

AGENDA ITEM: 3.

DATE: 04-16-12

STAFF REPORT

GENERAL PLAN AMENDMENT NO. 12-01

ZONE CHANGE NO. 12-01

CONDITIONAL USE PERMIT NO. 12-02

DATE: April 16, 2012

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: US Topco Energy, Inc.

LOCATION: The General Plan Amendment and Zone Change apply to a combined total of 64± gross acres between two locations.

The solar facilities will occupy 25± gross acres on two separate sites:

Site 1: 16± acres at the southeast corner of Avenue H-8 and Division Street;

Site 2: 9± at the northeast corner of 3rd Street East and Kettering Street

REQUEST:

1. Amendment to the General Plan land use designation for the subject properties from UR (Urban Residential), O (Open Space), C (Commercial), and OP (Office Professional) to P (Public Use) and UR (Urban Residential)
2. Rezoning of subject properties from R-7,000 (Single Family Residential, minimum lot size 7,000 square feet), PK (Park), CPD (Commercial Planned Development), S (School), and OP (Office Professional) to P (Public Use) and R-7,000 (Single Family Residential, minimum lot size 7,000 square feet)
3. Construction of a total of 7.5 megawatts of photovoltaic solar generating facilities in the Public Use (P) Zone.

RECOMMENDATION:

1. Adopt Resolution No. 12-07 approving General Plan Amendment No. 12-01 and Zone Change No. 12-01.
2. Adopt Resolution No. 12-08 approving Conditional Use Permit No. 12-02. The approval of CUP No. 12-02 is not valid until the effective date of Zone Change No. 12-01.

BACKGROUND: There have been no prior hearings before Planning Commission or City Council. Site 1 was previously utilized by the Antelope Valley Union High School District. Site 2 is located on a portion of the former fairgrounds.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE:

Site 1 is designated OP (Office Professional), is zoned OP (Office Professional), and is currently vacant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	C (Commercial)	C (Commercial)	Office/Vacant
EAST	P (Public Use) O (Open Space)	S (School) PK (Park)	Desert Winds Eastside Park
SOUTH	UR (Urban Residential)	R-7,000	Residences
WEST	P (Public Use)	S (School)	AV High School

Site 2 is designated UR (Urban Residential), O (Open Space), C (Commercial), and P (Public Use), is zoned R-7,000 (single family residential, one dwelling unit per 7,000 square-foot lot), PK (Park), CPD (Commercial Planned Development), and S (School), and is currently vacant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	P (Public Use) LI (Light Industrial)	S (School) LI (Light Industrial)	School Industrial Uses
EAST	UR (Urban Residential) O (Open Space)	R-7,000 PK (Park)	Residences Vacant
SOUTH	P (Public Use)	S (School)	University Center

	O (Open Space)	PK (Park)	Vacant
WEST	HI (Heavy Industrial)	HI (Heavy Industrial)	Auto Salvage Yards/Vacant

PUBLIC IMPROVEMENTS: Site 1 is bounded on the west by 3rd Street East and on the south by Kettering Street. No roadways are located to the north or east of the project site. 3rd Street East and Kettering Street are both improved with one lane in each direction.

Site 2 is bounded to the north by Avenue H-8 and to the west by Division Street. No roadways are located to the south or east. Avenue H-8 and Division Street are both improved with Avenue H-8 having one lane in each direction, and Division Street having two lanes in each direction.

ENVIRONMENTAL REVIEW: Review of pertinent environmental documents has disclosed no significant adverse impacts from the proposed project after mitigation measures have been applied. Potential effects are discussed more fully in the attached Initial Study. The Initial Study prepared for the proposed project was sent to the State Clearinghouse (SCH# 2012031050) for public review. This 30-day public review period ended on April 12, 2012. Based on this information, staff has determined that a Mitigated Negative Declaration is warranted. Notice of Intent to prepare a Mitigated Negative Declaration has been legally advertised.

Effective January 1, 1991, applicants whose projects have the potential to result in the loss of fish, wildlife, or habitat through urbanization and/or land use conversion are required to pay filing fees as set forth under Section 711.4 of the Fish and Game Code. Pursuant to Section 21089(b) of the Public Resources Code, the approval of a project is not valid, and no development right is vested, until such fees are paid.

LEGAL NOTICE: Notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

ANALYSIS: The applicant, US Topco Energy, Inc., is requesting a conditional use permit for the construction and operation of two photovoltaic (PV) solar energy generating facilities in the Public Use (P) Zone. The proposed project consists of the generation of approximately 7.5 megawatts (MW) of electricity on two separate sites. According to Section 17.020.040.J of the Lancaster Municipal Code, a solar facility can be an allowable use in the Public Use at the discretion of the Director.

The City of Lancaster has determined that the development and use of alternative energy is beneficial to the community, and this determination is evident in the decisions made by the City Council. The City Council has implemented several solar and wind energy programs/ordinances, has installed solar panels on City facilities, and has become a provider of solar generated electricity to local school districts as the Lancaster Power Authority. Additionally, the City's General Plan has several objectives/policies pertaining to alternative energy. These

objectives/policies address the need to develop new sources of energy, as well as reduce energy consumption. The proposed project is consistent with the City's goals as addressed in Policy 3.6.6, "Consider and promote the use of alternative energy such as wind energy and solar energy" and Specific Action 3.6.6(a), "Work with utility companies and private enterprises in their efforts to incorporate alternative energy resources including ... solar energy".

The Lancaster Power Authority (LPA) entered into a Master Solar Power Purchase and Sale Agreement with US Topco Energy, LLC, on June 28, 2011, to produce up to 200 MW of solar energy. As part of this agreement, these two sites, owned by the City of Lancaster, were identified for consideration. Site 1 is approximately 9 acres, located at the northeast corner of Kettering Street and 3rd Street East, and was previously developed with school uses, and has been vacant for more than 20 years. Site 2 is approximately 16 acres, located at the southeast corner of Division Street and Avenue H-8. Site 2 is a portion of the former fairgrounds, a site which also contains the Lancaster University Center, and a portion of which is proposed for future residential uses. Neither project site is designated or zoned for solar energy uses.

As previously identified, the General Plan land use designations and zoning for the project sites do not allow for the development of commercial solar facilities. A total of 64 gross acres (55 acres at the former fairgrounds, and 9 acres at 3rd Street East and Kettering Street) would need to have the General Plan land use designation and zoning changed in order to allow for the development of the commercial solar facilities, provide for the long-term operation and expansion of the Lancaster University Center, and to meet the requirements that additional residential be built on the former fairgrounds property. The Public land use designation and Public zoning would allow the flexibility for the development of solar facilities, the expansion of the University Center and the development of other future public uses. The Urban Residential land use designation and R-7,000 zone classification would allow the construction of the required residential dwelling units.

The proposed project would operate year-round, producing a total of 7.5 MW of renewable electric power during daytime hours between the two sites. Site 1 would produce approximately 3 MW of power, and Site 2 would produce approximately 4.5 MW of power. These fields would operate independently of each other, and the power generated would be purchased by a utility company and tied into Southern California Edison's distribution lines. Both sites would be developed with rows of photovoltaic (PV) panels. These panels would be fixed on steel support structures, and would be no more than six (6) feet tall. These photovoltaic panels would convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water.

Site 1 would have two inverter/electrical equipment pads, one in the northern half of the site, and one in the southern half of the site. A 6-foot wrought-iron fence would surround the project site, and a 10-foot landscaped area would be provided between the fence and the property line to screen the development from surrounding uses. None of the existing trees along the eastern boundary of the project site would be removed, and they would be incorporated into the landscaping. The two existing drive aisles through the site, which provide access to Desert Winds, would be removed, and a driveway to Desert Winds would be constructed from Kettering

Street to the existing parking lot. Access to the project site would be from a driveway located on Kettering Street near the eastern property line. An 8-foot sidewalk would be constructed on the north side of Kettering Street between 3rd Street East, and the new driveway to Desert Winds.

Site 2 would have one inverter/electrical equipment pad located near the southwestern corner of the site. A 6-foot wrought iron fence would surround the project site, and would tie into the existing block wall along the northern and eastern boundary. A 10-foot landscaped area would be provided between the fence and the property line. Along Division Street, the existing landscaping would be incorporated as part of the 10-foot landscaped area. Access to the project site would be provided from a driveway on Avenue H-8 along the eastern property line, and from a gate accessing the site from the existing parking lot.

The proposed project would generate environmental impacts during construction with respect to geology/soils and noise. Construction of the proposed project would generate noise, which has the potential to impact surrounding land uses. Mitigation measures are required, which would reduce noise impacts to a less than significant level. No noise would be generated by the operation of the proposed project as the panels are fixed in place and no maintenance activities are anticipated. The applicant is required to prepare and implement a dust control plan in accordance with AVAQMD Rule 403, which would ensure that impacts from dust during construction are minimal.

Therefore, staff is recommending that the Commission approve the conditional use permit subject to the proposed conditions, based on the site having sufficient area to accommodate the proposed development, adequate access and services being available for the use, and the lack of significant adverse effects on the surrounding area.

Respectfully submitted,

Jocelyn Swain, Associate Planner - Environmental

cc: Applicant
Engineer

RESOLUTION NO. 12-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE ADOPTED GENERAL PLAN OF THE CITY AND AN AMENDMENT TO THE ADOPTED ZONING PLAN FOR THE CITY, KNOWN AS GENERAL PLAN AMENDMENT NO. 12-01 AND ZONE CHANGE NO. 12-01

WHEREAS, pursuant to Section 3.c. of City Council Resolution No. 93-07 an amendment to the adopted General Plan of the City has been initiated by US Topco Energy, Inc., to re-designate 66± acres from UR (Urban Residential), O (Open Space), C (Commercial), and OP (Office Professional) to UR and P (Public Use); and

WHEREAS, pursuant to Section 17.24.040. of the Lancaster Municipal Code the applicant has requested the Planning Commission to consider a change to the zoning designation on the subject properties from R-7,000 (Single Family Residential, minimum lot size 7,000 square feet), PK (Park), CPD (Commercial Planned Development), S (School), and OP (Office Professional) to R-7,000 and P (Public Use); and

WHEREAS, notice of intention to consider the General Plan amendment and zone change of the subject property was given as required in Section 17.24.110 of the Zoning Ordinance, and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the General Plan amendment and zone change requests be approved; and

WHEREAS, a public notice was provided as required by law, and a public hearing on the General Plan amendment and zone change requests was held on April 16, 2012; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information in the Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resource Code, that the Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, this Commission, based on the evidence in the record, hereby adopts the following findings in support of approval of General Plan Amendment No. 12-01, and recommends that the City Council adopt them:

1. There is a need for the proposed land use designation of UR (Urban Residential) and P (Public Use) on the sites in order to meet the terms of the Lancaster Power Authority's agreement with US Topco Energy, Inc., and the requirements that additional residential units be built on the former fairgrounds site (Site 2).
2. The proposed designation of UR and P will be compatible with the existing land use designations of P, UR, O (Open Space), C (Commercial), and HI (Heavy Industrial) surrounding the project site.
3. The proposed amendment is consistent with and implements Goal 19 of the General Plan, "to achieve an attractive and unique image for the community by creating a sustainable, cohesive and enduring built environment."
4. The proposed amendment is consistent with the following goals, objectives, and policies of the General Plan for the reasons stated below:

Objective 3.6 "Encourage efficient use of energy resources through the promotion of efficient land use patterns and the incorporation of energy conservation practices into new and existing development, and appropriate use of alternative energy."

Policy 3.6.6 "Consider and promote the use of alternative energy such as wind energy and solar energy."

5. There are no goals, objectives, policies, or specific actions of the General Plan that would conflict with the proposed amendment.
6. The proposed amendment would not adversely affect the economic health of the City, because the development proposed would not create a need for significant City services.
7. The proposed amendment would reduce the demand on the groundwater as compared to previous uses or the commercial and residential uses allowable under the current land use designations as the solar fields will not utilize water during operation.
8. The proposed site could be adequately served by services necessary for a solar energy facility, including police and fire, based on responses from affected service agencies.
9. The proposed amendment will not have an adverse effect on traffic and circulation systems as noted in the Mitigated Negative Declaration. Upon completion of construction, minimal amounts of traffic associated with occasional maintenance operations would be generated, and no traffic impacts would occur. No mitigation measures with respect to traffic are required.

10. The proposed amendment and subsequent construction of the photovoltaic facility would create environmental impacts as discussed in the Initial Study/Mitigated Negative Declaration. Potential impacts with respect to geology/soils and noise would be created as a result of construction activities. Mitigation measures are required, which would reduce the impacts to a less than significant level. No impacts would occur as a result of the operation of the facility.
11. The proposed amendment is in the public interest, because it will help California meet the established goals of using renewable resources to generate a portion of California's electricity. The proposed amendment will allow for the development of a photovoltaic electric generating facility, which can be adequately served by streets, utilities, and public services in the area; and, the proposed land use designation would not adversely affect the regional water supply or the City's economic health.

WHEREAS, this Commission, based on the evidence contained in the record, hereby makes the following findings in support of the approval of Zone Change No. 12-01, and recommends that the City Council adopt them:

1. The proposed Zone Change from R-7,000, PK, CPD, S and OP to R-7,000 and P will be consistent with the proposed General Plan land use designation of UR and P requested by the applicant.
2. Modified conditions, including a change in the site's General Plan use designation to provide for a suitable alternative energy site, warrant a revision in the zoning for the subject sites, which would allow the development of a photovoltaic electric generating facility.
3. A need for the proposed zone classification of P exists within such area in order to meet the terms of the Lancaster Power Authority's agreement with US Topco Energy, Inc., and provide for the long-term operation and expansion of the Lancaster University Center and for the proposed zone classification of R-7,000 to meet the requirements that residential be built on the former fairgrounds site (Site 2).
4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar zoning and is served by adequate public access and necessary services.
5. Placement of the proposed P and R-7,000 residential zone at such locations will be in the interest of public health, safety and general welfare, and in conformity with good zoning practices, because adequate services, access, and electrical infrastructure exist to accommodate the proposed type of development, and the zoning designation will not result in the development of incompatible uses.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby recommends to the City Council approval of General Plan Amendment No. 12-01 to redesignate the subject property from UR (Urban Residential), O (Open Space), C (Commercial), and OP (Office Professional) to UR and P (Public Use), as shown on Exhibit 1.

2. This Commission hereby recommends to the City Council approval of Zone Change No. 10-02 through the adoption of the attached ordinance to rezone the subject property from R-7,000 (Single Family Residential, minimum lot size 7,000 square feet), PK (Park), CPD (Commercial Planned Development), S (School), and OP (Office Professional) to R-7,000 and P (Public Use), as shown on Exhibit 2.

PASSED, APPROVED and ADOPTED this 16th day of April 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING THE CITY ZONING PLAN FOR 64± ACRES AT THE SOUTHEAST CORNER OF DIVISION STREET AND AVENUE H-8 AND NORTHEAST CORNER OF KETTERING STREET AND 3RD STREET EAST KNOWN AS ZONE CHANGE NO. 12-01

WHEREAS, pursuant to Section 17.24.060 of the Municipal Code, a request has been filed by US Topco Energy, LLC, to change the zoning designation on 66± acres of land located at the southeast corner of Division Street and Avenue H-8 and the northeast corner of Kettering Street and 3rd Street East from R-7,000 (single family residential, minimum lot size 7,000 square feet), PK (Park), CPD (Commercial Planned Development), S (School), and OP (Office Professional) to R-7,000 and P (Public); and

WHEREAS, notice of intention to consider the zone change of the subject property was given as required in Section 17.24.110 of the Municipal Code, and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the zone change request be approved; and

WHEREAS, public hearings on the zone change request were held before the Planning Commission on April 16, 2012; and

WHEREAS, the Planning Commission reviewed and approved the Initial Study/Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, the Planning Commission adopted the mitigation measures contained in Exhibit "A"; and

WHEREAS, the City Council hereby makes the following findings in support of the Ordinance:

1. The proposed Zone Change from R-7,000, PK, CPD, S and OP to R-7,000 and P will be consistent with the proposed General Plan land use designations of UR and P requested by the applicant.
2. Modified conditions including a change in the site's General Plan use designation to provide for a suitable alternative energy site, warrant a revision in the zoning for the subject property, which would allow the development of a photovoltaic electric generating facility.
3. A need for the proposed zone classification of P exists within such area in order to allow for the development of a larger scale solar energy development.

4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar zoning and is served by adequate public access and necessary services.
5. Placement of the proposed Public Use zone at such locations will be in the interest of public health, safety and general welfare and in conformity with good zoning practices, because adequate services, access, and electrical infrastructure exist to accommodate the proposed type of development, and the zoning designation will not result in the development of incompatible uses.

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. That the subject property is reclassified from R-7,000, PK, CPD, S and OP to R-7,000 and P, as shown on Exhibit 1.

Section 2. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the ____ day of _____, 2012, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. _____, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of the _____, _____.

(seal)

RESOLUTION NO. 12-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 12-02

WHEREAS, a conditional use permit has been requested by US Topco Energy, Inc., to allow the construction and operation of 7.5 MW of photovoltaic solar electric generating facilities on approximately 25± gross acres located at the southeast corner of Division Street and Avenue H-8 and the northeast corner of Kettering Street and 3rd Street East in the Public Use Zone as shown on the attached site plans; and

WHEREAS, an application for the above-described conditional use permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32 and Chapter 17.42 of the Lancaster Municipal Code; and

WHEREAS, a notice of intent to consider the granting of a Conditional Use Permit has been given as required in Article V of Chapter 17.32 of the Lancaster Municipal Code and in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information in the Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resource Code, that the Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, public notice was provided as required by law and a public hearing was held on April 16, 2012; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this application:

1. The proposed use would be located on 25± gross acres at the southeast corner of Division Street and Avenue H-8, and the northeast corner of Kettering Street and 3rd Street East, and will be in conformance with the General Plan land use designation of Public proposed for the sites.

2. The proposed project is a 7.5-megawatt photovoltaic solar electric generation facility with a conditional use permit, which is consistent with General Plan Policy 3.6.6 that states, “consider and promote the use of alternative energy, such as wind energy and solar energy.”
3. The requested use at the location proposed will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons living in the surrounding area, because the proposed use will be screened from the surrounding residential uses by landscaping and the panels and trackers are silent.
 - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site because City development standards will be met, and adequate parking is provided. The proposed panels are approximately 6 feet in height, which is under the maximum height regulations of the Public Use zone, and are designed with adequate setbacks from the adjacent street.
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage, and improvements will be part of the project.
4. The proposed use will not adversely affect nearby residents, because the proposed use would be screened by landscaping, the maximum height of the panels are 6 feet, the panels are fixed and would not generate noise, and there is limited vehicle traffic that would occur once construction has been completed.
5. The proposed sites are adequate in size and shape to accommodate the photovoltaic solar electric generation facility, landscaping, and other development features prescribed in the Zoning Ordinance or as otherwise required in order to integrate said use with the use in the surrounding areas.
6. The proposed sites are adequately served:
 - a. By Division Street, Avenue H-8, Kettering Street, and 3rd Street East, which are of sufficient width and improved as necessary to carry the anticipated daily vehicle trips such use would generate; and
 - b. By other public and private service facilities, including sewer, water, fire, and police services as required.
7. The proposed use will not result in a significant effect on the environment, because all potential impacts have been found to be less than significant with the inclusion of

mitigation measures as noted in the environmental review section of the staff report prepared for this project.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby approves the Mitigated Negative Declaration prepared for this project with the finding that although the proposed Conditional Use Permit could have a significant effect on the environment, there will not be a significant effect on the environment after mitigation measures have been applied to the project.

2. This Commission hereby adopts the Mitigation Monitoring Program, Exhibit "A".

3. This Commission hereby approves Conditional Use Permit No. 12-02, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 16th day of April 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

ATTACHMENT TO PC RESOLUTION NO. 12-08
CONDITIONAL USE PERMIT NO. 12-02
CONDITIONS LIST
April 16, 2012

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 10-23 shall apply, except Condition Nos. 47, 48, and 49.
2. Applicant shall comply with the requirements of California Sales and Use Tax Regulation 1699, subpart (h), Regulation 1699.6 and Regulation 1802, subparts (c) and (d), respectively and shall cooperate with the City regarding their direct and indirect purchases and leases to ensure compliance with the above sections, including, if necessary, the formation and use of buying companies and the direct reporting of purchases of over \$500,000.
3. Per the direction of the Planning Director, no unscreened outdoor storage of any kind would be allowed on the site.
4. Per the direction of the Planning Director, barbed wire is acceptable on the top of the fence to provide site security, but not razor wire.
5. The applicant shall provide restroom facilities for use by maintenance staff.

ADDITIONAL CONDITIONS

6. Per the direction of the Director of Public Works, the applicant shall install an 8-foot sidewalk along the north side of Kettering Street. This sidewalk shall run from 3rd Street East to the site's eastern boundary.
7. Per the direction of the Director of Public Works, the applicant shall install new pavement, curb, and gutter at the easterly end of Site 1.
8. Per the direction of the Director of Public Works, the applicant shall dedicate 8 feet right-of-way on the north side of Kettering Street to accommodate the installation of the sidewalk.
9. Per the direction of the Planning Director and the Director of Public Works, the applicant shall install a new 26-foot driveway, sidewalk and access road to the Desert Winds Continuation School parking lot from Kettering Street. The driveway shall be constructed in accordance with City of Lancaster standards, and to the satisfaction of the Antelope Valley Union High School District (AVUHSD).
10. Per the direction of the Planning Director, the applicant shall relocate the Desert Winds Continuation School sign from its current location on the 3rd Street East and Kettering Street site to a location of the AVUHSD's choosing.

11. Per the direction of the Planning Director, the applicant shall install a 10-foot wide landscaped planter along the perimeter of the project site for screening purposes.
12. Per the direction of the Director of Public Works, any public street surfaces damaged by construction traffic shall be restored to its pre-existing condition.

MITIGATION MEASURES

13. A Dust Control Plan in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403 shall be submitted prior to the start of grading/construction activities.
14. Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday, or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.
15. The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
16. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
17. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.
18. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
19. No project-related public address or music system shall be audible at any adjacent receptor.
20. All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
GEOLOGY AND SOILS							
5.	A Dust Control Plan in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403 shall be submitted prior to the start of grading/construction activities.	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the City must receive a copy of the Dust Control Plan.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
NOISE							
7.	Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.	During construction	Field inspection	Building and Safety			
8.	The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.	During construction	Field inspection	Building and Safety			
9.	Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.	During construction	Field inspection	Building and Safety			
10.	Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.	During construction	Field inspection	Building and Safety			
11.	The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.	During construction	Field inspection	Building and Safety			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
12.	No project-related public address or music system shall be audible at any adjacent receptor.	During construction	Field inspection	Building and Safety			
13.	All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating conditions that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.	During construction	Field inspection	Building and Safety			

CITY OF LANCASTER
INITIAL STUDY

1. Project title and File Number: Conditional Use Permit 12-02
General Plan Amendment 12-01
Zone Change 12-01
Topco Solar
2. Lead agency name and address: City of Lancaster
Planning Department
44933 Fern Avenue
Lancaster, California 93534
3. Contact person and phone number: Jocelyn Swain
(661) 723-6100
4. Applicant name and address: US Topco Energy, LLC
Jeffrey Chen
412 West Valley Boulevard
San Gabriel, CA 91776
5. Location: A total of 25± acres divided between two sites:
 - Site 1: 9± acres at the northeast corner of 3rd Street East and Kettering Street
 - Site 2: 16± acres at the southeast corner of Division Street and Avenue H-8 (the General Plan Amendment and Zone Change apply to a larger area than the 16 acres to be utilized for solar).
6. General Plan designation: The General Plan designations for each site are as follows:
 - Site 1 : Office Professional (OP)
 - Site 2: Urban Residential (UR), Open Space (O), Commercial (C), and Public Use (P)
7. Zoning: The zoning for each site is as follows:
 - Site 1: Office Professional (OP)
 - Site 2: R-7,000 (single family residential, minimum lot size 7,000 square feet), PK (Park), CPD (Commercial Planned Development), and S (School)
8. Description of project: The proposed project consists of the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts (MW). Each field consists of rows of photovoltaic panels which are fixed in position. These photovoltaic panels convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. Two interconnection points are proposed as part of the development of Site 1, one on the northern half and one on the southern half of the site. One interconnection point is proposed for Site 2 located on the southwestern portion of the site.

Wrought-iron fencing would surround each project site and a 10-foot landscaped area would be provided between the fence and property line to screen the development from surrounding uses. Existing block wall or wrought iron fences would be left in place and incorporated into the proposed fencing

around the project sites. Access to Site 1 would be from Kettering Street and access to Site 2 would be from both Avenue H-8 and Division Street. A new driveway from Kettering Street to the Desert Winds Continuation School parking lot will be provided along the school's western boundary. A 5-foot sidewalk along the eastern side of the driveway will also be provided. A rolling gate and pedestrian gate will be provided along Kettering. A sidewalk along the northern side of Kettering Street will connect 3rd Street East to the new driveway to Desert Winds Continuation School.

9. Surrounding land uses and setting:

The area surrounding Site 1 is predominantly developed with school, park and residential uses. The property to the west contains Antelope Valley High School. The property to the east consists of Eastside Park and Desert Winds Continuation School. The property to the south consists of single family residences. The property to the north is partially vacant and the remainder is developed with Antelope Valley Union High School District offices. The property to the west and a portion of the property to the east is designated as Public (P) and zoned School (S). The remainder of the property to the east is designated Open Space (O) and zoned Park (PK). The property to the south is designated Urban Residential (UR) and zoned R-7,000 (single family residential, minimum lot size 7,000 square feet). The property to the north is designated Commercial (C) and zoned Commercial (C).

The area surrounding Site 2 is a mix of undeveloped land and industrial, residential, commercial and school uses. The property to the south consists of commercial uses and Antelope Valley High School. The property to the west is a mix of vacant properties and industrial uses. The Boys and Girls Club and Lancaster University Center are located on the western boundary of the property that is being rezoned. The property to the north contains, Phoenix High School, residential and industrial uses. The northern half of the property to the east is developed with single family residential uses. The remainder of the property to the east is currently under construction with the County of Los Angeles's Multi-Ambulatory Community Clinic.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement.)

Approvals from other public agencies for the proposed project include, but are not limited to, the following:

- Southern California Edison (Interconnect)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forest Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION - On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared:

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in a earlier EIR or NEGATIVE DECLARATION pursuant to applicant standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jocelyn Swain, Associate Planner - Environmental

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation measures. For effects that are “Less than Significant with Mitigation Measures Incorporated”, describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
I. <u>AESTHETICS</u> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
II. <u>AGRICULTURE AND FOREST RESOURCES</u> : In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined in Public Resources Code Section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X
III. <u>AIR QUALITY</u> -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable Air Quality Plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for disposal of waste water?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
VII. <u>GREENHOUSE GAS EMISSIONS</u> -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	
VIII. <u>HAZARDS AND HAZARDOUS MATERIALS</u> -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably fore-seeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
IX. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?			X	
f) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?				X
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
i) Inundation by seiche, tsunami, or mudflow?				X
X. <u>LAND USE AND PLANNING</u> -- Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X
XI. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
XII NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		X		
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIV. PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Other public facilities?				X
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing resources, or are new or expanded entitlements needed?			X	
e) Have a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
XVII. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u> --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

DISCUSSION OF ENVIRONMENTAL CHECKLIST

I. a. Views of scenic areas are not available from the roadways and area surrounding the project sites as identified in the General Plan (LMEA Figure 12-1). However, views of the mountains to the north are available from Site 2 and may be available from Site 1. With implementation of the proposed project, the available views would not change and would continue to be available from the streets and surrounding area. The change in the project sites would be visible; however, both sites would be fenced and screened with landscaping along the entire perimeter. The height of the PV panels would be

approximately six feet. The height of these panels would not impede views of the surrounding area while traveling on Division Street, Avenue H-8, 3rd Street East or Kettering Street. Therefore, impacts would be less than significant.

b. The proposed project would not remove any scenic resources such as buildings (historic or otherwise), rock outcroppings or trees. All trees currently along the perimeter of the project site would be retained. Additionally, the project sites are not located in the vicinity of any State Scenic Highways. Therefore, no impacts would occur.

c. The proposed project would change the visual character of the projects sites in that it would replace previously developed, vacant properties with photovoltaic solar electric generating facilities. While this would change the character of the sites, the proposed project would be compatible with the other uses in the vicinity including parks, schools, and residential uses. Additionally, the project sites would be fenced and the perimeter would be landscaped to screen the sites from view. Therefore, impacts would be less than significant.

d. The proposed project may create new sources of lighting. The areas surrounding the project sites currently have moderate amounts of ambient light. The light sources around Site 1 include lighting from the residential uses, headlights from vehicles, streetlights, and perimeter and security lighting from the schools and Eastside Park. The light sources around Site 2 include lighting from residential uses, headlights from vehicles, the occasional street light, and perimeter and security lighting from the schools and nearby industrial uses. The proposed project may include security and perimeter lighting which would generate additional light sources. Any lighting would be shielded and focused downward onto the sites. No sources of glare are anticipated on the project sites as PV panels are designed to absorb sunlight, not reflect it. No structures, such as maintenance buildings, are proposed on the project sites. Two electrical equipment locations/interconnection points would be located on Site 1 and one on Site 2. These would be constructed from non-reflective materials to the extent feasible. Therefore, light and glare impacts would be less than significant.

II. a. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (FMMP), tracks and categorizes land with respect to agricultural resources. All land is designated as one of the following and each has a specific definition: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-Up Land, and Other Land.

The Los Angeles county Farmland Map was last updated in 2010. On the 2010 map, the project sites are designated as Urban and Built-Up Land. This designation is defined as land that is “occupied by structures with a building density of at least 1 unit to 1.5 acres of approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control structures”. Therefore, the project site is not designated by the Department of Conservation as farmland. The use of the project sites for solar generating facilities would not cause a significant impact to the amount of farmland that is available for use. Therefore, no impacts would occur.

b. The City of Lancaster does not have agricultural zoning. Agricultural uses are allowed in areas that are designated as Rural Residential. However, the project sites do not have this type of designation. The project sites are not under a Williamson Act contract. There are no agricultural uses in

the vicinity of the project sites. Therefore, no impacts would be created with respect to existing zoning for agricultural use or Williams Act contracts.

c-d. According to the City of Lancaster's General Plan, there are no forests or timberlands located within the City of Lancaster. Therefore, the proposed project would not result in the rezoning of forest or timberland and would not cause the loss of forest land or the conversion of forest land to non-forest land. Therefore, no impacts would occur.

e. The project site is not utilized for agricultural production and contains no forests or timberland. The proposed project would not result in other changes to the existing environment that could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest uses. Therefore, no impacts would occur.

III. a. Development proposed under the City's General Plan would not create air emissions that exceed the Air Quality Management Plan (GPEIR pgs 5.5-21 to 5.5-22). The proposed project consists of the construction and operation of 7.5 MWs of photovoltaic solar electric generating fields on two sites. These sites are not currently designated or zoned for solar facilities and the general plan designation and zoning would be changed to Public as part of the proposed project. This is a less intensive use than is currently allowed on both sites. Therefore, the proposed project would not conflict with or obstruct implementation of the Air Quality Management Plan and no impacts would occur.

b. Construction of the proposed project would generate emissions associated with grading, use of heavy equipment, construction worker vehicles, etc. However, these are not anticipated to exceed the construction emission thresholds established by the Antelope Valley Air Quality Management District due to the size and type of the project. Therefore, construction emissions would be less than significant.

The proposed project is not anticipated to generate any vehicle trips during operation. An occasional vehicle trip may occur if a portion of the project quits working, but routine maintenance and panel cleaning is not anticipated. The solar fields do not generate air emissions. Therefore, only very minimal emissions would be generated by the project, and they would not be sufficient to create or significantly contribute towards violations of the air quality standards. Therefore, any emissions associated with the operation of the proposed project would be less than significant.

c. The proposed project, in conjunction with other development as allowed by the General Plan would result in a cumulative net increase in pollutants. However, since any emissions associated with the project construction and operation would be less than significant; its contribution would not be cumulatively considerable. Impacts would be less than significant.

d. Sensitive receptors are located immediately adjacent to both project sites. These include parks, schools, and single family residences. Based on the amount of traffic expected to be generated by the proposed project, no significant traffic impacts would occur. Additionally, it is not anticipated that the air emissions from the construction or operation of the proposed project would exceed the thresholds established by the AVAQMD. Therefore, substantial pollutant concentrations would not occur and impacts would be less than significant.

e. Construction and operation of the proposed project is not anticipated to produce significant objectionable odors. Construction equipment may generate some odors, but these odors would be similar to those produced by vehicles traveling on Avenue I, Division Street and 3rd Street East. Most

objectionable odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products and other strong smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. These types of uses are not part of the proposed project. The proposed project would not generate any odors as it is a photovoltaic solar electric generating facility and no odorous chemicals would be utilized. Therefore, impacts would be less than significant.

IV. a. Both Sites 1 and 2 were previously developed and are currently vacant. Both sites have little to no vegetation and are extensively disturbed. Trees are located along the eastern perimeter of Site 1 and the western perimeter of Site 2. All of these trees will remain with the development of the project. There is no habitat on either site for sensitive plant or animal species. Additionally, the project sites are surrounded by development. No sensitive plant or animal species would be anticipated to occur on the project sites or immediately adjacent to the project sites. Therefore, no impacts would occur.

b. The project sites do not contain any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, no impacts would occur.

c. There are no federally protected wetlands on the project sites as defined by Section 404 of the Clean Water Act. Therefore, no impacts would occur.

d. The project sites are not part of an established migratory wildlife corridor. Therefore, no impacts would occur.

e-f. The project sites are not located within an area designated under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan. Additionally, there are no local policies or ordinances protecting biological resources which are applicable to this site. Therefore, no impacts would occur.

V. a-d. Both Sites 1 and 2 were previously developed and are currently vacant. Any structures that once existed at Site 1 or Site 2 (Old Fairgrounds) were demolished several years ago. The proposed project would not result in impacts to any historic or archaeological resources. Development of the site would not directly or indirectly destroy a unique paleontological resource, site, or geologic feature. No human remains, including those interred outside of formal cemeteries, were discovered on the project site. Therefore, no impacts to cultural resources would occur. However, in the event that cultural resources are encountered during the course of construction activities, all work shall cease until a qualified archaeologist determines the proper disposition of the resource.

VI. a. The project sites are not identified as being in or in proximity to a fault rupture zone (LMEA Figure 2-5). According to the Seismic Hazard Evaluation of the Lancaster East and West Quadrangles, the project site may be subject to intense seismic shaking (LMEA pg. 2-16). However, the proposed project would be constructed in accordance with the seismic requirements of the Uniform Building Code (UBC) as adopted by the City, which would render any potential impacts to a less than significant level. The sites are generally level and are not subject to landslides (SSHZ).

Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other events. This phenomenon occurs in saturated soils that undergo intense seismic shaking typically associated with an earthquake. There are three specific conditions that need to be in place for liquefaction to occur: loose granular soils, shallow groundwater (usually less than 50 feet below the

ground surface) and intense seismic shaking. In February 2005, the California Geologic Survey updated the Seismic Hazards Zone Maps for Lancaster (SSHZ). Based on these maps, the project sites are not located in an area at risk for liquefaction. No impacts would occur.

b. Site 1 has a moderate risk for soil erosion. Site 2 is rated as having a none to slight risk for soil erosion (USDS SCS Maps) when cultivated or cleared of vegetation. There remains a potential for water and wind erosion during construction. The proposed project would be required, under the provisions of the Lancaster Municipal Code (LMC) Chapter 8.16, to adequately wet or seal the soil to prevent wind erosion. Additionally, the following mitigation measure is required to control dust/wind erosion.

1. A Dust Control Plan in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403 shall be submitted prior to the start of grading/construction activities.

Water erosion controls must be provided as part of the proposed project grading plan to be reviewed and approved by the City's Engineering Division. These provisions, which are part of the project, would reduce any impacts to less than significant levels.

c. Subsidence in the sinking of the soil caused by the extraction of water, petroleum, etc. Subsidence can result in geologic hazards known as fissures. Fissures are typically associated with faults of groundwater withdrawal, which results in the cracking of the ground surface. According to Figure 2-3 of the City of Lancaster's Master Environmental Assessment, the closest sinkholes and fissures to the project site are located around 20th Street West between Avenue F and Avenue H. These are approximately 2 miles northwest of the project sites. The project sites are not known to be within an area subject to fissuring, sinkholes, or subsidence (LMEA Figure 2-3) or any other form of geologic unit or soil instability. For a discussion of potential impacts regarding liquefaction, please refer to Item VI.a. Therefore, no impacts would occur.

d. The soil on the project site is characterized by a low shrink/swell potential (LMEA Figure 2-3), which is not an expansive soil as defined in Table 18-1-B of the Uniform Building Code. A soils report on the property within the project site shall be submitted to the City by the project developer prior to grading of the property and the recommendations of the report shall be incorporated into the development of the property. Therefore, impacts would be less than significant.

e. No sewer or septic connections are proposed as part of the project. The proposed project is a photovoltaic solar electric generating facility and there are no structures on the project sites that would be occupied. Most activities with respect to the operation of the proposed project would be conducted remotely. A portable restroom facility would be provided on-site for workers during construction and maintenance activities. Therefore, no impacts would occur.

VII. a-b. The proposed project involves the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts. These two sites would tie into the Southern California Edison transmission lines along Division Street and 3rd Street East. As discussed in Item III.b, the proposed project would generate air emissions during construction activities, some of which may be greenhouse gases. These emissions are anticipated to be less than the thresholds established by the AVAQMD and would not prevent the State from reaching its greenhouse gas reduction targets. Operation of the proposed project would generate minimal amount of emissions, primarily from vehicles in the event that maintenance is needed. The actual photovoltaic facilities would

not generate emissions during operation and would therefore help to reduce the amount of greenhouse gases emitted during the production of electricity. Therefore, impacts would be less than significant.

VIII. a-b. The proposed project consists of the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts. The proposed project would use minimal amounts of hazardous materials during construction activities. During operation, no hazardous materials would be used. The proposed project sites are not located along a hazardous materials/waste transportation corridor (LMEA Figure 9.1-4). The project sites were previously developed and are currently vacant. The proposed project would not expose individuals or the environment to asbestos containing materials, lead-based paint or other such materials. Therefore, impacts would be less than significant.

c. Both project sites are located immediately adjacent to at least one school. To the east of Site 1 is Desert Winds Continuation School and to the west is Antelope Valley High School. To the north of Site 2 is Phoenix High School and to the south is the Lancaster University Center. However, the proposed project would not emit hazardous emissions. During construction, typical construction materials would be utilized in accordance with all applicable rules and regulations. Therefore, impacts would be less than significant.

d. Two Phase I Environmental Site Assessments were prepared for the proposed project by Arrow Engineering Services, Inc (AESI). The findings for Site 1 are documented in a report entitled "Phase I Environmental Assessment for Potential Hazardous Materials/Waste Contamination, 3rd Street East Kettering Street, APN 3142-010-901, City of Lancaster, Los Angeles County, California", dated January 30, 2012. The findings for Site 2 are documented in a report entitled "Phase I Environmental Assessment for Potential Hazardous Materials/Waste Contamination, Avenue H-8 & Division Street, APN 3176-005-914, City of Lancaster, Los Angeles County, California", dated January 30, 2012.

A site visit for Site 1 was conducted on January 10, 2012 to identify any recognized environmental conditions. Nothing was identified as being an environmental concern. There are no structures on the project and no evidence of hazardous materials, staining, odors, etc. In addition to the site visit, a regulatory data base search was conducted for Site 1 and the surrounding area by EDR. The project site is not identified on any regulatory list. Eleven sites were identified within the search distances including two leaking underground storage tanks (LUST). The two LUST cases were identified at 304 Avenue I (7-11) and 104 West Avenue I (Chevron). These cases were closed by the regulatory agencies in 1997 and 1995 respectively. The other sites are not anticipated to impact the site; therefore, impacts would be less than significant.

A site visit for Site 2 was conducted on January 10, 2012 to identify any recognized environmental conditions. The site is located on a portion of the former Antelope Valley Fairgrounds. All structures associated with the fairgrounds have been removed and the former fairgrounds site is being developed into a variety of different uses. Grading that previously occurred for softball fields have left depressions that collect water. Nothing was identified as being an environmental concern. In addition to the site visit, a regulatory database search was conducted for Site 2 and the surrounding area by EDR. The project site is not identified on any regulatory list. Twenty sites were identified within the search distances including seven leaking underground storage tanks (LUST). The seven LUST cases and the status are identified in Table 1, below.

Table 1
Leaking Underground Storage Tank Site Information

Case #	Name/Use	Location	Status
1.	7-11, #18020	304 Avenue I	Closed 1997
2.	Chevron, #9-5509	104 West Avenue I	Closed 1995
3.	LADPW Lancaster Subyard	45712 Division Street	Closed 1992
4.	Petro Lock Inc.	45315 N. Trevor Avenue	Leak in 2000, Status Unknown
5.	Petro Lock Inc.	45315 N. Trevor Avenue	Leak in 2002, In remediation
6.	Petro Lock Inc.	45315 N. Trevor Avenue	Gasoline leak in 1998, in post-remediation monitoring
7.	WA Thompson Inc.	45819 Division Street	Closed 1994

The three cases that have not been closed (Petro Lock at 45315 N. Trevor) are between a quarter and a half mile west southwest of Site 1. The site is located at a lower elevation than the project site and slopes to the northwest away from the project site. Therefore, these sites will not impact the project site and impacts are less than significant.

e-f. The proposed project is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. The closest airports are General William J. Fox Airfield located approximately 3.5 miles northeast of the project sites and Air Force Plant 42 located approximately 4 miles south of the project sites. Therefore, the proposed project would not result in a safety hazard for people working in the project area and no impacts would occur.

g. Both Division Street and Avenue I have been designated as evacuation routes through the City of Lancaster. However, the traffic that would be generated by the proposed project is not sufficient to cause impacts at any of the area intersections. Therefore, the proposed project would not impact or physically block any identified routes and would not interfere with any adopted emergency response plan. No impacts are anticipated.

h. The property surrounding the project sites is predominantly developed; however, vacant lots and undeveloped desert are located in the vicinity. It is possible that these lands could be subject to a grass fire. However, the project sites are located within the boundaries of Fire Station 33, located at 44947 Date Avenue, which would serve the project sites in the event of a fire. Therefore, impacts from wildland fires would be less than significant.

IX. a. The project sites are not located in an area with an open body of water or watercourse and are not in an aquifer recharge area. Additionally, the proposed developed would be required to comply with all applicable provisions of the National Pollutant Discharge Elimination System (NPDES) program. The NPDES program establishes a comprehensive storm water quality program to manage urban storm water and minimize pollution of the environment to the maximum extent practicable. The reduction of pollutants in urban storm water discharge through the use of structural and nonstructural Best Management Practices (BMPs) is one of the primary objectives of the water quality regulations. BMPs that are typically used to manage runoff water quality include controlling roadway and parking lot

contaminants by installing oil and grease separators at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (grass swales, infiltration trenches, and grass filter strips) into landscaping and implementing educational programs. The proposed project would incorporate appropriate BMPs as applicable, as determined by the City of Lancaster Department of Public Works. Therefore, impacts would be less than significant.

The proposed project involves the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts. These facilities would not utilize hazardous materials and would not be tied into the public sewer system or septic system. As such, the proposed project does not have the potential to introduce industrial discharge into a public water system and potentially violate water quality standards or waste discharge requirements. Therefore, impacts would be less than significant.

b. At this time there are no plans to wash the panels once they are installed. Any “washing” of the panels would occur as a result of rain. In the event that it is determined that the panels need to be washed through other means, the water would be trucked to the project site. Washing would occur approximately twice a year. No employees would be located on site. During site maintenance employees would bring drinking water with them and portable restroom facilities would be provided on-site. However, the project site would not be tied to a public water, sewer or septic system. Existing perimeter landscaping (trees) would remain. Additional required landscaping will be added and is likely to irrigated from the public water system but the usage would be minimal. Additionally, as indicated in IX.a, the proposed project would not impact any groundwater recharge areas. Therefore, the proposed project would not deplete groundwater supplies or interfere with groundwater recharge and impacts would be less than significant.

c-e. Development of the proposed project would increase the amount of surface runoff as a result of impervious surfaces associated with some portions of the facility. Most of the project sites would be developed with PV panels mounted on fixed steel support structures. The sites would be graded to accommodate the support structures but would not be paved, leaving the sites in a pervious condition. Additionally, the proposed project would be designed to accept current flows entering the property and to handle any additional incremental runoff from the sites. Therefore, impacts from drainage and runoff would be less than significant.

f-g. All of Site 1 and most of Site 2 and are designated as Zone X per the Flood Insurance Rate Map (FIRM) Panel No. 060672 (2008). This area is outside both the 100-year and 500-year flood zones. However, a small portion of Site 2 is located within the Zone X-Shaded. This zone occurs in a narrow strip along Division Street and in another narrow strip along Avenue H-8. This zone is outside the 100-year flood zone but within the 500-year flood zone. No housing or occupied structures are proposed as part of this development. Therefore, no flooding impacts would occur as a result of placing housing or structures on the project sites.

h. The project sites do not contain and are not downstream from a dam or levee. Therefore, no impacts would occur as a result of the failure of a dam/levee.

i. The project site is not located within a coastal zone. Therefore, tsunamis are not a potential hazard. The project site is relatively flat and does not contain any enclosed bodies of water and is not located in close proximity to any other large bodies of water. Therefore, the proposed project would not be subject to inundation by seiches or mudflows. No impact would occur.

X. a. The proposed project is not of the scale or nature that could physically divide an established community. The proposed project consists of the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts. The area surrounding the project sites is predominantly developed with school, park, residential, commercial and industrial uses. Access to Site 2 would be provided from Division Street and Avenue H-8. Access to Site 1 would be provided from 3rd Street East. All of the access roads are already paved and no new roadways would be constructed to access the sites. A new driveway will be constructed for the Desert Winds Continuation School from Kettering Street. The proposed project would not block a public street, trail, or other access route or result in a physical barrier that would divide the community. Therefore, no impacts would occur.

b. The proposed project is consistent with the City's General Plan and must be in conformance with the Lancaster Municipal Code. The project would be in compliance with the City-adopted UBC (Item VI.a) and erosion-control requirements (Item VI.b). Therefore, no impacts would occur.

c. As noted under Item IV.e-f., the project sites are not subject to and would not conflict with a habitat conservation plan or natural communities conservation plan. Therefore, no impacts would occur.

XI. a-b. The project sites do not contain any current mining or recovery operations for mineral resources and no such activities have occurred on the project site in the past. According to the LMEA (Figure 2-4 and page 2-8), the project sites are designated as Mineral Reserve Zone 3 (contains potential but presently unproven resources). However, it is not considered likely that the Lancaster area has large, valuable mineral and aggregate deposits. Therefore, no impacts to mineral resources would occur.

XII. a-b, d. The City's General Plan (Table 3-1) establishes an outdoor maximum CNEL of 65 dBA for residential and school uses and a 70 dBA for commercial and industrial. The sites for the proposed project will have a public use designation and it was assumed a maximum CNEL of 70 dBA. The current noise level in the area surrounding Site 1 is approximately 59.0 dBA along 5th Street East between Avenue I and Avenue J. The current noise level in the area surrounding Site 2 is approximately 67.4 dBA on Avenue I between Division Street and 5th Street East and 62.2 dBA along Division between Avenue H-8 and Avenue I (LMEA Table 8-11). Construction activities associated with earth-moving equipment and other construction equipment would temporarily increase noise levels for the adjacent land uses. These noise levels would fluctuate depending on construction activity, type, and duration. In order to ensure that noise levels at the neighboring land uses stay at a less than significant level, the following mitigation measures are required. Within incorporation of these mitigation measures, impacts would be less than significant.

2. Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.
3. The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
4. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.

5. Material stockpiles and mobile equipment staging, parking and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.
6. The use of noise-producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.
7. No project-related public address or music system shall be audible at any adjacent receptor.
8. All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed “package” equipment (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.

c. Operation of the proposed project would generate very minimal noise levels. The photovoltaic solar generating facilities would generate electricity with PV panels fixed in place on steel support structures. On occasion individuals may need to go to the sites to repair panels, clean panels or remove vegetation. This is expected to occur at most a couple of times a year. Because of the passive nature of the on-site operations, the likelihood of noise disturbance at neighboring receptors is small. Therefore, noise impacts would be less than significant.

e-f. The project sites are not in proximity to an airport or frequent overflight area and would not experience noise from these sources (also see Item VIII.e-f). Therefore, no impacts would occur.

XIII. a. The proposed project consists of the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts which would not directly or indirectly induce substantial population growth. The construction of the proposed project is anticipated to employ individuals, primarily from the local area. Operation of the proposed project would occur remotely with any required maintenance needs being handled by a handful of people. While the facility would generate additional power to go into the grid, it would be helping to achieve the State mandate which requires 33% of the electricity be derived from renewable sources by 2020. Therefore, no impacts would occur.

b-c. The project sites are currently vacant. No housing or people would be displaced necessitating the construction of replacement housing elsewhere. Therefore, no impacts would occur.

XIV. The proposed project would incrementally increase the need for fire and police services; however, the project sites are within the current service area of both these agencies and the additional time and cost to service the project sites is minimal. The proposed project would not induce substantial population growth and therefore, would not substantially increase demand on parks or other public facilities. Thus, impacts would be less than significant.

Development of the proposed project would not result in an incremental increase in population or an increase in the number of students in either the Antelope Valley Union High School District or the Lancaster Unified School District. Therefore, no impacts to schools would occur.

XV. a-b. The proposed project involves the construction and operation of five photovoltaic (PV) solar electric generating fields/facilities on two sites for a total of 7.5 megawatts. As discussed in Item XIV.a,

it is anticipated that several construction workers would be present on the project sites at one time. These workers are expected to come from the local area and would not create an additional demand on recreational facilities. Once the proposed project is operational, most of the operations would be handled remotely and would not generate employees who would potentially be utilizing recreational facilities. Therefore, no impacts to recreational facilities would occur and no construction of new facilities would be necessary.

XVI. a. The proposed project would generate construction traffic in the form of worker vehicles and delivery trucks. These trips would only occur during construction and would most likely occur at off-peak hours of the day. Adequate access to the project site exists to handle the trips that construction would generate. Most operational activities associated with the proposed project would be handled remotely. Occasional maintenance activities may be required to repair panels, remove vegetation, etc. This number of trips would not impact the surrounding street system. Therefore, impacts would be less than significant.

b. There are no county congestion management agency designated roads or highways in the vicinity of the project sites. No impacts would occur.

c. The project sites do not contain any aviation related uses and the proposed project would include the development of any aviation related uses. The proposed project is a photovoltaic project and the panels are designed to absorb light, not reflect it. Therefore, the proposed project would not interfere with small aircraft flying overhead. Thus, the proposed project would not have an impact on air traffic patterns.

d. No roadway improvements are required as part of the proposed project and no hazardous conditions would be created. Therefore, no impacts would occur.

e. The proposed project would have adequate emergency access from Division Street, Avenue H-8, and 3rd Street East. Interior circulation would be provided in accordance with the requirements of the Los Angeles County Fire Department; therefore, no impacts would occur.

f. The proposed project would not conflict with or impede any of the General Plan policies or specific actions related to alternative modes of transportation (Lancaster General Plan pgs. 5-18 to 5-24). Therefore, no impacts would occur.

XVII. a. The proposed project would not generate any wastewater that would be disposed of in a sewer or septic system. Some wastewater would be generated from the occasional washing of the solar panels. This water would be disposed of in accordance with any requirements of the Regional Water Quality Control Board. As no hazardous materials would be utilized in conjunction with the PV panels, the wastewater is not expected to exceed any established standards. Therefore, impacts would be less than significant.

b. No wastewater would be generated by the proposed project. The sites would not be connected to the sanitary sewer system and there would be no septic system on-site. Therefore, no construction of new water or wastewater facilities would be required and no impacts would occur.

c. See Items IX.c and IX.d.

d. The proposed project has very minimal needs for water as there will be no employees on the project sites and no structures which would be occupied by individuals are proposed. The only water need the project may have is for the occasional washing of the solar panels. It is anticipated that if the panels need to be washed the water will be trucked in. No new or expanded entitlements would be necessary. Therefore, impacts would be less than significant.

e. See Item XVII.b.

f-g. The proposed project would generate some solid waste during construction which would contribute to an overall impact on landfill services (GPEIR pgs 5.13-25 to 5.13-28 and 5.13-31); although the project's contribution would be minimal. During operation of the project, no solid waste would be generated for disposal in the landfill. All materials generated by the repair of equipment would be recycled by the appropriate facilities. Therefore, no trash collection services would be necessary and impacts would be less than significant.

XVIII.a. Less than significant. Ref. Items IV and V.

b. The proposed project does not have any impacts that are individually limited, but cumulatively considerable.

c. Less than significant with mitigation. Ref Items VI and XII.



List of Referenced Documents and Available Locations*:

ESA1:	Phase I Environmental Assessment for Potential Hazardous Materials/Waste Contamination, Avenue H-8 & Division Street APN 3176-005-914, City of Lancaster, Los Angeles County, California, Arrow Engineering Services, Inc., January 30, 2012	PD
ESA2:	Phase I Environmental Assessment for Potential Hazardous Materials/Waste Contamination, 3 rd Street East, Kettering Street APN 3142-010-901, City of Lancaster, Los Angeles County, California, Arrow Engineering Services, Inc., January 30, 2012	PD
FIRM:	Flood Insurance Rate Map	PW
GPEIR:	Lancaster General Plan Environmental Impact Report	PD
LACW:	Letter from LA County Waterworks District, January 31, 2012	PD
LGP:	Lancaster General Plan	PD
LMC:	Lancaster Municipal Code	PD
LMEA:	Lancaster Master Environmental Assessment	PD
SSHZ:	State Seismic Hazard Zone Maps	PD
USGS:	United States Geological Survey Maps	PD
USDA SCS:	United States Department of Agriculture Soil Conservation Service Maps	PD

- * PD: Planning Department
- PW: Department of Public Works
Lancaster City Hall
44933 Fern Avenue
Lancaster, California 93534

Exhibit 1: Proposed General Plan Designation

General Plan Designation

-  P (Public)
-  UR (Urban Residential)

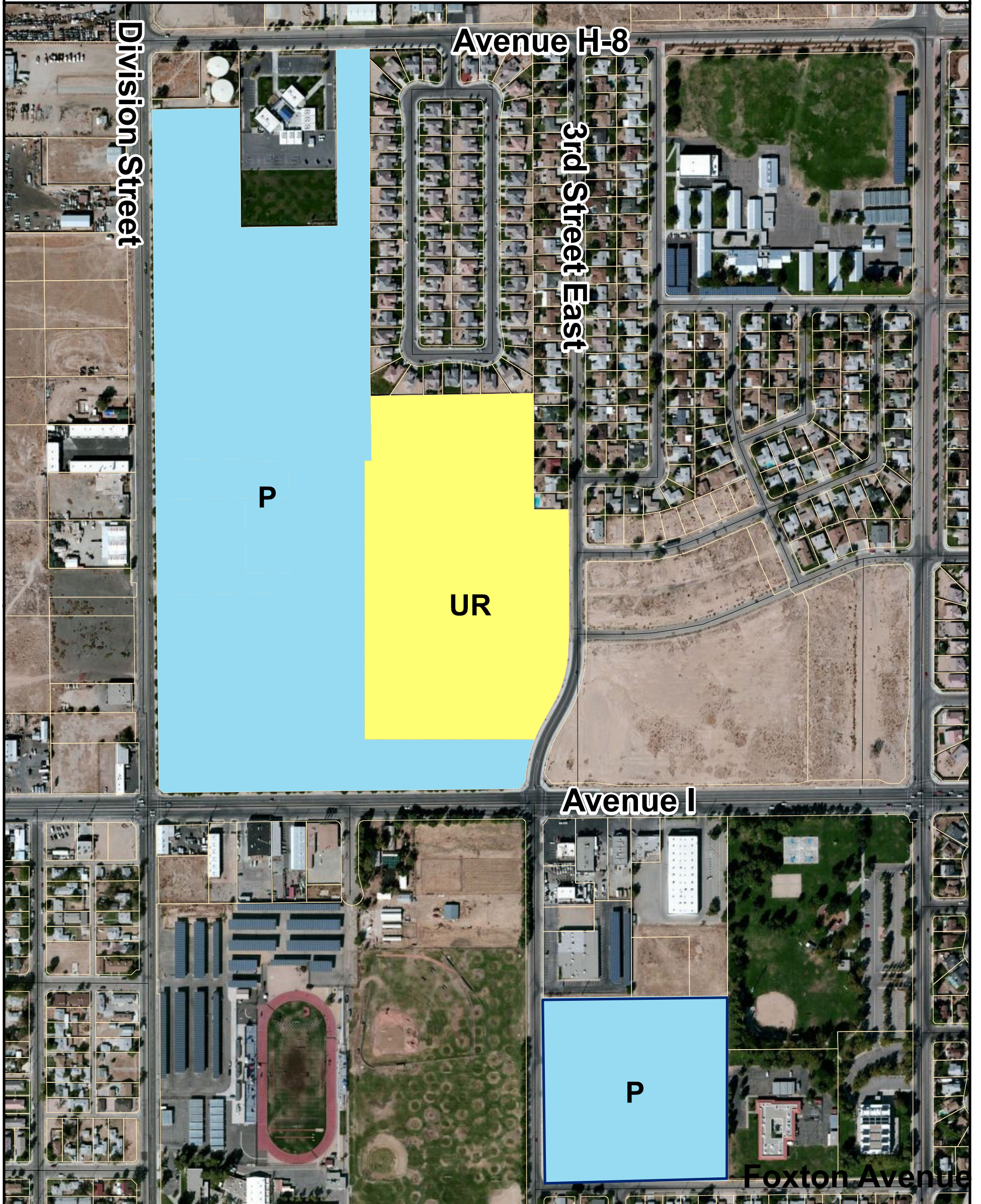
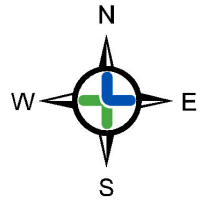
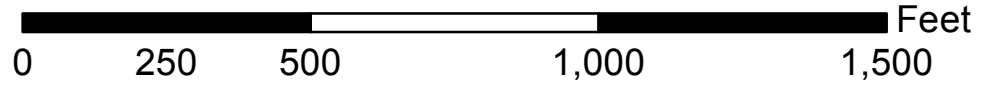
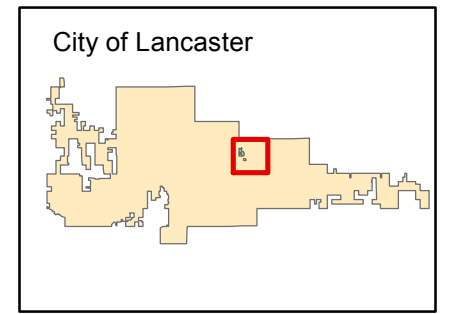



Exhibit 2: Proposed Zoning Designation

Zoning

 P (Public)

 R-7,000 (1 Single Family Residence/7000 sq ft)

