 - *Stormwater Discharge and Water Quality* and would not violate any water quality standards or waste discharge requirements as a result of compliance. The Proposed Project would not alter any drainage pattern in a manner that would result in substantial erosion or siltation on or offsite. The Proposed Project would not involve an alteration of the course of a stream or river. The Proposed Project would not result in the construction of new storm water drainage facilities or expansion of existing facilities. Therefore, potential impacts associated with storm water drainage would be less than significant based on compliance with Chapter 16.20 of the SMC.

h. Water Supplies:

The City of Stanton is served by the Golden State Water Company, which maintains a water supply reliability self-certification for the West Orange system.<sup>5</sup> According to Golden State Water Company, the West Orange system, which serves Stanton, is projected to maintain a surplus of potable water supply.<sup>6</sup> The Project Site is located within the Golden State Water Company Service Area.<sup>7</sup> Prior to approval of projects, the SMC requires new development projects obtain a guarantee from a water purveyor or appropriate government agency that adequate water supply is available. The City water supply available to serve the Project, if needed, is sufficient. Therefore, potential impacts associated with water supplies would be less than significant.

i. Solid Waste Disposal:

The Proposed Project consists of the construction of a one-story, 31.5-foot high utility storage facility building with 11,500 SF of floor area. Additional improvements include ancillary structures such as walls and fences, temporary restroom facility (Port-A-Potty), and additional transformer and inverter equipment. The Proposed Project's contribution of solid waste would be minimal based on the size of habitable area intended for occupancy, primarily unmanned operation, and would not significantly impact solid waste collection or landfill operations.

<sup>&</sup>lt;sup>5</sup> https://www.gswater.com/drought/ Accessed December 19, 2019

<sup>&</sup>lt;sup>6</sup> http://www.gswater.com/download/West-Orange-Water-Supply-Reliability-Self-Certification-Acknowledgement-MG-DRAFT.pdf Accessed December 19, 2019

<sup>&</sup>lt;sup>7</sup> https://www.gswater.com/yourcommunity/ Accessed December 19, 2019

Therefore, potential impacts associated with solid waste disposal would be less than significant.

j. Electricity: k. Natural Gas: l. Telephone Service: m. Television Service:

The Proposed Project would connect to SCE's Barre 230kV/66kV "A" substation located directly east and north of the adjacent utility facility via underground electrical cables and would provide a backup supply of electric power through the battery storage portion of the facility. The Project Site is in a built-out, urban setting. The site and the surrounding properties are fully served by various utility service providers. There are no anticipated significant service or system upgrades needed to serve the proposed utility storage facility. Therefore, potential impacts associated with demand for these services would be less than significant.

6. Exceptions to Categorical Exemptions.

None of the exceptions to the categorical exemptions set forth in State CEQA Guidelines section 15300.2 apply to the Project. Specifically, there will be no cumulatively significant impacts due to successive projects of the same type in the same place because no other such projects have been proposed and space is limited in the vicinity of the SCE substation. Further, there is no reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances because the Project site is already developed. The Project site is not located within an officially designated state scenic highway and does not involve activities on a hazardous waste site included on any list compiled pursuant to Government Code section 65962.5. Finally, the Project does not involve activities which may cause a substantial adverse change in the significance of a historical resource. The findings set forth in this Notice reflect the independent judgment and analysis of the City.

\*\* <u>Authority</u>: See Public Resources Code Section 21083 and Section 15332 of Title 14 of the California Code of Regulations.

#### **DETERMINATION:**

The Proposed Project is a qualified infill development project within the meaning of State CEQA Guidelines section 15332, would not cause a significant effect on the environment, and is not subject to the exceptions set forth in State CEQA Guidelines section 15300.2. The Proposed Project is therefore categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act.

Amy Stonich, AICP City Planner

<u>1/6/20</u>	
Date	

Prepared by:

aunders

Signature of Environmental Consultant

<u>12/24/19</u> Date

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