6.9 LAND USE

This section provides an assessment of land use issues and impacts for the Canyon Power Plant (CPP).

An evaluation of the CPP's conformance with local plans, land use regulations, and general land use compatibility is provided in this section. Land uses are described within one mile of the project site and within 0.5 mile of project linears. Offsite linear facilities proposed for this project include a recycled water line, a natural gas line, underground 69 kV power lines, and a water pumping station. The total area analyzed encompasses both the one-mile radius around the project site and the 0.5-mile area around each project linear. Reasonably foreseeable future development within the affected area is discussed in Section 6.9.2.3, Cumulative Impacts.

Land uses in California are regulated using various methods of land use controls. Cities and counties in California are required by law to adopt a comprehensive, long-term General Plan for the physical development of their jurisdictional areas. These plans include a Land Use Element that establishes a pattern of appropriate land uses, as well as policies and guidelines for development of those uses. Local zoning ordinances, Specific Plans and maps implement the Land Use Element of the General Plan. It is important to note that the Land Use Element reflects the ultimate pattern of development and that the zoning ordinances and zoning maps reflect current land use designations. Zoning designations may differ from land use designations. Building codes establish requirements for safe and sanitary structures. Grading requirements regulate the design and improvement of new, modified, and redeveloped projects.

6.9.1 Affected Environment

The affected environment is defined by the California Energy Commission (CEC) based on the study area boundary. The City of Anaheim (COA) has jurisdiction over approximately 80 percent of the study area within one mile of the plant site and within 0.5 mile of project linears as described by Figure 6.9-1. The City of Placentia has jurisdiction over the remaining portion of the study area within one mile to the north of the CPP plant site. A small area located at the southern perimeter of the study area comprising approximately nine acres is located within unincorporated Orange County.

The land use study area is also shown on Figure 6.9-1. Existing potentially sensitive land uses within the study area include residential areas, churches, a park, and a library. There is one school within the study area; and, both a school and a hospital are proposed within the study area. Proposed projects within the study area are shown on Figure 6.9-2. Sensitive land uses within the study area boundary are identified in Table 6.9-1.

TABLE 6.9-1
SENSITIVE LAND USE RECEPTORS
WITHIN PROJECT STUDY AREA

Land Use and Zoning Map Identification	Sensitive Receptor
City of Anaheim	
Residential	Medium Density (0 to 36 du/acre)
Medium	Low Density (0 to 6.5 du/acre)
Low	Churches
Commercial	Mission Community Church 1250 N. Red Gum St.
	Living Water 3331 E. Orangethorpe Ave.
City of Placentia	
Residential	Single Family Residential
R-1	Low – Medium Density Residential
R-2	High Density Residential
R-3	Planned Unit Development
PUD	Parks
	McFadden Park
	Churches
	Full Gospel Fellowship 1013 S. Melrose St.
	Lutheran Brotherhood 151 N. Kraemer Blvd.
	Faith Family Fellowship 350 E. Orangethorpe Ave.
	Placentia Free Methodist Church 925 S. Melrose St.
	Calvary Church 102 S. Bradford Ave.
	Well of Love 187 W. Orangethorpe Ave.
	Placentia Library 411 E. Chapman Ave.
	Schools
	Melrose Elementary School 974 S. Melrose St.

du = dwelling unit

6.9.1.1 Regional Setting

The CPP is located within the COA in northern Orange County. North of the project area, the COA is bordered by the City of Placentia. To the south, the COA is bordered by the Santa Ana River corridor, the City of Orange, and a small unincorporated area within Orange County. The Santa Ana River corridor runs east-west approximately one mile south of the project area. Jurisdictional boundaries are shown in Figure 6.9-1. The COA in the study area is served by several major freeways. Highway 57 running north-south through the COA is located approximately a mile to the west of the project area. Highway 91 running east-west through the COA is located approximately one mile south of the project area. Directly east of the project area are several groundwater recharge facilities operated and maintained by the Orange County Water District (OCWD). Kraemer Basin, a groundwater recharge facility, is located directly east of the project area.

The project incorporates linear facilities outside of the facility footprint to tie into existing infrastructure. All of the linear facilities will be constructed within the jurisdiction of the COA. Existing infrastructure will not require upgrades to accommodate the proposed project and linear facilities.

The land uses within the study area are industrial, commercial, and residential. The majority of the new growth in the study area is industrial/commercial as shown on Figure 6.9-2.

6.9.1.2 Project Site and Vicinity

The Canyon Power Plant (CPP) will consist of a nominal 200-megawatt (MW) simple-cycle plant, using four natural gas-fired General Electric LM 6000PC Sprint combustion turbines and associated infrastructure. The project site is located at 3071 East Miraloma Avenue, in a COA-designated industrial zone.

The CPP and associated construction laydown areas will be located on approximately 10 acres of disturbed land located at 3071 East Miraloma Avenue. Main access to the CPP site will be at the southeast corner of the project site from East Miraloma Avenue. A second gated entrance will be accessible via East Miraloma Avenue with a third gate off the alley to the east of the site. (Total land disturbance will be approximately 10 acres.)

The existing CPP site is predominantly paved (concrete and asphalt). Principal land use for the site was food catering for a fleet of approximately 75 to 100 trucks, formerly operated by Orange County Food Service. Onsite structures include a kitchen/warehouse building, maintenance garage (9 service bays), truck wash facility (5 bays), two ice manufacturing buildings, several storage sheds, and an outdoor truck repair shop which includes storage lockers and petroleum products, all of which will be demolished as a part of the CPP project.

The following activities are not part of the CPP project:

- Three residential houses along East Miraloma Avenue have recently been removed and are not a part of this Application for Certification (AFC). The COA Risk Manager and Fire Department determined that the residential units posed security and fire risks, and therefore they were removed. A letter from the COA Risk Manager to the Public Utilities Department is included in Appendix Q.
- Soil remediation activities associated with Phase I, Phase II, and Supplemental Phase II reports. The COA, now as owner of the property, has determined that it will conduct any soil remediation activities to limit its environmental liability for future uses of the site. These activities will occur regardless of whether the CPP project obtains a CEC license.
- Installation of a temporary, 8-foot-high security fence around the perimeter of the entire 10-acre site.
- General maintenance activities including site cleanup and trash removal.

The project will include the construction and/or installation of the following components:

- **Proposed CPP site.** In addition to the four natural gas-fired GE LM 6000PC Sprint gas turbines, the plant will include generator step-up transformers (GSUs), a 69 kilovolt (kV) switchyard, onsite fuel gas compressors, a gas pressure control and metering station, a packaged chilled water system for combustion turbine engine (CTG) power augmentation with associated heating ventilation and air conditioning (HVAC)-type four-cell cooling tower, selective catalytic reduction system (SCR) emission control systems, and other associated plant infrastructure.
- **Gas pipeline.** Natural gas will be provided via a new 3,240-foot-long, 12-inch, and 350 pounds per square inch gauge (psig) gas line owned and maintained by SoCal Gas Company (SCGC), which will be connected to new onsite fuel gas compressors that will be part of the CPP facility. From the CPP site, this new pipeline will run approximately 580 feet east in East Miraloma Avenue to Kraemer Boulevard, then north 2,660 feet in Kraemer Boulevard to East Orangethorpe Avenue to connect into SCGC's transmission line L-1218 in East Orangethorpe Avenue. (Total land disturbance will be 0.219 acre.)
- **Process water.** Process water for the project will be recycled water supplied from the Orange County groundwater replenishment system (GWRS) via a new 2,185-foot-long, 14-inch pipeline utilizing a new offsite booster pump station. The water pipeline will run east of the site on the north side of East Miraloma Avenue for 1,850 feet to the new pumping station located north of the curb in the COA-owned easement of East Miraloma Avenue, then north 210 feet in new easement from the Orange County Water District (OCWD), then 125 feet easterly in new easement to the GWRS line on the western side of the Carbon Canyon Diversion Channel. There, it will connect to the 60-inch-diameter GWRS recycled water line at an existing 36-inch stub up. (Total land disturbance for both line and pumping station will be 0.246 acre.)

- **Electrical interconnection.** Underground 69 kV cables will connect from GSUs to the onsite switchyard, which will use gas-insulated switchgear (GIS). There will be four new underground 69 kV circuits leaving the site. Two will proceed underneath and to the south side of East Miraloma Avenue approximately 100 feet to rise up and connect to the existing 69 kV overhead Vermont-Yorba lines via two new transition structures. The second two 69 kV underground circuits will proceed eastward approximately 4,000 feet in East Miraloma Avenue, turn south on Miller, then proceed approximately 3,000 feet to connect to the Dowling-Yorba 69 kV line at East La Palma Avenue. (Total land disturbance for both sets of cables will be 0.489 acre.)
- **Communications.** Fiber optic cable will run in a common trench with the approximately 7,000-foot 69 kV electric cables, where it will tie into existing underground fiber optic cable for the supervisory control and data acquisition (SCADA) system.

6.9.1.3 General Plan, Redevelopment Plan, and Zoning Designations

The CPP as proposed is consistent with the COA's General Plan and zoning designations for the site with approval of a Conditional Use Permit. The project site is designated Industrial land use under the Land Use Element in the COA's General Plan. The CPP project site and facility linears are located within the boundaries of the COA's Northeast Area (Anaheim Canyon Business Center) Specific Plan 94-1. The Northeast Area Specific Plan has been designed to meet the objectives of the COA General Plan and Redevelopment Project Alpha. The Northeast Specific Plan designates the zoning within the study area. The CPP site and the general surrounding area to the north, west, and south are zoned as Industrial Area (Development Area 1). Immediately adjacent and east to the Project Site is an area zoned under the Northeast Specific Plan as Commercial Area. The groundwater recharge basins east of Kraemer Boulevard are designated under the Land Use Element of the Anaheim Specific Plan as Water Use but are zoned as Open Space under the Northeast Area Specific Plan. This information is further described on Figure 6.9-4.

The land use and development standards for the Industrial Area zoning designation in the Northeast Area Specific Plan allow for the permitting under a conditional use permit (CUP) of public utilities operated by mutual agencies consisting of electrical substations, gas, or conversion plants with the necessary buildings, apparatus, or appurtenances. It should be noted that the Industrial Area zoning requirements state that permitting under a CUP does not apply to distribution mains or city-owned public utilities. Since the CPP will be operated by the COA, a CUP is not required. However, for purposes of this study, the CPP will be regarded as an agency-operated public utility requiring a CUP.

The existing land use designations of the CPP site and surrounding study area per the COA General Plan are shown on Figure 6.9-3 and the existing zoning pursuant to the Northeast Specific Plan is shown on Figure 6.9-4. Table 6.9-2 lists the zoning designations with the

TABLE 6.9-2
ZONING DESIGNATIONS
WITHIN THE PROJECT STUDY AREA

City of Anaheim – Northeast Specific Plan Area	
I	Industrial Area (Development Area 1)
C	Commercial Area (Development Area 5)
OS	Open space (Development Area 6)
City of Anaheim	
RS-2	Single Family Residential
RM-2	Multiple Family Residential
RM-4	Multiple Family Residential
I	Industrial
T	Transitional
City of Placentia	
C	Commercial
M	Manufacturing
SF-C	Santa Fe Commercial
C-0	Commercial Office
C-1	Neighborhood Commercial
C-2	Community Commercial
C-M	Commercial Manufacturing
PMD	Planned Manufacturing
MHP	Mobile Home Park

boundaries of the study area for the COA, City of Placentia and unincorporated Orange County. Land uses directly adjacent to the project site and linears include the following:

- North: East La Jolla Street, Industrial Area (Development Area 1)
- South: East Miraloma Avenue, Industrial Area (Development Area 1)
- West: South Melrose Avenue, Industrial Area (Development Area 1)
- East: Commercial Area (Development Area 5), Kraemer Boulevard, Kraemer Groundwater Recharge Basin, Open Space (Development Area 6)

6.9.1.3.1 <u>Industrial Area Land Use Element</u>. The Industrial Area land use category in the Land Use Element of the COA General Plan allows for a wide variety of industrial-related uses, including: research and development; technology centers; corporate and support offices; business parks; assembly and light manufacturing; repair and other service facilities; warehousing and distribution centers; and limited employee-serving retail.

The COA General Plan assigns intensities for non-residential land uses based on the measurement of floor area ratio (FAR), the ratio of total net floor area of a building to the

total lot area. An FAR describes the intensity of the use on a site and not necessarily the building height or site coverage. It does not include the area within parking structures used for parking and circulation, or open outdoor storage areas. The Industrial Area land use category has been designated an FAR of 0.35 to 0.50. This corresponds to a maximum lot coverage for a one story building of 50 percent.

6.9.1.3.2 City of Anaheim Redevelopment Plan Alpha. Redevelopment projects within the COA are described in the Economic Development Element of the Anaheim General Plan. The COA has maintained an active redevelopment program since the 1970s when it first began efforts to revitalize its downtown. These redevelopment efforts have since greatly expanded to encompass six redevelopment project areas. Redevelopment Project Alpha is the largest redevelopment project area in the COA encompassing over 2,500 acres, including both the downtown and the light industrial area north of Highway 91 known as The Canyon. The footprint of Redevelopment Project Alpha corresponds generally to the Northeast Specific Plan Area limits. Redevelopment projects in the COA emphasize both citywide and area-specific development goals. Area-specific development goals for Redevelopment Plan Alpha include:

- Enhancing the long-term viability of The Canyon by preserving the integrity of industrially-designated land uses
- Improving urban design standards
- Providing additional employment-generating uses, such as commercial and mixed-use development
- Enhancing water recharge basins as visual and recreational amenities, where appropriate

6.9.1.4 Northeast Area Specific Plan

The City of Anaheim General Plan has a goal to establish industrial-related uses in the Northeast sector of the City. This goal is met through implementation of the Northeast Area Specific Plan. The Specific Plan has been designed to further this goal by meeting the following objectives:

- Establishing the best mix of land uses based on long-range economic, planning, and environmental considerations
- Improving the marketability of existing land uses
- Redeveloping and improving underutilized parcels
- Optimizing municipal revenues from sales and property taxes
- Generating sufficient revenue to fund necessary public improvements

- Providing adequate public services and facilities to all properties
- Improving the overall appearance of the area

These objectives will be met through adoption of the Specific Plan, which contains the following criteria:

- Design guidelines for architecture, landscape, and public facilities
- Development standards to ensure high quality development
- A Land Use Plan that promotes successful enterprises within the Northeast Area and focuses on the expansion, upgrading, or conversion of underutilized areas and dilapidated businesses

Development of the CPP promotes these goals and objectives by redeveloping and improving underutilized parcels, providing public utility needs, and incorporating development standards to ensure high quality development.

6.9.1.4.1 Industrial Area (Development Areas 1 and 1A) Zoning Designation. The Northeast Area Specific Plan designates Development Areas 1 and 1A to provide for and encourage the development of industrial uses and their related facilities. These development areas are identified within the Northeast Area Specific Plan as having both local and regional significance due to an ideal industrial environment including a central geographic location, regional access and circulation, a well-established industrial base and developed services and utilities. A significant portion of the vacant land in the Northeast Specific Plan Area (approximately 56 acres) is located in Development Areas 1 and 1A. New industrial development will be encouraged throughout this area, along with appropriate amounts of support retail and service uses. Development standards for Development Area 1 and 1A remain essentially the same as for the underlying base zoning of Industrial Zone. A few exceptions relate to building height limitations, permitted uses, and landscape requirements along arterial roadways such as East Miraloma Avenue, Kraemer Boulevard, and La Palma Avenue.

6.9.1.4.2 Commercial Area Zoning Designation (Development Area 5). The Commercial Area (Development Area 5) in the Northeast Specific Plan is intended to provide for the development of retail uses which cater to the office and industrial community. Currently the 21.8 million square feet of development in the Northeast Specific Plan Area is served by approximately 1.7 million square feet of retail development. The Commercial Area zoning is based on an estimate that ten percent of a business complex area should be service and ancillary retail uses. Development standards for Development Area 5 are essentially unchanged from the underlying, base zoning of the Neighborhood Center Commercial Zone and, unless otherwise indicated, the standards of the Neighborhood Center Commercial Zone shall apply.

6.9.1.4.3 Open Space Zoning Designation (Development Area 6). East of the project area are several groundwater recharge facilities and reservoirs owned by the OCWD and the Orange County Flood Control District (OCFCD). The Northeast Specific Plan zones water-related uses which make up approximately one-third of the Specific Plan area as Open Space Area (Development Area 6). All uses in this development area are the same as the underlying base zone of Open Space Zone, and the use standards of the Open Space zone apply. However, for all projects in this development area, the development standards of the Industrial Zone apply.

6.9.1.5 Worker Parking and Equipment Laydown Locations

Material and equipment staging areas will be required during the construction period. An approximately 3.65-acre area on the west side of the proposed CPP site will serve as base stations for employees, field office locations, laydown areas, and storage of materials, equipment, and vehicles. Construction access will be from East Miraloma Avenue. During construction, a limited number of staff will park onsite, and additional parking will be provided at an existing parking lot leased for the duration of the project.

In consultation with COA staff, two adjacent parking lots (3150 and 3190 East Miraloma Avenue) at the southeast corner of Kraemer Boulevard and East Miraloma Avenue had been identified with sufficient capacity to accommodate construction worker parking. The two parking lots are within walking distance to the project site.

The adjacent parking lots are located within Development Area 5 which is zoned Commercial, and Development Area 1 which is zoned Industrial. Use of the lots for temporary parking during construction of the CPP is compatible with existing zoning.

6.9.1.6 Zoning Trends

According to Susan Kim, Senior Planner at the COA (2007), Development Area 1 within the Northeast Specific Plan Area has been specifically zoned for industrial uses. According to Ms. Kim, the COA has no pending plans for updating the Northeast Specific Plan which was adopted in 1994, and future development in Development Area 1 will be limited to industrial uses. Existing commercial and residential uses in Development Area 1 will gradually be phased out as zoning requirements are applied to redevelopment of properties and buildings. Under the COA General Plan, the intention of the Industrial zoning designation is to “provide for and encourage the development of industrial uses and their related facilities.” The Northeast Specific Plan lists a number of goals for the Industrial Use designation applicable to Development Areas 1 and 1A. These include developing a range of industries to enhance the economic base of the community, improving existing industrial sites and encouraging future industrial development. Significant discretionary reviews performed by the COA Planning Department within the past 18 months concerning projects within a five-mile radius

of the project site are listed in Tables 6.9-3 and 6.9-4. These include General Plan amendments, zoning changes, conditional use permits, and roadway improvements.

6.9.2 Environmental Consequences

The following section discusses the potential effects of site preparation, construction, and operation on existing land uses and land use resources of the project area. Potential cumulative impacts are also discussed.

Other issues related to land use are addressed in Sections 6.2, 6.11, 6.12, 6.13, and 6.18 (Air Quality, Traffic, Noise, Visual Resources, and Cumulative).

Potential environmental consequences were analyzed for the study area within one mile of the proposed project site and within 0.5 mile of project linears. Potential land use impacts relate to both the construction and operation of the CPP and any ancillary facilities.

6.9.2.1 Plant Facility

6.9.2.1.1 Site Preparation. Site preparation will involve the removal of existing buildings and pavement. The existing site is partially occupied by buildings and a truck wash, and the remaining portion is mostly covered with concrete and asphalt pavement. There is a small amount of landscaping in some portions of the site. The ground surface of the site is relatively level.

The excavation work will consist of removal, storage, and reuse of the native soils. The native soils underlying the CPP site are primarily sandy soils and are generally suitable to accept the loading from the plant foundations without the need for support piles. The upper layers of native soil are considered to be loose sandy material. Generally, the upper soils will need to be locally removed, re-compacted, and then reused as engineered fill.

6.9.2.1.2 Construction. Construction activities will include all work on the power plant and associated switchyard, installation and connection of offsite utilities, pumping station, pipelines and transmission lines, and plant startup. Sequential activities for onsite and offsite work include: site preparation; foundation construction, erection of major equipment and structures; installation of piping, electrical systems and control systems; and startup/testing.

Construction activities have the potential to create temporary impacts to local roadways along the access route. Construction activities may also create additional noise, dust, and emissions from grading equipment and other construction vehicles. Additional information on these issues is provided in Sections 6.2 and 6.12 (Air Quality and Noise).

Commercial and industrial businesses located near the project site may experience short-term impacts associated with facility construction, including visual disruption, dust, increased traffic, and project

TABLE 6.9-3
GENERAL PLAN AMENDMENTS ENACTED IN THE PAST 18 MONTHS RELATED TO LAND WITHIN FIVE MILES OF PROJECT AREA

Amendment No.	Effective Date	Elements	Description	Resolution Number
2006-00441	June 9, 2006	Circulation	Mountain Park Specific Plan 90-1 amendment to Master Plan of Arterial Highways	2006-088
2005-00431	September 8, 2006	Land Use Circulation Green Growth Management	Mountain Park Specific Plan 90-1 Northeast Specific Plan 94-1	2006-189
2006-00442	September 22, 2006	Land Use	Anaheim Resort Specific Plan 92-2	2006-206
2006-00448	May 24, 2007	Land Use	Anaheim Resort Specific Plan 92-2	2007-053
2006-00451	June 7, 2007	Land Use	APN 036-041-09 APN 036-041-13 APN 036-041-61 APN 036-041-52 APN 036-041-64	2007-063
2006-00449	July 5, 2007	Land Use	Platinum Triangle Specific Plan	2007-080
2007-00459	August 30, 2007	Land Use	APN 232-011-38 APN 137-461-21	2007-134
2006-00446	September 20, 2007	Land Use	Platinum Triangle Specific Plan	2007-168
2006-00445	September 20, 2007	Land Use	Platinum Triangle Specific Plan Orangewood District CUP	2007-171

equipment and vehicle emissions (see Sections 6.2, Air Quality; 6.11, Traffic and Transportation; 6.12, Noise; and 6.13, Visual Resources). However, the temporary construction impacts have been determined to be less than significant.

Normal construction will be scheduled between 6 a.m. and 8 p.m., Monday through Friday. During construction and startup of the project, some activities may continue 24 hours per day, 7 days per week. A noise study has been completed for the CPP project and impacts from noise are anticipated to be less than significant. The noise analysis is provided in more

TABLE 6.9-4
CONDITIONAL USE PERMITS AND VARIANCES GRANTED WITHIN THE PAST 18 MONTHS FOR LAND WITHIN FIVE MILES OF PROJECT AREA

Permit No.	Effective Date	Type of Permit	Project Name	Address
2006-05109	January 9, 2007	CUP	The Crossings	3530-3540 East La Palma Avenue
2006-05146	November 5, 2007	CUP	Kaiser Hospital	3400-3450 East La Palma Avenue
3006-05134	August, 21, 2007	CUP	Platinum Triangle Development	

detail in Section 6.12. Overall, construction activities will result in short-term land use impacts.

6.9.2.1.3 Operations. There are no changes proposed to the land uses or zoning designations surrounding the area of the CPP. The existing character of the immediate area surrounding the project site will remain unchanged by the development of the project.

Power-generating facilities are a permitted use in the Northeast Specific Plan Area with an unclassified CUP. The project site has historically featured commercial and industrial uses. The proposed use of the site as a power generating facility is consistent both with the COA General Plan Land Use designation of Industrial and the Northeast Specific Plan Area zoning designation of Industrial.

Section 18.10.050 of the COA Zoning Ordinance includes specific zoning requirements for the Industrial zone designation. Maximum building heights within the Industrial zoning are limited to 100 feet unless permitted under a CUP. All structures within the CPP project site will comply with the maximum building height.

The Industrial zoning requirements under Title 18.10 require an FAR of 0.35 to 0.50. This corresponds to a maximum lot coverage for a one story building of 50 percent. The CPP project site will comply with the required density.

The portion of the CPP project fronting East Miraloma Avenue has been designed to allow for two easements which run the length of the project site. A 45-foot easement extends from the centerline of East Miraloma Avenue parallel to the CPP frontage. The second easement extends 15 feet from the limits of the East Miraloma Avenue Easement to the perimeter wall. A 20-foot alley-way easement is granted from the property line. These structural setback requirements are in conformance with the setback requirements listed under Title 18.10 for Industrial zoning.

The site will be contained within a 20-foot wall, which will be landscaped along the frontage of East Miraloma Avenue. The wall will be constructed of decorative masonry in conformance with the COA zoning requirements in Title 18.46 Landscaping and Screening. The height of the wall along East Miraloma Avenue will be 20 feet measured from the grade-line. This exceeds the zoning requirement height and will require a variance under the CUP.

The landscaping along the frontage of East Miraloma Avenue will consist of drought-tolerant plantings and will be in conformance with Title 18.46 of the zoning code. Landscaping will include California Oaks (*Quercus Agrifolia*) spaced every 30 feet and Cat Claw (*Macfadyena Unguis-cati*) planted every five feet. The ground cover will be Dwarf Coffeeberry in 1 gallon containers spaced as needed. A sidewalk running the length of the property along East Miraloma Avenue will be incorporated into the project (see Appendix S, Landscape Plan).

Plant operation traffic impacts will be minimal. The workforce on the project during construction will be approximately 225 people, including construction craft persons and supervisory, support, and construction management personnel. Traffic will be limited to the main access road, East Miraloma Avenue. During operation, the CPP project will require approximately nine full-time employees, including six operating technicians, one clerical, one manager, and one supervisor. Four of the six operating technicians will operate on rotating shifts of two operators per shift, two shifts per day. The remaining two technicians will be performing maintenance activities.

There is no habitat conservation plan or natural community conservation plan associated with CPP. The site is an appropriate location for the CPP facility due to the designated Industrial land use and the close proximity to existing utilities.

Overall, the operation and maintenance of the CPP project is in conformance with existing zoning requirements and can be permitted under a CUP. Due to the compatibility with existing industrial land uses the impact to land use during operation and maintenance is considered to be less than significant.

6.9.2.1.4 Abandonment/Closure. Planned permanent closure impacts will be incorporated into the facility closure plan and evaluated at the end of the generating station's operating life.

6.9.2.2 Construction Staging Areas

Material and equipment staging areas required during the site preparation and construction period will utilize a portion of the 10-acre CPP site. Land uses in the vicinity of the laydown area and offsite parking areas will most likely experience temporary disturbances related to air quality, traffic, noise, and visual resources during the construction period. Impacts are not considered significant due to the temporary nature of the construction and compatibility with existing land use zoning.

6.9.2.3 Cumulative Impacts

The assessment of cumulative impacts for this project includes a review of other projects where an application has been filed with COA, as well as projects anticipated by the CEC. The CPP project area and the surrounding land use study area has had one major development project constructed within the last 18 months (DRC Development) and one approved for construction (Kaiser Hospital). Within the COA, five additional major development projects are seeking approval and CUPs within the past 18 months. Within the City of Placentia, one major project (Gualberto Valley Middle School) has sought approval and a CUP within the past 18 months. Adjacent to the proposed Middle School, the Orange County Water District has certified the construction of the La Jolla Groundwater Recharge Basin. The location of proposed projects within the land use study area is shown on Figure 6.9-2. Refer to Table 6.18-1 in Section 6.18, Cumulative Impacts, for additional information on these potential projects. The cumulative impact of the CPP project on land use is considered to be less than significant.

6.9.3 Mitigation Measures

The project will cause no significant adverse land use impacts and will not conflict with existing land use activities in the area. Therefore, no land use mitigation measures were identified.

6.9.4 Applicable Laws, Ordinances, Regulations, and Standards (LORS)

LORS related to land use and their applicability to the project are summarized in Table 6.9-5. The CPP will be constructed and operated in compliance with all applicable land use LORS, as discussed below.

6.9.4.1 Federal

There are no federal LORS related to the land use associated with the CPP.

6.9.4.2 State

6.9.4.2.1 California Public Resources Code §25523 (a); 20 CCR §§1752, 1752.5, 2300-2309, and Chapter 2, Subchapter 5, Appendix B, Part (I) (3) and (4). These codes require that the applicant evaluate the compatibility of the proposed project with relevant land use plans. The administering agency for the above is the CEC. This requirement is met via Section 6.9.5.3, below.

6.9.4.2.2 California State Planning Law, Government Code Sections 65300 through 65302. This code requires each planning agency to prepare and the legislative body of each county and city to adopt a comprehensive General Plan for the physical development of

TABLE 6.9-5
APPLICABLE LORS

Conformance (Section)	LORS	Jurisdiction	Applicability
Federal	None identified		
State			
6.9.5.2.1	California Public Resources Code §25523 (a); 20 CCR §§1752, 1752.5, 2300-2309, and Chapter 2, Subchapter 5, Appendix B, Part (I) (3) and (4)	CEC	Evaluate compatibility of the proposed project with relevant land use plans
6.9.5.2.2	California State Planning Law, Government Code Section 65300 through 65302	City of Anaheim	Requires each city and county to adopt a comprehensive, general plan for the physical development of the county or city. Requirements identify contents of General Plan. The City of Anaheim has adopted a General Plan. No project action is required
Local			
6.9.1.3, 6.9.4.3	City of Anaheim 2004 General Plan	City of Anaheim Planning Department	Comply with all applicable land use provisions
6.9.1.3, 6.9.4.3	City of Anaheim Zoning Ordinance	City of Anaheim Planning Department	Comply with applicable policies, development standards, and specific zoning requirements
6.9.4.3	City of Anaheim Municipal Code	City of Anaheim Planning Department	Comply with all applicable City ordinances
6.9.4.3.1	City of Anaheim General Plan-2004 Land Use Element:	City of Anaheim Planning Department	Comply with all applicable City land use goals and policies
6.9.4.3.2	City of Anaheim General Plan-2004 Economic Development Element:	City of Anaheim Planning Department	Comply with all applicable City economic development use goals and policies
6.9.4.3.3	City of Anaheim General Plan-2004 Public Services and Utilities Element:	City of Anaheim Planning Department	Comply with all applicable City use goals and policies applicable to public services and utilities
6.9.4.3.4	City of Anaheim General Plan-2004 Growth Element:	City of Anaheim Planning Department	Comply with all applicable City goals and policies applicable to growth
6.9.4.3.5	City of Anaheim General Plan-2004, Safety Element	City of Anaheim Planning Department	Comply with all applicable City goals and policies applicable to public health and safety
6.9.4.3.6	City of Anaheim General Plan 2004 - Noise Element	City of Anaheim Planning Department	Prohibits new industrial development from exceeding commercial or residential stationary-source noise standards
6.9.4.3.6	City of Anaheim General Plan 2004 - Noise Element	City of Anaheim Planning Department	Requires the enforcement of standards to regulate noise from construction activities

TABLE 6.9-5 (CONTINUED)
APPLICABLE LORS

Conformance (Section)	LORS	Jurisdiction	Applicability
6.9.1.3	City of Anaheim Zoning Ordinance Section 18.10	City of Anaheim Planning Department	Defines "I" Industrial Zone
6.9.1.3	City of Anaheim Zoning Ordinance Section 18.120.050	City of Anaheim Planning Department	Defines uses subject to Conditional Use Permit within the Northeast Area Specific Plan Industrial Zone (Development Area 1)
6.9.1.3	City of Anaheim Zoning Ordinance Section 18.120.050	City of Anaheim Planning Department	Defines property development standards within the Northeast Area Specific Plan Industrial Zone (Development Area 1)
6.9.1.3	City of Anaheim Zoning Ordinance Section 18.120.050	City of Anaheim Planning Department	Provides general site development requirements regulations for the Northeast Area Specific Plan Industrial Zone (Development Area 1)
6.9.1.3	City of Anaheim Zoning Ordinance Section 18.120.050	City of Anaheim Planning Department	Provides regulations for density in the Northeast Area Specific Plan Industrial Zone (Development Area 1)
6.9.2.1.3	City of Anaheim Zoning Ordinance Section 18.10.050	City of Anaheim Planning Department	Provides regulations for building height in the Industrial zone
6.9.2.1.3	City of Anaheim Zoning Ordinance Section 18.46	City of Anaheim Planning Department	Provides regulations for fences, hedges, and walls
6.9.4.3	City of Anaheim Zoning Ordinance 17.24	City of Anaheim Planning Department	Requires undergrounding of utilities for new development
6.9.4.5	City of Anaheim Zoning Ordinance Title 17.04	City of Anaheim Planning Department	Defines conditions and requirements for grading permits
6.9.4.5	City of Anaheim Zoning Ordinance Title 17.10	City of Anaheim Planning Department	Defines conditions and requirements for lot line adjustments
6.9.4.5	City of Anaheim Zoning Ordinance Title 15.60	City of Anaheim Planning Department	Defines conditions, fees and requirements for building permits
6.9.4.3.8, 6.9.4.5	City of Anaheim Zoning Ordinance Section 18.66	City of Anaheim Planning Department	CUP process and authority
6.9.4.5	City of Anaheim Zoning Ordinance Section 18.60	City of Anaheim Planning Department	Site plan review

counties and cities. The General Plan shall address seven mandatory elements including a land use element.

The administering agency for these state requirements is the COA. Conformance is discussed in Section 6.9.4.3.

6.9.4.3 Local

The COA General Plan, adopted in May 2004, reflects the values and contains the goals of the community with respect to development. The plan is general in nature and provides a vision of the future for the COA. The General Plan is implemented by the COA through zoning, subdivision ordinances, specific plans, growth management policies, planned development districts, development agreements, development review, code enforcement, land use database, capital improvement programs, environmental review procedures, building and housing codes, and redevelopment plans. The COA General Plan incorporates the seven mandated elements: Land Use, Noise, Housing, Safety, Open Space, and Conservation. In addition, the General Plan incorporates two additional elements, Growth Management and Public Services and Utilities. Each element has stated Goals with associated policies.

The CPP project area is located within the boundaries of the Northeast Area Specific Plan 94-1. The Northeast Area, also known as The Canyon is located in Santa Ana Canyon between the Anaheim Hills to the east and downtown Anaheim to the west. The current Anaheim General Plan designates the entire Northeast Area for General Industrial development. The Northeast Area Specific Plan refines the land uses of the General Plan by designating six Development Areas to encourage a mix of industrial, office and retail uses. The CPP project area is located within Development Area 1 of the Northeast Area Specific Plan. Development Area 1 is specifically zoned for industrial land uses.

Goals and policies specific to the Northeast Area are incorporated into the various elements in the COA General Plan.

6.9.4.3.1 Land Use Policy Compatibility. The COA General Plan Land Use element incorporates the following general policies applicable to the CPP project area:

- Encourage and provide incentives for the consolidation of parcels to create development sites that are large enough to support quality development.
- Ensure that land uses develop in accordance with the Land Use Plan and Zoning Code in an effort to attain land use compatibility.
- Ensure that developers consider and address project impacts upon surrounding neighborhoods during the design and development process.

Goal 16.1 in the General Plan Land Use element incorporates policies which specifically address the Northeast Area, referred to as The Canyon. The following land use policies are applicable to the CPP project area:

- Facilitate a dynamic mix of uses and create a distinctive employment setting through adherence to policies in the Community Design Element related to The Canyon.

- Intensify uses in close proximity to bus stops along La Palma Avenue, a future enhanced bus system route.
- Improve pedestrian mobility through the addition of sidewalks (e.g., on La Palma Avenue near the Metrolink Station).
- Protect and enhance the integrity and desirability of industrial sites from non-industrial uses.
- Ensure quality development through Zoning Code development standards and the Community Design Element policies and guidelines.

The proposed project will be constructed in an area zoned for industrial use and is consistent with the goals and policies established for the Northeast Area Specific Plan. Industrial zoning in the Northeast Area Specific Plan allows the construction of electric power-generating facilities under a CUP. Setbacks, structure heights, fencing and landscaping will comply with zoning standards established by the COA municipal code. Utilities servicing the project area will be undergrounded as required by City Ordinance 5281 and the COA's general development standards. A lot line adjustment for consolidation of the two existing parcels comprising the CPP project area has been filed with the COA and approved in accordance the requirements of COAs Ordinance 5281 and the COA's general development standards.

6.9.4.3.2 Economic Development Element. The Economic Development element in the General plan provides policies specific to Northeast Area, referred to as The Canyon. Policies applicable to the CPP project are as follows:

- Discourage land uses that compromise the integrity of the area's industrial and office park setting.

The CPP Project is compatible with maintaining the integrity of the Northeast Area's industrial use zoning.

6.9.4.3.3 Public Services and Utilities Element. The Public Services and Utilities element in the General Plan includes policies applicable to the generation of electricity. The following policies are applicable to the CPP project:

- Coordinate with Southern California Edison and other suppliers regarding electricity supply and distribution to provide a continual source of reliable and efficient energy.
- Ensure that adequate electricity capacity exists for planned development.

The CPP project is consistent with providing adequate electrical supplies to the COA and so is consistent with implementation of the above described policies.

6.9.4.3.4 Growth Element. The Growth element in the General Plan requires the evaluation of traffic-related impacts of proposed developments. The following policies apply to the CPP project:

- Continue to review development projects to ensure traffic-related impacts are addressed appropriately.
- Continue to identify and collect appropriate transportation improvement or other infrastructure/service fees as established by the City.
- Continue to coordinate with other jurisdictions through the Inter-Jurisdictional Planning Forums to evaluate the major land use and transportation issues within the Growth Management Areas.
- Prior to issuing building permits for new development forecast to generate 100 or more peak-hour (morning or evening) trip ends, require traffic impact analyses be completed that identify arterial and intersection improvements that may potentially be needed to provide not worse than LOS E along Interstates/State Routes/Smart Streets (unless current operation is LOS F), and not worse than LOS D along the balance of the arterials on the COA's Circulation Element that are measurably impacted by the new development and are under the City's jurisdiction.
- Require development projects that exceed LOS standards beyond acceptable levels to provide necessary improvements and/or funding to mitigate said impacts, if determined necessary by the COA.

As required under COA policy, a traffic analysis has been performed for the CPP project. The traffic analysis has incorporated the potential effects of nearby development projects in assessing the impact to circulation. The traffic analysis has demonstrated that the CPP project will not exceed LOS standards beyond acceptable levels.

6.9.4.3.5 Safety Element. The Safety element in the General Plan includes policies applicable to the generation of hazardous waste. The following policies are applicable to the CPP project:

- Follow the response procedures outlined within the Anaheim Fire Department's Hazardous Materials Area Plan in the event of a hazardous materials emergency.
- Promote the proper handling, treatment, and disposal of hazardous materials and hazardous waste.
- Encourage businesses to utilize practices and technologies that will reduce the generation of hazardous wastes at the source.
- Implement federal, state, and local regulations for the disposal, handling, and storage of hazardous materials.

- Promote the recovery and recycling of hazardous materials.

Operation and eventual closure of the CPP facility will be consistent with the policies in the General Plan Safety element. Typically, the CPP project will produce minimal maintenance and plant wastes typical of power generation operations. An outside contractor will remove all generated wastes to the contractor's establishment for ultimate disposal. The CPP facility will be operated using strategies and procedures to minimize the impacts to health and safety resulting from a hazardous materials emergency such as a spill or contamination. In the event that there is a possibility of a hazardous substances release, the project owner will notify the CEC compliance unit and follow emergency plans that are appropriate to the emergency Risk Management Plan (RMP). In the event of project shutdown, depending upon the expected duration, chemicals may be drained from the storage tanks and other equipment. All waste (hazardous and non-hazardous) will be disposed of according to the LORS in effect at the time of the closure. Facility security will be retained so that the facility is secure from trespassers.

The CPP project is consistent with the proper management of non-hazardous and hazardous waste and so is consistent with implementation of the above-described policies.

6.9.4.3.6 Noise Element. The Noise element in the General Plan includes policies applicable to the meeting of acceptable noise standards consistent with health and quality of life. The following policies are applicable to the CPP project:

- Update City regulations to adopt Land Use Compatibility for Community Noise Exposure and California Interior and Exterior Noise Standards, as appropriate.
- Continue to enforce acceptable noise standards consistent with health and quality of life goals, and employ effective techniques of noise abatement through such means as a noise ordinance, building codes, and subdivision and zoning regulations. Consider the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development proposals.
- Require mitigation where sensitive uses are to be placed along transportation routes to ensure that noise levels are minimized through appropriate means of mitigation thereby maintaining quality of life standards.
- Encourage proper site planning and architecture to reduce noise impacts.
- Discourage the siting of sensitive uses in areas in excess of 65 dBA CNEL without appropriate mitigation.
- Require that site-specific noise studies be conducted by a qualified acoustic consultant utilizing acceptable methodologies while reviewing the development.

- Prohibit new industrial uses from exceeding commercial or residential stationary-source noise standards at the most proximate land uses, as appropriate. (Industrial noise may spill over to proximate industrial uses so long as the combined noise does not exceed the appropriate industrial standards.)
- Enforce standards to regulate noise from construction activities. Particular emphasis shall be placed on the restriction of the hours in which work other than emergency work may occur. Discourage construction on weekends or holidays except in the case of construction proximate to schools where these operations could disturb the classroom environment.
- Require that construction equipment operate with mufflers and intake silencers no less effective than originally equipped.

The CPP has incorporated many design elements in order to minimize noise impacts to the surrounding area during operation of the facility. The greatest source of operational noise, the fuel gas compressors, will be surrounded by an acoustical wall system designed to absorb noise. The acoustical wall system will be supported by reinforced concrete drilled piers. In addition, the entire facility will be enclosed by a 20-foot-high masonry wall which will further serve to reduce noise impacts. A noise study has been completed for the CPP project and is presented in detail in Section 6.12. Operational noise is expected to have no significant adverse effect to surrounding uses.

Construction noise shall be minimized through the use of phasing of construction equipment. Construction noise impacts are expected to have no significant adverse effect.

6.9.4.3.7 City of Anaheim Municipal Code. This code includes the regulatory and penal ordinances as well as the administrative ordinances of COA. A list of applicable COA Municipal and Zoning Code Ordinances is included in Table 6.9-5.

6.9.4.3.8 Conditional Use Permit Process. The COA Zoning Ordinance requires a CUP for certain use of land or types of businesses that are not allowed as matter of right. Before the approval authority, or City Council on appeal, may approve a conditional use permit, it must make a finding of fact, by resolution that the evidence presented shows that all of the following five conditions exist:

- That the proposed use is properly one for which a conditional use permit is authorized by the zoning code, or is an unlisted use as defined in by the zoning code
- That the proposed use will not adversely affect the adjoining land uses, or the growth and development of the area in which it is proposed to be located

- That the size and shape of the site proposed for the use is adequate to allow the full development of the proposed use, in a manner not detrimental to either the particular area or health and safety
- That the traffic generated by the proposed use will not impose an undue burden upon the streets and highways designed and improved to carry the traffic in the area
- That the granting of the conditional use permit under the conditions imposed, if any, will not be detrimental to the health and safety of the citizens of the COA

While the CPP is exempt from the CUP process, the following presents an analysis demonstrating that the CPP would satisfy the COA CUP requirements. The first requirement is satisfied in that the zoning code for the Northeast Specific Plan allows a CUP in Development Area 1 for public utilities or utilities operated by mutual agencies. The second, third, and fifth requirements are satisfied in that the CPP project will either comply with, or has received a variance from, the applicable policies in the COA General Plan Land Use, Economic Development, Public Utilities, Safety, and Noise elements.

The traffic and circulation analysis has been completed for the project and a detailed analysis of impacts is presented in Section 6.11. Given this analysis, the existing streets and highways will be more than adequate for this project. The traffic impacts are considered less than significant and the finding that the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use. Thus the results of the traffic analysis are adequate to satisfy the fourth requirement for a CUP.

6.9.4.4 Involved Agencies and Agency Contacts

Agency contacts for agencies with jurisdiction to issue applicable permits and/or enforce LORS related to land use regulations are provided in Table 6.9-6. A complete list of applicable COA Municipal and Zoning Code Ordinances is included in Table 6.9-5.

TABLE 6.9-6
AGENCY CONTACTS

Agency	Contact	Title	Telephone
City of Anaheim, Planning Department	Marie Newland	Planner & Resource Analyst	(714) 765-5009

6.9.4.5 City of Anaheim Permits and Approvals Required

The following permits and approvals are required from the COA:

- A building permit and certificate of occupancy will be required prior to commencement of construction proposed for the CPP. The 2001 California Building Standards Code has been adopted by the COA through (Ord. 5821 § 2 (part); October 1, 2002.) The CPP will submit the building permit application and plan check fees prior to issuance of building permits. Building permits are non-discretionary and require approximately three weeks to obtain. The certificate of occupancy will be issued after construction is complete and is also a non-discretionary permit.
- The use of the site as a power generation facility will necessitate an unclassified CUP. The findings required for approval are described in Section 6.9.4.3.8 of this document.
- The CPP project will require approval of a lot line adjustment by the COA. A lot line adjustment has been filed and approved by the COA in accordance with Ordinance 5316 § 2 (part); June 23, 1992.
- A grading permit will be required from the COA Department of Public Works (Ord. 1167 (part); December 10, 1957: Ord. 5966 § 8; April 26, 2005.)

Table 6.9-7 lists the permits required.

TABLE 6.9-7
PERMITS REQUIRED

Issuing Agency	Section	Type of Permit
City of Anaheim	15.60	Building Permit
City of Anaheim	17.04	Grading

6.9.5 References

American Legal Publishing Corporation. California Code of Ordinances; Municipal Code of the City of Anaheim Title 15, 17 and 18. Current through Ordinance 6078, passed October 9, 2007. http://www.amlegal.com/anaheim_ca/

California Energy Commission. 2000a. Improvements to the Energy Commission's Energy Facility Licensing Process. March.

2000b. Energy Facility Licensing Process: Developer's Guide of Practices and Procedures. Staff Report/Draft. December 7.

Casil, N. 2007. URS Corporation. Email correspondence with Shirin Tolle (URS Corporation).

City of Anaheim. 1994. Northeast Area Specific Plan.

2004. General Plan.

City of Placentia. 1998. Zoning Map.

Kim, Susan. 2007. City of Anaheim Planning Department. Personal communication with Shirin Tolle (URS Corporation).

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Orange County. 2004. General Plan Land Use Map.

Orange County Water District. 2006. Agenda Item Submittal La Jolla Recharge Basin.