

AGENDA ITEM: 3.

DATE: 12-17-12

STAFF REPORT

GENERAL PLAN AMENDMENT NO. 12-03 ZONE CHANGE NO. 12-03 CONDITIONAL USE PERMIT NO. 12-12

DATE: December 17, 2012

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Sunlight Partners, LLC

LOCATION: 20± acres located at the southwest corner of Lancaster Boulevard and 40th Street East

REQUEST:

1. Amend General Plan land use designation for the subject property from UR (Urban Residential) to NU (Non-Urban Residential)
2. Rezone property from R-7,000 (Single Family Residential, minimum lot size 7,000 square feet) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres)
3. Construction of a 1.5 MW photovoltaic solar generating facility in the Rural Residential 2.5 (RR-2.5) Zone

RECOMMENDATION:

1. Adopt Resolution No. 12-26 recommending to the City Council approval of General Plan Amendment No. 12-03 and Zone Change No. 12-03.
2. Adopt Resolution No. 12-27 approving Conditional Use Permit No. 12-12. The approval of CUP No. 12-12 is not valid until the effective date of General Plan Amendment No. 12-03 and Zone Change No. 12-03.

BACKGROUND: There have been no previous hearings on this property before either the Planning Commission or City Council.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The existing and proposed General Plan designation and zoning for the subject location are as follows. The project site is currently vacant:

	<u>GENERAL PLAN</u>	<u>ZONING</u>
EXISTING	UR	R-7,000
PROPOSED	NU	RR-2.5

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	UR	R-7,000	Vacant, approved tentative tract map
EAST	UR	R-10,000	Vacant/Bus parking for Lancaster Baptist
SOUTH	UR	R-7,000	Vacant, approved tentative tract map
WEST	UR	R-7,000	Vacant

PUBLIC IMPROVEMENTS: Lancaster Boulevard is located immediately adjacent to the project site to the north. 40th Street East is located approximately 650 feet to the east of the project site. Both roadways are improved with one lane 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# 2012111047) for public review. This 30-day public review period ended on December 10, 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, Sunlight Partners, LLC, is requesting a conditional use permit for the construction and operation of a photovoltaic (PV) solar energy generating facility in the Rural Residential Zone. The proposed project consists of rows of PV panels on single axis trackers which would generate approximately 1.5 megawatts (MW) of electricity. According to Section 17.080.70.DD of the Lancaster Municipal Code, a conditional use permit is required for the construction and operation of a solar plant in the Rural Residential Zone.

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".

As previously identified, the General Plan and land use designations and zoning for the project site do not allow for the development of commercial solar facilities. The project site would need to have the General Plan land use designation and zoning changed in order to allow for the development of commercial solar facilities. The amending of the General Plan designation and zoning is consistent with the City's alternative energy goals and policies. Additionally, the project site is located in close proximity (approximately 650 feet) to Rural Residential designations to the east and the development of this site would help achieve more distributive generation pattern. Further, although the site and vicinity are designated and zoned for urban residential use, and a number of tentative tract maps are approved, the area is largely vacant. Active residential development on recorded maps is located approximately 0.5 miles to the south and southwest, meaning that direct effects to existing adjacent residential areas would not occur. The development of the project site with solar does not preclude development of the site with urban uses in the future if warranted.

The proposed project would operate year-round, producing a total of 1.5 MW of renewable electric power during daytime hours. Power generated by the proposed project would be sold to Southern California Edison. The proposed project consists of rows of photovoltaic panels mounted on single-axis trackers. These photovoltaic panels would convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. Three inverter/electrical equipment pads would be located in the central portion of the project site. The proposed project would tie into the SCE distribution network via the 12 kilovolt (kV) transmission line located adjacent to the project site on Lancaster Boulevard. A chain-link fence would surround the project site and a 10-foot landscaped area would be provided between the fence and property line to screen the development from the surrounding uses. The landscaping would be provided along 37th Street East, 38th Street East, and Lancaster Boulevard. No landscaping would be provided along the southern boundary as an approved tentative tract map (TTM 61721) is located immediately south and a block wall would be constructed in that location as part of any development of that map. Access to the project site would be provided via a gate on Lancaster Boulevard.

Lancaster Boulevard would be dedicated at 42 feet from centerline. Irrevocable offers of dedication would be provided for 38th Street East at 32 feet from centerline and 37th Street East at 50 feet from centerline for the first 240 feet south of Lancaster Boulevard.

The proposed project has the potential to impact views from the surrounding roads and nearby uses including residences and Lancaster Baptist Church. The photovoltaic panels are low profile with a maximum height of approximately eight (8) feet when in full tilt. While the views of the project site would change, the development would not impede long-range views. Additionally, the project site would be fenced and landscaped around along three sides (37th Street East, 38th Street East, and Lancaster Boulevard). No landscaping would be provided along the southern boundary as a block wall fence would be constructed in that location should the approved tentative tract map be developed. The block wall would block views of the project site from the south.

The proposed project would generate environmental impacts during construction with respect to biological resources, geology/soils, and noise. The construction of the proposed project has the potential to impact burrowing owls during vegetation removal and grading operations. The applicant is required to conduct a pre-construction burrowing owl survey prior to the issuance of any permits. In the event that burrowing owls are encountered on the project site during the surveys, the applicant shall coordinate with the California Department of Fish and Game (CDFG) to determine the appropriate procedures/mitigation. Therefore, potential impacts would be less than significant.

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.

Construction of the proposed project would generate noise which has the potential to impact surrounding land uses including the family residences located approximately 0.25 miles to the north and south of the project site and the residential subdivision located approximately 0.5 miles to the east. Potential impacts could also occur to the Lancaster Baptist Church located on the southeast corner of 40th Street East and Lancaster Boulevard. Mitigation measures are required which would reduce noise impacts to a less than significant level. Minimal amounts of noise would be generated by the operation of the proposed project and only during routine maintenance as the panels and tracking system would be silent. Routine cleaning of the panels and landscaping maintenance activities would occur three to four times per year and would last approximately two to three days. Most of the time the facility would be remotely operated and no noise would be generated.

Staff is recommending that the Commission approve the project 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. 12-26

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. 12-03 AND ZONE CHANGE NO. 12-03

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 Sunlight Partners LLC to re-designate 20± acres from UR (Urban Residential) to NU (Non-Urban Residential); 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 property from R-7,000 (Single Family Residential, minimum lot size 7,000 square feet) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres); 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 December 17, 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. 12-03 and recommends that the City Council adopt them:

1. There is a need for the proposed land use designation of NU on the project site in order to allow for development of a smaller scaled, distributed generation solar energy facility.
2. The proposed designation of NU will be compatible with the existing land use designation of UR surrounding the project site because land designated NU is approximately 650 feet east of the project site, the immediate vicinity is not developed with residential uses at the present time, and development of the project site with solar facilities would not prevent future urban uses.
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 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 development of the project site with single family residential uses under the current urban residential designation.
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 biological resources, 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. 12-03, and recommends that the City Council adopt them:

1. The proposed Zone Change from R-7,000 to RR-2.5 will be consistent with the proposed General Plan land use designation of NU 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 RR-2.5 exists within such area in order to allow for the development of smaller scale, distributed generation solar energy facilities. Property zoned as RR-2.5 is located approximately 650 feet east of the project site.
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 RR-2.5 residential zone at such location 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. 12-03 to re-designate the subject property from UR (Urban Residential) to NU (Non-Urban Residential).

2. This Commission hereby recommends to the City Council approval of Zone Change No. 12-03 through the adoption of the attached ordinance to rezone the subject property from R-7,000 to RR-2.5.

PASSED, APPROVED and ADOPTED this 17th day of December 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 20± ACRES
LOCATED AT THE SOUTHWEST CORNER OF LANCASTER
BOULEVARD AND 40TH STREET EAST KNOWN AS ZONE
CHANGE NO. 12-03

WHEREAS, pursuant to Section 17.24.060 of the Municipal Code, a request has been filed by Sunlight Partners, LLC, to change the zoning designation on 20.00± acres of land located at the southwest corner of Lancaster Boulevard and 40th Street East from R-7,000 (single family residential, minimum lot size 7,000 square feet) to RR-2.5 (rural residential, one dwelling unit per 2.5 acres); 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 Sections 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 December 17, 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 to RR-2.5 will be consistent with the proposed General Plan land use designation of NU 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 RR-2.5 exists within such area in order to allow for the development of a larger scale solar energy development. Property zoned as RR-2.5 exists in the area; however, it is in smaller parcels with different owners making it difficult to develop with a solar energy project of this scale.

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 RR-2.5 residential zone at such location 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 to RR-2.5.

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 _____, 2013, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2013, 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

Ordinance No.

Page 3

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. 12-27

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

WHEREAS, a conditional use permit has been requested by Sunlight Partners, LLC, to allow construction of a 1.5 MW photovoltaic solar generating facility in the Rural Residential 2.5 Zone; 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 intention 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 December 17, 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 20± acres at the southwest corner of 40th Street East and Lancaster Boulevard and will be in conformance with the General Plan land use designation of Non-Urban Residential.
2. The proposed project is 1.5-megawatt solar photovoltaic 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 zones by trees 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 a maximum height of 8 feet, which are under the maximum height regulations of the Rural Residential zones 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 the proposed use will not adversely affect nearby residents/school because the proposed use would be screened by landscaping, the maximum height of the panels are 8 feet, the panels and trackers are not noise generators, and there is limited vehicle traffic that would occur once construction has been completed.
5. The proposed site is adequate in size and shape that accommodate the solar photovoltaic 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 site is adequately served:
 - a. By Lancaster Boulevard which is 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 water, fire, and police services as required and necessary for solar development.
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 are 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. 12-12, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 17th day of December 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. 12-27
CONDITIONAL USE PERMIT NO. 12-12
CONDITIONS LIST
December 17, 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, dedicate the following right-of-way for streets:
 - Lancaster Boulevard at 42 feet from centerline
7. Per the direction of the Director of Public Works, grant an irrevocable offer of dedication for the following streets:
 - 38th Street East at 32 feet from centerline
 - 37th Street East at 50 feet from centerline for the first 240 feet south of Lancaster Boulevard
8. Per the direction of the Director of Public Works, the applicant shall abandon the easement along the southern boundary of the project site.
9. Per the direction of the Planning Director, the applicant shall install a 10-foot-wide landscaped planter along Lancaster Boulevard, 37th Street East, and 38th Street East for screening purposes. **The applicant shall install decorative tubular steel fencing and enhanced landscaping along the Lancaster Boulevard frontage, subject to review and approval of the Planning Director. Should the applicant propose a design solution along Lancaster Boulevard other than stated in this condition, such design shall be subject to review and approval by the Planning Commission. (AMENDED AT THE 12/17/12 PC MEETING)**

10. 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.
11. The applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City concerning this conditional use permit and the use(s) and development permitted by its approval. The City shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense; this condition shall not be imposed if the City fails to promptly notify the applicant or fails to cooperate fully in the defense.

MITIGATION MEASURES

12. A pre-construction burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.
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 8:00 p.m. and 7:00 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
BIOLOGICAL RESOURCES							
1.	A pre-construction burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the City must receive a report from a biologist advising that the site is free of burrowing owls.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department responsible for reviewing report.			
GEOLOGY AND SOILS							
2.	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							
3.	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			
4.	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			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
5.	Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.	During construction	Field inspection	Building and Safety			
6.	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			
7.	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			
8.	No project-related public address or music system shall be audible at any adjacent receptor.	During construction	Field inspection	Building and Safety			
9.	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 12-12
General Plan Amendment 12-03
Zone Change 12-03
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: Sunlight Partners, LLC
Dustin Thompson
4215 East McDowell Road #212
Mesa, AZ, 85215
5. Location: ±20 acres at the southwest corner of 40th Street East and Lancaster Boulevard
6. General Plan designation: Current: Urban Residential (UR); Proposed: Non-Urban Residential (NU)
7. Zoning: Current: R-7,000 (Single family residential, minimum lot size 7,000 square feet); Proposed: RR-2.5 (Rural Residential, minimum lot size 2.5 acres)
8. Description of project: The proposed project consists of the construction and operation of a 1.5 megawatt photovoltaic (PV) solar electric generating facility. The proposed project consists of rows of PV panels on single axis trackers with each block of solar panels containing an inverter. The PV modules will be supported on steel piers driven to the appropriate depth. It is not anticipated that any concrete footings will be required. The panels will be approximately 7 feet high when in the horizontal position and approximately 8 feet high when in full-tilt. These photovoltaic panels convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. The project would tie into the 12 kV distribution line that runs along Lancaster Boulevard. A chain-link fence would surround the project site and a 10-foot landscaped area would be provided between the fence and property line to screen the development from the surrounding uses. Access to the project site would be provided via a gate on Lancaster Boulevard. The gate would be set back 50 feet from the edge of the property to allow vehicles to pull off the roadway while the gate is being opened.
9. Surrounding land uses and setting: The area surrounding the project site is predominantly vacant land. The property immediately surrounding the project site is vacant with the exception of bus parking for Lancaster Baptist church on the southwest corner of Lancaster Boulevard and 40th Street West. Lancaster Baptist Church and West Coast Bible College is located on the southeast corner of Lancaster Boulevard and 40th Street East. A single family residential subdivision is located approximately 0.5 mile east of the project site. A single family residence is located approximately 0.25 miles north of the project site and a single family residence is located approximately 0.25 miles south of the project site.

Approximately 0.5 miles west of the project site is the Christian Life Assembly Church. All of the property surrounding the project site is designated as Urban Residential (UR) by the City's General Plan. The property to the north, west, and south is zoned as R-7,000 (single family residential, minimum lot size 7,000 square feet). The property to the east is zoned R-10,000 (single family residential, minimum lot size 10,000 square feet).

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:

- Antelope Valley Air Quality Management District (AVAQMD) (dust control plan)
- Southern California Edison (connection to the distribution line)

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

11/7/12

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. <u>BIOLOGICAL RESOURCES</u> -- 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. <u>CULTURAL RESOURCES</u> -- 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. <u>GEOLOGY AND SOILS</u> -- 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. <u>MINERAL RESOURCES</u> – 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 <u>NOISE</u> -- 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. <u>RECREATION</u> --				
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. <u>TRANSPORTATION/TRAFFIC</u> -- 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
<u>XVII. UTILITIES AND SERVICE SYSTEMS</u> --				
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 as identified in the City of Lancaster's General Plan (LMEA Figure 12-1) are not available from the roadways and areas surrounding the project site. However, views of the mountains surrounding the Antelope Valley and open expanses of desert/fallow agricultural fields are available from the project site.

With implementation of the proposed project, the available views would not change and would continue to be available from the roadways and surrounding area. The change in the project site would be visible; however, the project site would be fenced and screened with landscaping/native plants along the perimeter. The height of the PV panels would be approximately 8 feet which is substantially lower than a single family residence. The height of the development would not impede views of the mountains while traveling on any of the surrounding streets. 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. Additionally, the project site is 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 project site in that it would replace fallow agricultural land/open desert with a photovoltaic solar electric generating facility. While this would change the character of the existing site, the proposed project would be compatible with the surrounding uses in the area. Additionally, the height of the PV panels and associated structures is less than the height of a typical single family residence. The proposed project would be fenced and perimeter landscaping provided to screen the development from view. Therefore, impacts would be less than significant.

d. The proposed project would create new sources of lighting. The area surrounding the project site currently has minimal amounts of ambient light. These light sources are primarily from the few single family residences, churches, and vehicle headlights. The proposed project would generate light from security and perimeter lighting. This lighting would be shielded and focused downward onto the site. No sources of glare are anticipated on the project site as PV panels are designed to absorb sunlight, not reflect it. Any structures on the project site 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. 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 updated in 2010. On the 2010 map, the project site is designated as Other Land. Other Land is defined as "land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land." As the project site is not designated as farmland of importance by the State nor is it currently utilized for agricultural purposes, no impacts to agricultural resources would occur.

b. The project site is currently zoned as R-7,000 (single family residential, minimum lot size 7,000 square feet) which does not allow for agricultural uses. Additionally, the project site and the surrounding area not utilized for agricultural purposes and do not have Williamson Act contracts. The proposed project is for a photovoltaic solar electric generating facility and would not interfere with agricultural uses. Therefore, no impacts would occur.

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. See responses to Items IIa-d.

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 a photovoltaic solar electric generating facility. This use was not accounted for under the City's General Plan as the project site is currently designated and zoned for urban residential uses. The applicant is seeking a General Plan Amendment (GPA 12-03) and Zone Change (ZC 12-03) for the project site to Non-Urban Residential uses which would allow the construction of the proposed project with a Conditional Use Permit. This is a substantially less intensive use than the construction of single family residences on the project site. Therefore, any air emissions generated by the proposed project have already been accounted for and the proposed project would not conflict with or obstruct the 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 emissions are not anticipated to exceed the construction emission thresholds established by the Antelope Valley Air Quality Management District (AVAQMD) due to the size and type of the proposed project. Therefore, construction emissions would be less than significant.

The proposed project would generate vehicle trips approximately three to four times a year for maintenance purposes (panel cleaning) and landscaping activities. These activities would last for two to three days. Operation of the proposed project would be done remotely and the solar fields do not generate air emissions. Vehicle trips associated with the proposed project would generate emissions; however, due to the minimal number of vehicle trips per week, these emissions would not be sufficient to create or significantly contribute towards violations of air quality standards. Therefore, 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 increase in pollutants. However, since the emissions associated with the construction and operation of the proposed project would be less than significant; its contribution would not be cumulatively considerable.

d. The closest sensitive receptors are the single family residences to the north and south and the churches to the east and west. Based on the amount of traffic expected to be generated by the proposed project, no significant traffic impacts would be anticipated. Additionally, it is not anticipated that the air emissions from construction or operation of the proposed project would exceed the thresholds established by the AVAQMD. Therefore, substantial pollution 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 Lancaster Boulevard and 40th 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. A biological resources survey was conducted for the project site by RCA Associates LLC and documented in a report entitled "Biological Resources Assessment, MA 4035 Solar Site, APN 3150-004-035, Conditional Use Permit, Lancaster, California" and dated February 23, 2012. A survey of the project site was conducted on February 20, 2012 to identify any sensitive plant and animal species that may be present on the project site. The project site has been previously disturbed by past agricultural uses. The vegetation is limited and consists primarily of brome grasses (*Bromus* sp.), erodium (*Erodium texanum*), schismus (*Schismus barbatus*), unidentified grasses, ricegrass (*Oryzopsis hymenoides*), and Russian thistle (*Salsola tragus*). The following wildlife species were observed during the survey: ravens (*Corvus corax*), sage sparrows (*Amphispiza belli*), song sparrows (*Melospiza melodia*) and horned larks (*Eremophila alpestris*). No mammals or reptiles were observed.

No sensitive plant or animals species were identified on the project site. Based on the lack of suitable habitat, desert tortoise and Mohave ground squirrel are not expected to occur on the site. Suitable habitat for burrowing owls exists on the project site; however, no suitable burrows were found on the project site. Therefore, impacts would be less than significant. However, it is possible that burrows could be created on the project site and burrowing owls could occupy them prior to the start of construction. Therefore, the following mitigation measure is required to ensure that any potential impacts remain less than significant.

1. A pre-construction burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.

b. The project site does 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 the United States Fish and Wildlife Service. Therefore, no impacts would occur.

c. There are no federally protected wetlands on the project site as defined by Section 4040 of the Clean Water Act. Therefore, no impacts would occur.

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

e-f. The project site is not located within an area designated under an adopted Habitat Conservation, 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. A cultural resource was conducted for the project site by RT Factfinders and the results were documented in a report entitled "Phase I Cultural Resource Investigation for a 20-Acre Property Southeast of the Intersection of 37th Street East and Lancaster Boulevard, Los Angeles County,

California” and dated August 2004. On June 26, 2004, a pedestrian survey of the project site was conducted by walking transects over the entire property spaced no more than 15-meters. As a result of the survey no prehistoric or historic period sites were discovered. Several isolated artifacts were found that are, or could be, older than 50 years including a fragment of pre-1928 sun-altered amethyst glass, a porcelain insulator, pieces of barbed wire, and pieces of hardware from various pieces of farm equipment. Isolated artifacts are not considered significant cultural resources. Development of the site would not directly or indirectly destroy a unique paleontological resource, site or geologic features. No human remains, including those interred outside of formal cemeteries, were discovered on the site. Therefore, no impacts to cultural resources would occur. However, in the event that cultural resources are encountered during the course of construction, all work shall cease until a qualified archaeologist determines the proper disposition of the resource.

VI. a. The project site is 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 site is generally level and is 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 Hazard Zone Maps for Lancaster (SSHZ). Based on these maps, the project site is not located in an area at risk for liquefaction. No impacts would occur.

b. The project site is rated as having a moderate risk for soil erosion (USDA SCS Maps) when cultivated or cleared of vegetation. However, 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 shall be required to control dust/wind erosion.

2. 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 a part of the project, would reduce any impacts to less than significant levels.

c. Subsidence is 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 H and Avenue G. These are approximately 6 miles west of the project site. The project site is not known to be within an area subject to fissuring, sinkholes, or subsidence (LMEA Figure 2-3) or any other form of 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 soils 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 proposed project. The proposed project is a photovoltaic solar electric generating facility and there are no structures on the project site that would be occupied. Most activities with respect to operation of the proposed project would be conducted remotely. A portable restroom facility would be provided on-site during construction and maintenance activities. Therefore, no impacts would occur.

VII. a-b. The proposed project involves the construction and operation of a photovoltaic solar electric generating facility. This facility would tie into the 12-kV distribution lines adjacent to the project site along Lancaster Boulevard. 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 Antelope Valley Air Quality Management District (AVAQMD) and would not prevent the State from reaching its greenhouse gas reduction targets. Operation of the proposed project would generate minimal amounts of emissions, primarily from vehicles when site maintenance is conducted (3-4 times per year). The photovoltaic solar electric generating facility 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.

The proposed project would be in compliance with the greenhouse gas goals and policies identified in the City of Lancaster's General Plan (pgs. 2-19 to 2-24). Therefore, impacts with respect to conflicts with an agency's plan, policies, or regulations would be less than significant.

VIII. a-b. The proposed project consists of the construction and operation of a 1.5 megawatt (MW) solar generating facility on approximately 20 acres. The proposed project would use minimal amounts of hazardous materials during construction activities. During operation, the only hazardous materials that would be utilized a dielectric fluid and mineral oil. Use of all materials would be in accordance with all applicable rules and regulations. The proposed project is not located along a hazardous materials/waste transportation corridor (LMEA Figure 9.1-4). The project site is vacant and consists of previously disturbed land, probably from agricultural fields. 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. The project site is located within a quarter mile of an existing school. Specifically, the Lancaster Baptist School and West Coast Bible College is located on the southeast corner of Lancaster Boulevard and 40th Street East. The proposed project may utilize some hazardous materials (typical construction materials) during construction of the solar generating facility. The only hazardous materials that would be utilized during operation would be mineral oil and dielectric fluid which would be handled in accordance with all rules and regulations. The proposed project would not emit hazardous emissions

or handle hazardous/acutely hazardous materials, substances, or waste. Therefore, impacts would be less than significant.

d. A Phase I Environmental Site Assessment was prepared for the project site by Westech Company and documented in a report entitled "Hazardous Materials Site Assessment/Phase I MA 4035 Site, Assessor's Parcel Number 3150-004-035, Lancaster, California 93535" dated January 2012. As part of the environmental site assessment, a site visit was conducted in January 2012.

The project site consists of vacant undeveloped land which was previously utilized for agricultural purposes. No structures are present on the project site. No underground tanks are known to exist on the project site and soils do not appear to be discolored. There is no evidence of any hazardous materials on the project site.

In addition to the site visit, a regulatory database search was conducted for the project site and the surrounding area. The database search was conducted using publicly available regulatory records detailed in the Environmental Data Resources, Inc., (EDR) report dated January 10, 2012. The project site and property within standard distances of the project site were reviewed to identify adjacent and surrounding sites that might potentially impact the soil and/or groundwater conditions beneath the property. The project site was not identified on any of these listings. One site was identified within a mile of the project site. The listed site is a transporter of waste oil and had some infractions report; however, these appear to have been cleaned up by 2004 and current records indicate the facility is in compliance. This site is approximately 0.7 miles northwest of the project site and down-gradient and impacts to the project site would be low. Therefore, the site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and thus no significant hazardous impacts to the public or the environment would result from the project.

e-f. The project site 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 airport to the project site is U.S. Air Force Plant 42, located approximately 3.5 miles south of the project site. Therefore, the proposed project would not result in a safety hazard for people working in the project area and no impacts would occur.

g. Access to the project site would be taken from Lancaster Boulevard. The access gate to the project site would be set back approximately 50 feet from the property line to allow vehicles to pull off of the roadway while the gate is opening. Lancaster Boulevard has not been designated as an evacuation route within the City of Lancaster. Additionally, traffic 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. Therefore, no impacts are anticipated.

h. The property surrounding the project site is predominantly undeveloped with the exception of some single family residences and two churches (see Surrounding Land Use description). It is possible that these lands could be subject to a grass fire. However, the project site is located within the boundaries of Fire Station 117, located at 44851 30th Street East, which would serve the project site in the event of a fire. The project site could also be served by units at Station 135, located at 1843 East Avenue K-4. Therefore, impacts from wildland fires would be less than significant.

IX. a. The project site is not located in an area with an open body of water or watercourse and is not in an aquifer recharge area. Additionally, the proposed development 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 a PV solar generating facility. This facility would not utilize large quantities of 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. The proposed project would truck in water for the occasional washing of the PV panels. Washing would occur approximately 3-4 times 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. 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 site would be developed with PV panels mounted on tracking systems on steel support structures. The project site would be graded to accommodate the support structures but would not be paved, leaving the site in a predominantly 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 site. Therefore, impacts from drainage and runoff would be less than significant.

f-g. The project site is designated as Zone X-Shaded per the Flood Insurance Rate Map (FIRM) Panel No. 060672 (2008), which is outside the 100-year flood zone but within the 500-year flood zone. Additionally, no structures which would be occupied as proposed for the project site. Therefore, no flooding impacts would occur as a result of placing housing or structures on the project site.

h. The project site does not contain and is not downstream from a dam or levee. Therefore, no impacts would occur from flooding as a result of the failure of a dam or 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 a photovoltaic solar electric generating facility. The area surrounding the project site is predominantly vacant with some single family residences and two churches scattered throughout the area. Access to the proposed project would be from Lancaster Boulevard. 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 will be in compliance with the City-adopted UBC (Item VI.a) and erosion-control requirements (VI.b). Therefore, no impacts would occur.

c. As noted under Item IV.e-f, the project site is not subject to and would not conflict with a habitat conservation plan or natural communities conservation plan.

XI. a-b. The project site does 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 site is designated as Mineral Reserve 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 rural and residential uses. The current noise level in the area is approximately 60.4 dBA along Lancaster Boulevard between 30th Street East and 40th Street East. The loudest phases of construction would involve earth moving equipment and vibratory pile driving. The total construction time for the entire project is established to be 3 months. The loudest phases of construction would occur over a portion of this 3-month period. Construction activities associated with earth-moving equipment and other construction machinery would temporarily increase noise levels for adjacent land uses. Noise levels would fluctuate depending upon construction activity, equipment type and duration of use, and the distance between noise source and receiver.

The closest noise sensitive receptors are the single family residences located approximately 0.25 miles to the north and south of the project site. Noise levels at this receptor are not expected to interfere with daily activities due to the distance but construction activities would still be audible depending upon the location of the work and the type of equipment being utilized. Additionally, implementation of the mitigation measures identified below would ensure that potential noise impacts are less than significant.

3. 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.
4. 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.
5. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment where feasible.

6. Material stockpiles and mobile equipment staging, parking and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.
7. The use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.
8. No project-related public address or music system shall be audible at any adjacent receptor.
9. 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 electric generating facility would generate electricity with PV panels mounted on fixed or slow moving, slowly rotating trackers. A handful of employees would conduct maintenance on-site 3 to 4 times a year with daily monitoring occurring remotely. Periodic maintenance would primarily consist of cleaning the PV panels, as necessary, and vegetation removal. Because of the passive nature of the on-site operations, the likelihood of noise disturbance at the neighboring receptors is minimal. Therefore, noise impacts would be less than significant.

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

XIII. a. The proposed project consists of the construction and operation of a photovoltaic solar electric generating facility which would not directly or indirectly induce substantial population growth. The construction of the proposed project is anticipated to employ a handful of individuals, most of who would come from the local area. Operation of the proposed project would occur remotely with occasional maintenance needs being handled by one or two people. While the facility would generate additional power to go into the grid, it would be helping to achieve the State mandates regarding renewable energy. Therefore, no impacts would occur.

b-c. The project site is 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 site is within the current service area of both these agencies and the additional time and cost to service the site 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 and would not increase the number of students in either the Antelope Valley Union High School District or the Eastside School District. Therefore, no impacts would occur.

XV. a-b. The proposed project involves the construction and operation of a photovoltaic solar electric generating facility. As discussed in Item XVI.a, it is anticipated that a handful of construction workers would be present on the project site 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 of the operational activities associated with the proposed project would be handled remotely. Occasional maintenance activities would be required approximately 3-4 times a year. The number of trips required to accomplish this level of maintenance 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 site. No impacts would occur.

c. The project site does 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 solar project and the panels are designated 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. No hazardous conditions would be created and no impact would occur.

e. The proposed project would have adequate access from Lancaster Boulevard. Interior circulation would be provided in accordance with the requirements of the Los Angeles Fire Department; therefore, no impacts would occur.

f. The proposed project does 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 on-site in accordance with any requirements of the Regional Water Quality Control Board. As no hazardous materials would be utilized on-site, 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 site 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 minimal needs for water as there will be no employees routinely on the project site and no structures which would be occupied by individuals are proposed. The only water needs the proposed project has are for the occasional washing of solar panels. This water would most likely be trucked into the site. 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 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 appropriate facilities. Therefore, no trash collection services would be necessary and impacts would be less than significant.

XVIII.a-c. Other solar projects have been approved or are undergoing review in the City of Lancaster and in the unincorporated areas of Los Angeles County, primarily on the west side of the Antelope Valley. These projects, if constructed, would result in a large number of acres being converted to solar generating facilities which could generate cumulative impacts. Most of the impacts generated by these projects are site specific and generally do not influence the impacts on another site. Additionally, all projects undergo environmental and have required mitigation measures to reduce impacts when warranted.

Construction of the solar projects throughout the Antelope Valley would lead to a cumulative loss of habitat for a variety of plants and animals. The project site does not contain suitable habitat for desert tortoise, Mohave ground squirrel or burrowing owls (due to lack of usable burrows onsite) and therefore, the proposed project cannot contribute to a cumulative biological impact. Mitigation has been identified to ensure that no burrowing owls have moved onto the project site prior to the start of construction. Additionally, the City requires the payment of a biological impact fee to address the cumulative loss of biological resources within the Antelope Valley. This fee is put in to a separate account which is utilized to acquire conservation habitat.

Mitigation measures are required to reduce noise impacts to the nearby sensitive receptors. However, the proposed project is the only project in the area that would be impacting these receptors, so no cumulative impact would occur. All other mitigation measures that were identified are a statement of regulatory requirements. Therefore, any potential cumulative impacts are less than significant and would not be cumulatively considerable.

List of Referenced Documents and Available Locations*:

BRR:	Biological Resources Assessment, MA 4035 Solar Site, APN 3150-004-035, Conditional Use Permit, Lancaster, CA, RCA Associates LLC, February 23, 2012	PD
CRS:	Phase I Cultural Resource Investigation for a 20-Acre Property Southeast of the Intersection of 37 th Street east and Lancaster Boulevard, Lancaster, Los Angeles County, California, RT Factfinders, August 2004	PD
ESA:	Hazardous Materials Site Assessment/Phase I MA 4035 Site, Assessor's Parcel Number 3150-004-035, Lancaster, California 93535, Westech Company Environmental Consulting – Site Permitting, January 2012	PD
FIRM:	Flood Insurance Rate Map	PW
GPEIR:	Lancaster General Plan Environmental Impact Report	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