



PLANNING COMMISSION AGENDA February 9, 2023

**PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER IS NOW OPEN TO THE PUBLIC.**

How Can Members of the Public Observe the Meeting?

The meeting may be viewed via Spectrum Channel 3 and 22, AT&T U-verse Channel 99, and/or El Segundo TV at YouTube.com.

How Can Members of the Public Participate in the Meeting and/or Provide Public Comments?

For Public Communications, members of the public may provide comments in the Lobby and/or Council Chamber. For in person comments, please fill out a Speaker Card located in the Chamber Lobby. *The time limit for comments is five (5) minutes per person. Before speaking to the Commission, please state: your name and residence or the organization you represent. Please respect the time limits.*

Members of the public may also provide comments electronically by sending an email to the following address prior to the start of the meeting: planning@elsegundo.org. ***Please include the meeting date and item number in the subject line.*** If you would like to request that your emailed comment be read into the record, please include that request at the top of your email, limit your comments to 150 words or less, and email your comments at least 30 minutes prior to the start of the meeting. Depending on the volume of communications, the emails may be read to Commission at the appropriate time. Please note that all emailed comments are public records subject to disclosure under the Public Records Act.

Additional Information:

Unless otherwise noted in the agenda, the public can only comment on City-related business that is within the jurisdiction of the Planning Commission and/or items listed on the agenda during the public communications portions of the meeting. Additionally, the public can comment on any public hearing item on the agenda during the public hearing portion of such item. The time limit for comments is five (5) minutes per person. *Before speaking to the Planning Commission, please state your name and residence and the organization you represent, if desired. Please respect the time limits.*

DATE: Thursday, February 9, 2023
TIME: 5:30 p.m.
PLACE: City Council Chamber, City Hall
350 Main Street, El Segundo, CA 90245

VIDEO: El Segundo Cable Channel 3 (Live).

Replayed Friday following Thursday's meeting
at 1:00 pm and 7:00 pm on Channel 3.
(Schedule subject to change)

All files related to this agenda are available for public review by appointment in the Planning Division office, Monday through Thursday 7:00 am to 5:00 pm and on Fridays until 4:00 pm, beginning at 7:00 am on the Monday prior to the Planning Commission meeting.

The Planning Commission, with certain statutory exceptions, can only discuss, deliberate, or take action upon properly posted and listed agenda items.

Unless otherwise noted in the agenda, the public can only comment on City-related business that is within the subject-matter jurisdiction of the Planning Commission and items listed on the Agenda during the public communications portion of the meeting. Additionally, the public can comment on any public hearing item on the agenda during the public hearing portion of such item. The time limit for comments is generally five minutes per person.

Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the Community Development Director a minimum of two working days before the meeting and they do not exceed five minutes in length. Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Development Services Department and on the City's website, www.elsegundo.org.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact City Clerk, (310) 524-2307. Notification 48 hours prior to the meeting may enable the City to make reasonable arrangements to ensure accessibility to this meeting.

- A. **Call to Order**
- B. **Pledge of Allegiance**
- C. **Roll Call**
- D. **Public Communications** (Related to matters within the Planning Commission’s subject matter jurisdiction or items on the agenda only—5 minutes per person; 30 minutes total). Individuals who received value of \$50 or more to communicate to the Planning Commission on another’s behalf, and employees speaking on their employer’s behalf, must so identify themselves before addressing the Commission. Failure to do so is a misdemeanor. While all comments are welcome, the Brown Act does not allow the Commission to discuss, deliberate, or take action on any item not on the agenda. The Commission may respond to comments after public communications is closed.
- E. **Written Communications** (other than what is included in agenda packets)
- F. **Consent Calendar**
All items are to be adopted by one motion without discussion. If a request for discussion of an item is made, the items should be considered individually under the next agenda heading.

1. Approval of Planning Commission Meeting Minutes

- January 12, 2023

RECOMMENDED ACTION: Approve the minutes.

2. Environmental Assessment No. EA-1337 and Administrative Use Permit No. AUP 22-04 (JF).

Applicant: Prime Six LLC c/o Matthew Mello

Address: 150 South Pacific Coast Highway, Unit A

Project Description: A request to allow the sale of beer and wine (Type 41 ABC License) at an existing restaurant building for Prime Pizza. The approved AUP allows the sale of beer and wine for consumption on the premises at a 1,630 square-foot existing restaurant building located at 150 South Pacific Coast Highway, Unit A.

Environmental Determination: The project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption (Existing Facility).

RECOMMENDED ACTION: Receive and file the Community Development Director’s approval of Environmental Assessment No. EA-1337 and Administrative Use Permit No. AUP 22-04.

G. Continued Business – Public Hearing

3. Environmental Assessment No. EA-971, Revision A, amending the original Planning Commission approval that allowed 14 backup generators, to now allow 15 total emergency backup generators. (BM)



**MINUTES OF THE
EL SEGUNDO PLANNING COMMISSION
Regularly Scheduled Meeting**

January 12, 2023

A. Call to Order

Chair Keldorf called the meeting to order at 5:33 p.m.

B. Pledge of Allegiance

Commissioner Maggay led the pledge.

C. Roll Call

Present: Chair Keldorf
Present: Vice Chair Hoeschler
Present: Commissioner Maggay
Absent: Commissioner Newman

D. Public Communications

None.

E. Written Communications (other than what is included in Agenda packets)

None.

F. Consent Calendar

1. Approval of Planning Commission Meeting Minutes:

- February 10, 2022
- November 10, 2022
- December 8, 2022

MOTION: Approve the minutes.

Moved by Vice Chair Hoeschler, second by Commissioner Maggay.

Motion carried, 3-0, by the following vote:

Ayes: Keldorf, Hoeschler, and Maggay

G. Continued Business—Public Hearing

2. Environmental Assessment No. EA-971, Revision A, amending the original approvals to allow for additional emergency backup generators. (BM)

Address: 444 N. Nash Street

MOTION: Continue the item to the January 26, 2023, Planning Commission meeting.

Moved by Commissioner Maggay, second by Vice Chair Hoeschler.

Motion carried, 3-0, by the following vote:

Ayes: Keldorf, Hoeschler, and Maggay

3. Environmental Assessment No. EA-1315 and Zone Text Amendment No. ZTA 21-05 (PS)

Address: City wide

Planning Manager Eduardo Schonborn provided a brief background on the item and introduced Principal Planner Paul Samaras who presented the staff report regarding an Ordinance adding Chapter 15-13C (Micro-Unit Regulations) to El Segundo Municipal Code (ESMC) Title 15.

- Commissioner Maggay inquired why the minimum stay is thirty-one days and if it can be lengthened. Paul advised that the minimum stay is thirty-one days in order to avoid short-term rentals and provides consistency with the Municipal Code. Community Development Director, Michael Allen, advised that if desired it can be recommended to City Council with the motion and staff can look into it.
- Chair Keldorf had a question regarding the language on page 5 of the ordinance. Staff confirmed there is a typo, and it will be fixed.

Chair Keldorf opened public communications.

None.

Chair Keldorf closed public communications.

The Commission further discussed extending the minimum time frame.

MOTION: Adopt Resolution No. 2928, recommending City Council explore the minimum time frame, approve adding Chapter 15-13C (Micro-Unit Regulations) to the Municipal Code with the typographical correction discussed above.

Moved by Commissioner Maggay, second by Vice Chair Hoeschler.

Motion carried, 3-0, by the following vote:

Ayes: Keldorf, Hoeschler, and Maggay

H. New Public Hearings

None.

I. New Business

4. Smoky Hollow Specific Plan Update Planning Commission Study Session (PS).

Planning Manager Eduardo Schonborn provided a brief background on the item and Principal Planner Paul Samaras introduced consultant Laura Stetson who led the study session regarding the Smoky Hollow Specific Plan update. The study session was broken up into multiple sections addressing identifying proposed amendments such as

allowed uses either by right or through entitlement applications, exploring how design guidelines can be converted to design standards, future improvements along El Segundo Blvd, Community Benefits Program revision to balance private and public improvements, and the consideration of housing within the plan area.

Planning commission provided Staff guidance regarding possible amendments for the Smoky Hollow Specific Plan update such as, defining components for authorized uses, the execution of a parking pilot program needs to be better, make the community aware of the forthcoming parking pilot program, wider sidewalks, bike lanes along El Segundo Blvd and implementing lower speeds. Additional suggestions included: better lighting, increase pedestrian safety, mimic the art fee and create a fee that collects funds to better improve the public realm, implement live work, consider the area north of Grand and Holly for residential units, and setting the design bar high by taking some of the community benefits and turning them into design standards to target improvements.

Staff will take these suggestions and make revisions, adjust standards to guidelines, make minor amendments to community benefits program, proceed to hearings with minor revisions and conduct subsequent study sessions.

J. Report from Community Development Director or designee

5. PC Forecast, First Quarter 2023

Planning Manager Eduardo Schonborn reviewed the Planning Commission forecast for the first quarter of 2023 and reminded the commissioners of the planning commissioner academy occurring in March of this year.

K. Report from City Attorney's Office

None.

L. Planning Commissioners' Comments

Commissioner Maggay thanked staff for putting together the housing element and congratulated Vice Chair Hoeschler and Chair Keldorf for being appointed.

Vice Chair Hoeschler inquired on how the public can view plans for items brought to the Planning Commission. Eduardo advised that the public could visit City Hall to view plans, visit the Laserfiche widget online, and refer to the agenda packet as the staff report typically includes plans.

Chair Keldorf thanked staff.

M. Adjournment—the meeting adjourned at 7:01pm.

The next meeting is scheduled for January 26, 2023 at 5:30 pm.

Michael Allen, Community Development Director

Michelle Keldorf, Planning Commission Chair

TITLE:

Administrative Use Permit to Allow a Type 41 ABC License (Beer and Wine) at a Restaurant Located at 150 South Pacific Coast Highway, Unit A. (Environmental Assessment No. EA-1337 and Administrative Use Permit No. AUP 22-04.

Applicant: Prime Sic LLC c/o Matthew Mello

RECOMMENDATION:

1. Receive and file the Community Development Director's approval of Environmental Assessment No. EA-1337 and Administrative Use Permit No. AUP 22-04

BACKGROUND:

On November 28, 2022, the applicant (Prime Pizza) submitted an application requesting the on-site sale and on-site consumption of beer and wine at a 1,630 square-foot existing restaurant located at 150 South Pacific Coast Highway, Unit A.

On February 2, 2023 the Community Development Director approved the Administrative Use Permit, allowing the on-site sale and on-site consumption of beer and wine (Type 41 ABC License) in the indoor dining area, subject to conditions of approval outlined in Attachment 1.

TYPE OF ACTION (LEGISLATIVE; QUASI-JUDICIAL; OR ADVISORY)

Quasi-judicial

In the event the Planning Commission desires to review the Director's approval of the administrative use permit, the Planning Commission acts in its quasi-judicial capacity (*i.e.*, applying established standards to applications to determine specific rights under existing law). Before an administrative use permit may be granted, the Director or the Commission must find the following findings are met as required by ESMC § 15-22-5:

1. *There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.*
2. *The proposed use is consistent and compatible with the purpose of the zone in which the site is located.*
3. *The proposed location and use and the conditions under which the use would be operated or maintained to not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*
4. *Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized*

and compensated for.

Summarized below, the Director found that the proposed facility satisfied these findings.

DISCUSSION:

The Director has determined that the findings listed above can be made to support approval of the AUP, allowing the onsite sale and consumption of beer and wine at an existing indoor dining area for a new tenant. The restaurant is located in the C-3 (General Commercial) Zone, where restaurant uses are permitted by right. Prime Pizza is replacing a former restaurant, in an existing commercial center (North Village) that serves the City and surrounding area with a mixture of community-serving retail, restaurant and other commercial service uses in an integrated shopping center. The restaurant provides an indoor dining opportunity and will operate with an ABC Type 41. The restaurant and proposed ancillary alcohol service are in proper relation to adjacent commercial uses within this area because restaurants are permitted by right, there is no change of use, it is replacing a former restaurant in an existing commercial center that currently includes retail, general office, medical office, and restaurant uses. Furthermore, the C-3 General Commercial zone is developed with similar uses that provide this typical ancillary service.

The approval also includes conditions that protect the City and surrounding users from potentially negative impacts, and any subsequent modifications to the floor plan and areas where alcohol will be served and consumed is subjected to review and approval by the Community Development Director. The conditions, findings of approval, and environmental assessment are provided in Attachment 1. The Director concluded that the project is appropriate for the location and will not operate in a way that will create unwanted impacts. Therefore, staff recommends that the Planning Commission receive and file the Director's approval. In the alternative, any Planning Commissioner may request that this permit be discussed, and a decision be made by the Planning Commission instead of "received and filed."

ENVIRONMENTAL REVIEW

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) as a Class 1 categorical exemption (Existing Facilities).

PREPARED BY: Jazmin Farias, Planning Technician 
REVIEWED BY: Eduardo Schonborn, AICP, Planning Manager 
APPROVED BY: Michael Allen, AICP, Community Development Director 

ATTACHED SUPPORTING DOCUMENTS:

1. Approval letter dated February 2, 2023



City of El Segundo

Community Development Department

February 2, 2023

Prime Six LLC
c/o Matthew Mello
150 South Pacific Coast Highway, Unit A
El Segundo, CA 90245

Subject: Environmental Assessment No. EA-1337 and Administrative Use Permit No. AUP
22-04
Address: 150 South Pacific Coast Highway, Unit A, El Segundo, CA 90245

Dear Matthew Mello:

Your request for an Administrative Use Permit allowing the sale of beer and wine for consumption on the premises (Type 41 ABC License) at Prime Pizza is APPROVED in accordance with the El Segundo Municipal Code Section 15-22-5, and subject to the conditions of approval contained in the attached Exhibit A. The approved AUP allows the sale of beer and wine for consumption on the premises at a 1,630 square-foot existing restaurant located at 150 South Pacific Coast Highway, Unit A. The associated environmental determination and findings supporting the decision are described in Exhibit B.

This determination is scheduled to be "received and filed" by Planning Commission at the February 9, 2023 meeting. Any Planning Commissioner may request that this permit be discussed, and a decision be made by Planning Commission instead of "received and filed."

Should you have any questions, please contact Planning Technician Jazmin Farias at (310) 524-2342, or via email at jfarias@elsegundo.org.

Prepared by:

Eduardo Schonborn, AICP
Planning Manager

Approved by:

Michael Allen, AICP
Community Development Director

Exhibit A
CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code (“ESMC”), Matthew Mello representing Prime Six LLC (“Applicant”) and any successor-in-interest agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Administrative Use Permit No. AUP 22-04 (“Project Conditions”):

Planning

1. This approval authorized the restaurant located at 150 South Pacific Coast Highway, Unit A. (Prime Six LLC) to operate under a State of California Department of Alcoholic Beverage Control Type 41 (On-Sale General, Eating Place) license.
2. The restaurant shall consist of one tenant space described as follows:

Tenant Space (Unit A): A 1,630 gross square-foot tenant space located on the north side of a single-story commercial shopping center. Tenant Space (Unit A) includes a 618 square-foot indoor dining area, a 132 square-foot service area, a 551 square-foot kitchen space, a 60 square-foot storage space, a 77 square-foot walk in cooler area, an 18 square-foot office area, a 46 square-foot restroom space, and a 128 square-foot hallway/other space area.
3. The restaurant dining hours of operation, including the sale of beer and wine for on-site consumption, shall be limited to 11:00 a.m. to 10:00 p.m., Monday – Sunday. Food must be available for the indoor dining areas during the hours beer and wine are sold. Any change to the hours is subject to review and approval by the Community Development Director.
4. The on-site sale and on-site consumption of beer and wine is allowed within the interior space of Unit A as described above.
5. Any subsequent modification to the project as approved shall be referred to the Community Development Director for approval or a determination regarding the need for Planning Commission review of the proposed modification.
6. The Community Development Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be caused to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.
7. Any subsequent modification(s) to the floor plan where beer and wine will be served shall be referred to the Community Development Director for approval or a determination regarding the need for Planning Commission review of the proposed modification.
8. The applicant shall obtain and maintain all licenses and comply with all regulations of the Alcoholic Beverage Control (ABC) Act (Business & Professions Code Section

23300) and the regulations promulgated by the Board, including the regulations set forth in 4 Cal. Code of Regs. §§55, *et seq.*

9. The applicant shall obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control for service area of beer and wine for onsite consumption. If the Applicant does not receive such approval by May 10, 2023, the City's approval shall be null since the sale of beer and wine is not permitted in the absence of a valid ABC license.
10. If complaints are received regarding excessive noise, or other nuisances associated with the sale of beer and wine, the City may, in its discretion, take action to review the Administrative Use Permit and add conditions or revoke the permit.
11. There shall be no exterior advertising of any kind or type indicating the availability of specific alcoholic beverage products.
12. The restaurant shall not be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.
13. The restaurant and the associated indoor seating shall comply with the California Building and Fire Code requirements, as adopted by the ESMC.
14. The restaurant operations including entertainment must comply with El Segundo Municipal Code (ESMC) § 7-2 regulating noise and vibration.
15. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-1337 or Administrative Use Permit No. AUP 22-04. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-1337 or Administrative Use Permit No. AUP 22-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section, "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.
16. Matthew Mello representing Prime Six LLC shall acknowledge receipt and acceptance of the project conditions by executing the acknowledgement below.

Police

17. The sale, furnishing or consumption of alcoholic beverages must be limited to hours determined by the City. Any modifications to these hours of operation will require review and consideration by the Police Department and the Planning Commission.
18. The sale of alcoholic beverages shall be incidental to the sale of food and shall be for on-site consumption only per ABC regulations.

19. No external signs or window advertising for alcoholic beverages or its availability shall be displayed in such a manner as to be visible from the exterior of the building.
20. There shall be no individual admission charge, individual cover charge, required donation, or minimum drink purchase requirement for admission to the premises at any time.
21. All patrons who appear under the age of 30 shall be required to show some form of identification or they will not be served an alcoholic beverage. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. Only the following forms of identification will be acceptable:
 - a. Valid driver's license
 - b. Valid State identification card
 - c. Valid passport
 - d. Current military identification
 - e. U.S. Government immigrant identification card
22. All forms of out-of-state identification shall be checked by the authorized representative of the owner of the licensed premises in the Driver's License Guide. Upon presentment the authorized representative of the owner of the licensed premises, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a close visual inspection and/or use of a flashlight or "Retro-reflective viewer" or ID scanning machine, or other electronic device as approved by the Police Department.
23. Glassware used for the service of alcoholic shall be of a shape and size uniquely different from that glassware used for non-alcoholic beverages. Alcoholic beverages shall not be permitted on the premises contained in any other non-alcoholic beverage glassware or container. This includes but is not limited to, teapots, teacups, water glasses and soft drink glasses.
24. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.
25. There shall be no "stacking" of drinks, i.e., more than one drink at a time, to a single patron.
26. When serving pitchers exceeding 25 ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if they appear to be under the age of 30, if not previously checked at the entrance to the licensed premises.
27. Except for wine bottles, oversized containers or pitchers containing in excess of 25 ounces of an alcoholic beverage shall not be sold to a single patron for their sole consumption.
28. If alcoholic beverages are served after 11:00 p.m., then a file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons on the licensed premises and every manager, which file

shall also include a copy of each person's certificate of completion of the Department of Alcohol Beverage Control Responsible Beverage Service (RBS) training. Upon request, said file shall be made available for review to representative of the Police Department. New employees will have 60 days from date of employment to obtain RBS certification.

29. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
30. There shall be no dancing or live entertainment.
31. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words which are inherently likely to provoke an immediate violent reaction shall be removed from the premises.
32. The quarterly gross sales of alcoholic beverages on the Premises shall not exceed 50% of the gross sales of food and services during the same period. The applicant shall at all times maintain current, accurate, and readily accessible records which separately reflect the gross sales amounts of food, service and alcoholic beverages on the Premises. Said records shall be kept current on no less than a quarterly basis (every three months) and shall be made available within 24 hours upon demand by the City.
33. The restaurant operator shall retain full control of all events within the subject premises. No part of the premises may be sublet to an independent promoter for any purpose.
34. Except in case of emergency, the licensee shall not permit its patrons to enter or exit the licensed premises through any entrance/exit other than the primary entrance/exit, excluding entrances/exits to/from patio areas. Steps shall be taken by the licensee to discourage unauthorized exiting such as special locking devices or staff at the doors.
35. Applicant shall not establish a formal bar designated for the consumption of alcoholic beverages.
36. High-Definition color cameras shall be installed at all building entrances and select exterior locations as determined by the police department. Cameras shall be capable of clearly capturing a recognizable facial image of patrons and on the exterior areas required by the police department. Cameras at pedestrian entrances shall clearly capture the entire person and a face image. Camera images shall be digitally stored for at least 30 days. Viewing and access to the recording must be made available at any El Segundo Police Officer's request during normal business hours when conducting an investigation of a complaint or criminal activity.
37. No booth or group seating shall be installed which completely prohibits observation of the occupants in the booth from a distance of 10 feet from the booth's exterior.

38. If the establishment is open after midnight, the parking lot shall be cleared of patrons in a timely manner at closing time.
39. Parking lot lights shall remain on for one hour after the close of business.
40. Patrons awaiting entrance as well as those leaving the establishment shall be monitored so as to not create a nuisance by obstructing walkways or driveways in the area of the business or adjacent properties or by being publicly inebriated, noisy, or rowdy.
41. State of California licensed security guards may be required, including additional guards beyond the current number, to perform crowd control inside and outside of the establishment, based upon the type of activities anticipated at the location or based upon prior history of activity at this establishment or other similar businesses. The business shall develop a security plan for the security guards to follow that includes policies on loitering, disruptive individuals, fighting, and other issues as identified from the history of calls for police services. An incident log shall be maintained on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring at the premises.
42. Security personnel required by the Conditional or Administrative Use Permit shall be in a uniform or clothing which readily identifies them as a security person, but is not similar to El Segundo Police Department uniforms. They shall maintain order and enforce the establishment's no loitering policy and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.
43. Prior to utilizing a contract security guard company, the establishment shall verify the security company has a current City business license.
44. Conditions approved under a Conditional or Administrative Use Permit shall be visibly posted in an area accessible to the public along with the City of El Segundo business license.
45. The property owner and applicant (business owner) shall allow access on the premises at any time as deemed necessary by the El Segundo Police Department or Community Development Department personnel for the purpose of inspecting the premises to verify compliance with the Conditional or Administrative Use Permit.
46. The Conditional or Administrative Use Permit may be revoked if the business is convicted of selling an alcoholic beverage to a minor.
47. The Conditional or Administrative Use Permit may be modified or revoked by the City should it be determined that the proposed use or conditions under which it was permitted are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the use is maintained as to constitute a public nuisance.

These Conditions are binding upon Matthew Mello representing Prime Six LLC and all successors and assigns to the property at 150 South Pacific Coast Highway, Unit A, El Segundo, CA 90245 until superseded by another approval letter or rescinded.

Matthew Mello Applicant

Exhibit B
Environmental Determination and Required Findings

Environmental Assessment 1337:

After considering the facts and findings below, the Director finds this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15301 as a Class 1 categorical exemption (Existing Facilities) because the proposed project consists of permitting the on-site sale and consumption of alcohol at an existing 1,630 square foot restaurant located at 150 South Pacific Coast Highway, Unit A.

Administrative Use Permit 22-04:

As required by El Segundo Municipal Code Section 15-22-5, the following are the facts in support of each finding for this decision:

Finding 1:

There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.

Facts in Support of Finding 1:

1. The project is located within C-3 General Commercial zone, where restaurants are permitted by right. The restaurant and proposed alcohol service are in proper relation to other adjacent commercial uses because restaurants are permitted by right, there is no change of use, and it is replacing a former restaurant in an existing commercial center that includes retail, general office, medical office, and other restaurant uses. The restaurant will provide an indoor dining opportunity with alcohol service as an ancillary use to the restaurant, which is compatible with existing uses in the surrounding area because the C-3 General Commercial zone is developed with other similar uses that provide this typical use and ancillary service. No changes are proposed that will affect the abutting and surrounding land uses and the tenant space exists in conjunction with other compatible uses at the commercial center.

Finding 2:

The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

Facts in Support of Finding 2:

1. The property is in the C-3 General Commercial zone, where the purpose and intent are to “provide for the development of commercial establishments which serve a broad cross section of the City and surrounding area.” The restaurant is situated in an integrated shopping center and the proposed beer and wine is an ancillary service that aligns with the existing permitted uses in the C-3 General Commercial zone, such as retail, general office, medical office, and other restaurant uses. The proposed alcohol service is an ancillary use to the restaurant, and it preserves the commercial service environment by promoting economic growth and continues to serve the City and surrounding area with an amenity that is typical at restaurants.

Finding 3:

The proposed location and use, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Facts in Support of Finding 3:

1. The sale of beer and wine will be within an existing restaurant building (indoor dining area) for a new tenant (Prime Pizza). The restaurant dining hours of operation and alcohol sales for on-site consumption are limited to 11:00 a.m. to 10:00 p.m., Monday – Sunday. Food must be available for the indoor dining areas during the hours beer and wine are sold. Furthermore, several conditions of approval are imposed onto the operations of the restaurant that will prevent potential impacts onto the neighboring uses. With the conditions of approval, the use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Finding 4:

Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.

Facts in Support of Finding 4:

1. The on-site sale and consumption of beer and wine will not create any new impacts that would not be normally associated with the operation of a restaurant. The proposed hours of operation for alcohol sales and the location of the proposed restaurant is location in a predominantly commercial and industrial zone that is not adjacent to any residential uses, which will help minimize impacts on surrounding uses.
2. The restaurant dining hours of operation and alcohol sales for on-site consumption are limited to 11:00 a.m. to 10:00 p.m., Monday – Sunday. Food is available for the indoor dining areas during the hours beer and wine are sold. Any potential impact will be mitigated through the enforcement of the conditions of approval.
3. In compliance with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the restaurant is subject to County Health Department regulations that address and monitor impacts of fumes and odors.
4. The minimum number of required parking spaces for the restaurant and patios (based upon the proposed uses) is 22 stalls. A total of 109 parking spaces are provided onsite and off-site parking is not required, which will help minimize impacts on surrounding uses.

Finding 5:

The State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.

Facts in Support of Finding 5:

1. The city expects the Applicant will obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control (Type 41 ABC License) for the onsite sale and consumption of beer and wine. In the event the Applicant does not receive such approval by June 30, 2023, the City's approval will be null (Condition No. 10).



Planning Commission Agenda Statement

Meeting Date: February 9, 2023

Agenda Heading: Continued Public Hearing

Item Number: G.3

TITLE:

Proposed Increase of Backup Generators for the Existing Data Center Located at 444 N. Nash Street. (Environmental Assessment No. EA-971, Revision A).

Applicant: Sam Brown, representing Serverfarm, LLC

RECOMMENDATION:

1. Adopt Resolution No. 2932, approving Environmental Assessment (EA) No. 971, Revision A, increasing the total number of backup generators to 15 and adopting an Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program.

BACKGROUND

On January 24, 2013, Environmental Assessment No. 971 (EA-971) was approved for a 63,666 square foot expansion to an existing 116,756 square foot data center and up to 14 emergency back-up diesel generators. To evaluate the environmental impacts of that project, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared to analyze potential environmental impacts of the proposed project, but only analyzed the addition of four emergency back-up generators.

The four generators analyzed in the IS/MND authorized four additional generators at the site along with the four that were already existing, for a total of 8 emergency back-up generators. For these 8 generators, South Coast Air Quality Management District (SCAQMD) permits have been obtained.

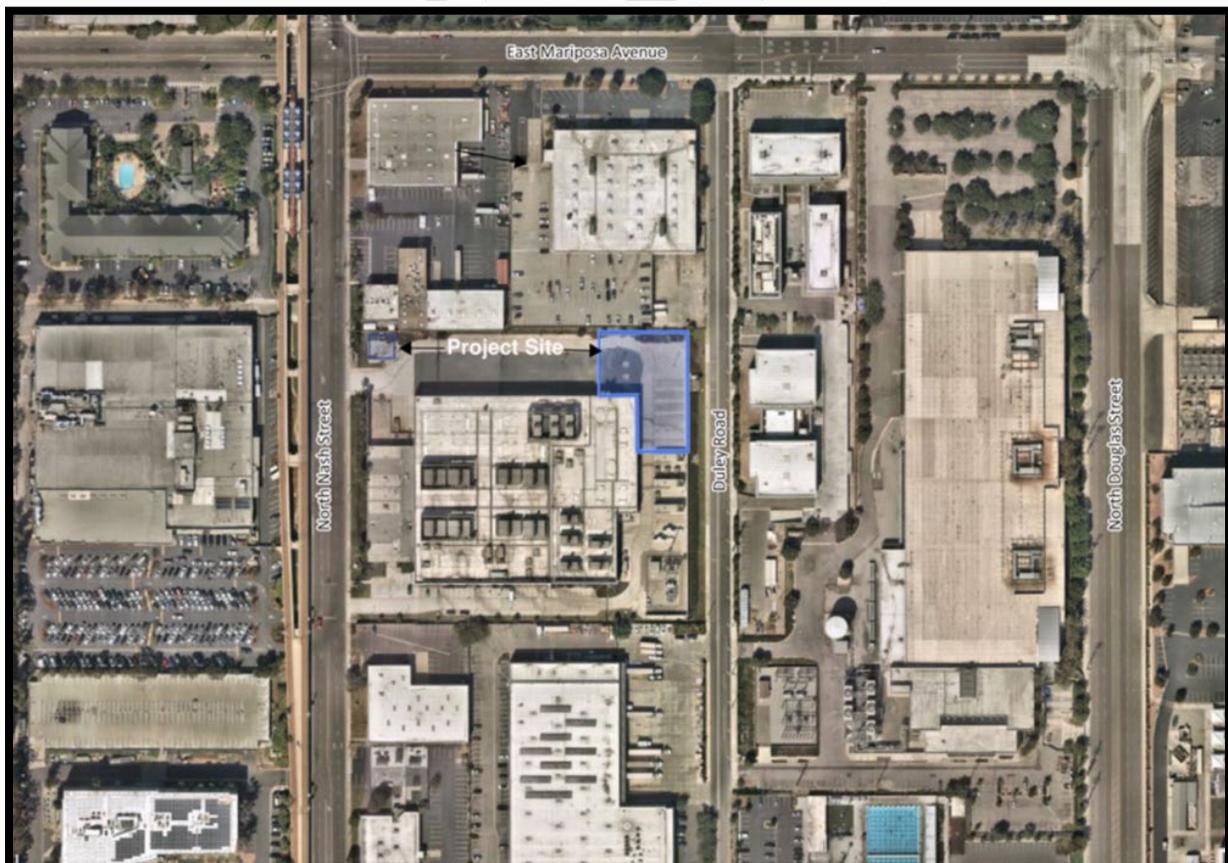
On March 30, 2022, the city received an application (EA-971, Revision A) from Serverfarm, LLC to amend Environmental Assessment No. EA-971. This application is requesting an increase in the total number of allowable generators from 14 to 15 and to add a drywell to the northwest corner of the property.

Although EA-971 allowed 14 generators, an updated Initial Study/Mitigated Negative Declaration was prepared for this proposed revision to evaluate the impacts of seven additional generators, resulting in a total of 15 emergency back-up diesel generators at the site to support previously constructed interior electrical/equipment modifications that increased electrical demand. Since the request to amend EA-971 is a discretionary action requiring Planning Commission review and approval, a new IS/MND was prepared to analyze the impacts of these added generators consistent with the California Environmental Quality Act (CEQA).

Site Description

The subject property is a 6.14-acre parcel located in the northeast quadrant of the City. The property is within the Urban Mixed Use North General Plan land use designation which is intended to permit a mixture of office, research and development, retail, and hotel uses. Furthermore, the site is zoned Urban Mixed-Use North (MU-N) which is also intended to allow a mixture of compatible commercial, office, research and development, retail and hotel uses consistent with the Urban Mixed Use North General Plan designation. The surrounding land uses are generally commercial/manufacturing businesses; however, the Toyota Sports Center is located directly to the west across North Nash Street and the Hilton Garden Inn and Mariposa Metro station are located to the northwest. Directly north of the subject site and where the proposed generators will be located is the Allegro Manufacturing facility and a parking structure.

Figure No. 1 – Aerial view of site



DISCUSSION

Project Description

The proposed entitlement application involves an additional emergency back-up diesel generator, for a total of 15 generators at 444 Nash Street. Since EA-971 authorized up to 14 generators, while only eight generators were analyzed from an environmental perspective, the requested revision to EA-971 is for one additional generator. To ensure proper environmental clearance, an Initial Study/Mitigated Negative Declaration has been prepared to analyze the implementation of seven generators. The proposed generators are in support of the existing data center that is undergoing interior electrical and equipment modifications as part of the approved operations, and the added electrical demand for the facility has resulted in this request.

The seven added generators will be constructed in the locations illustrated in Figure 2 below. Six generators to the north of the building (shown in Blue Hatch rectangles in Figure 2) will be installed in a tandem arrangement, one on top of the other up to a height of approximately 30 feet. One generator on the east side of the building will be located on top of supporting electrical equipment enclosed within an electrical room container (ERC). The ERCs are built on separate foundations adjacent to the generators (see Figure-2 for generator and ERC locations) and the generator will be approximately 30 feet in height to the top of the generator. A wall extending from the building towards the north is proposed to screen the generators from the abutting public right of way.

No land use changes or increased building floor area is proposed; existing site access, landscaping, and parking will not be changed or altered; and no new utility or service systems (i.e., water, sewer, electrical, natural gas, communication) connections are proposed. However, a new below grade drywell on the northwestern corner of the site will be installed capture drainage from surface runoff, in compliance with the city's Low Impact Development (LID) requirements.

Figure No. 2 – Site Plan

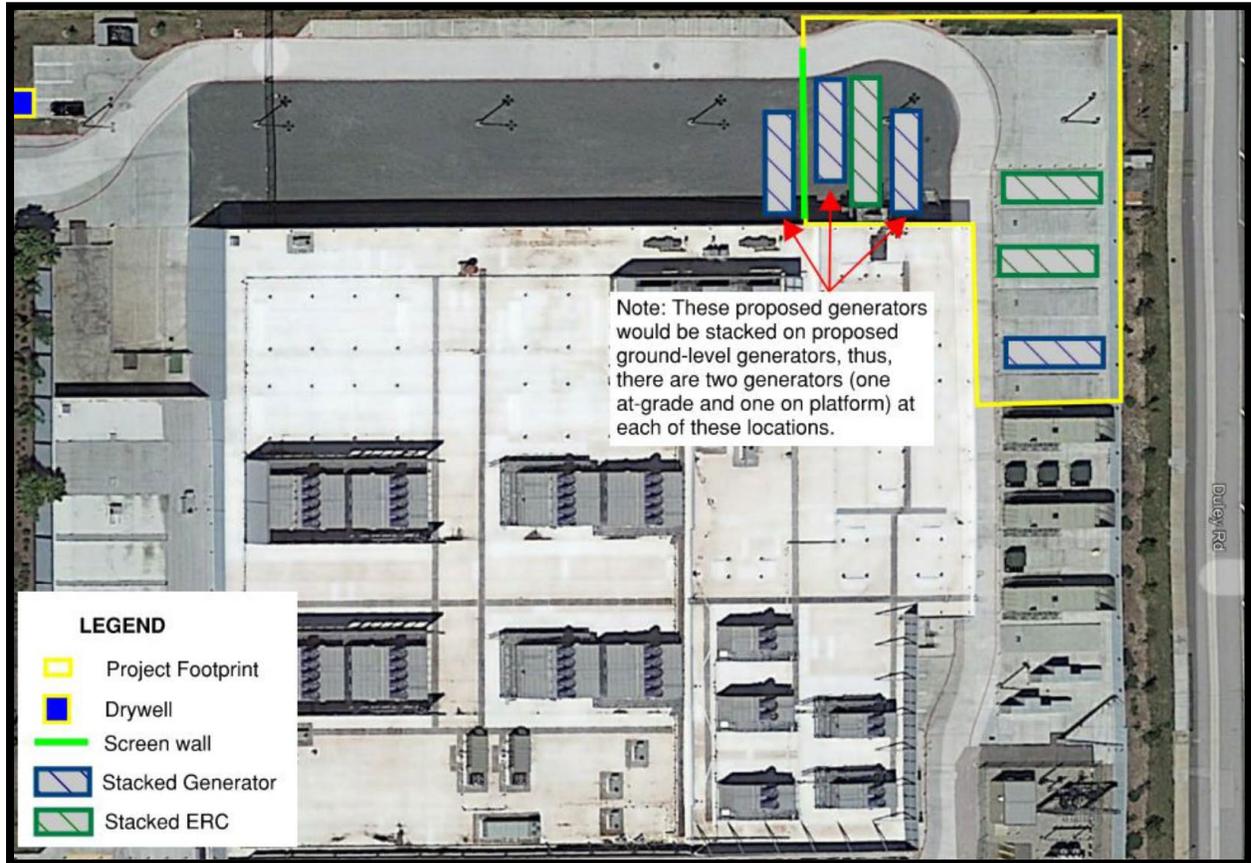


Figure No. 3 – Existing View-From Duley Road



Figure No. 4 – Proposed View from Duley Road



ANALYSIS:

Environmental Assessment

The proposed back-up diesel generator and drywell only require a revision to the original Environmental Assessment (EA) application (EA-971). EA-971 initially approved a site plan and Initial Study/ Mitigated Negative Declaration. Since the proposed project deviates from the original approval, a new Initial Study/ Mitigated Negative Declaration was prepared to determine potential environmental impacts consistent with the California Environmental Quality Act.

In considering the proposed project, the Planning Commission reviews components of each requested application and considers the merits of the project to decide. In this case, there are no specific findings since the project requires a revision to an Environmental Assessment; thus, staff has prepared a Resolution consistent with the original format used in EA-971 and has reviewed the plans for consistency with the General Plan and Zoning Ordinance.

The proposed project meets both the intent and purpose of the General Plan in that the property has an Urban Mixed Use North General Plan land use designation, which is intended to permit a mixture of office, research and development, retail, and hotel uses and there is no change to the existing land use. The proposed generator is for the purpose of supporting the existing land use by providing back up power in an emergency situation where there is loss of power to the facility.

Similarly, the site is zoned Urban Mixed-Use North (MU-N) which is also intended to allow a mixture of compatible commercial, office, research and development, retail and hotel uses. The zoning of the site is consistent with the General Plan and the proposed project is permissible in the zoning district in that the proposed generator are an ancillary use to the existing primary land use.

Site conditions such as driveway access, landscaping, parking, and building design will remain unchanged, and screening elements will alleviate any visual impacts from the added generators.

Testing and Maintenance

The purpose of the generators is to provide backup power in emergency situations. Accordingly, each emergency generator requires frequent staff training and testing in accordance with the manufacturer. In consideration of Air Quality impacts, thorough analysis was conducted as part of the preparation of the Initial Study/ Mitigated Negative Declaration which determined that the units shall not be tested more than 108 minutes cumulatively on any single day. Further, maintenance and testing for each generator will need to be conducted sequentially (one at a time) and only during normal daytime hours between 7 am and 10 pm and no more than one unit shall be tested at any given time.

Each of these conditions are included in Exhibit A (Conditions of Approval) of the Resolution and are part of the Mitigation Monitoring and Reporting (MMRP), Exhibit C of the Resolution.

Diesel Fuel

Each emergency unit is fueled with diesel fuel. Approximately 23,444 gallons of diesel fuel would be used each year to operate the testing and maintenance of all the units. While this consumption does not result in a significant impact on the environment as evaluated in 4.6 of the Mitigated Negative Declaration, the city does require conditions of approval to ensure safe handling and storage of the diesel fuel. Specifically, a Spill Prevention Control and Counter-Measure (SPCC) plan is required to be developed for aboveground storage of diesel fuel and all documents and forms are required to be submitted electronically to the Fire Department.

Environmental Review

To evaluate the full potential impacts from the proposed project and the total of 7 new generators, an Initial Study/ Mitigated Negative Declaration (IS/MND) was prepared pursuant to Section 15070 of the CEQA Guidelines. The IS/MND concluded that the project would not have any significant impacts on the environment with implementation of mitigation measures. Project-specific mitigation measures recommended as part of the IS/MND document prepared for the project are required in the areas of Air Quality, Noise and Vibration, and Tribal Cultural Resources. Two comment letters were received within the comment period, which was from November 3, 2022, to November 24, 2022. One letter was from the Los Angeles County Sanitation District recommending the applicant work with them for any discharge of into the sewerage system. Staff has added a condition of approval to address this comment. The second letter came from the South Coast Air Quality Management District (SCAQMD) with comments regarding operational emissions analysis and local significance thresholds. To address these comments, corrections to the Operational Emissions Table 4.3-5 of the IS/MND were provided and additional analysis was conducted, including dispersion modeling and ambient air quality standards modeling Responses to these comment letters, including Errata to the IS/MND document have been provided and is part of the responses to comments on the Initial Study/Mitigated Negative Declaration.

RECOMMENDATION

Indicated throughout this report, the project complies with the General Plan and Zoning Ordinance and as indicated in the analysis above, staff believes the project merits approval. Furthermore, the Project has been analyzed under the provisions of the California Environmental Quality Act and accordingly an Initial Study/Mitigated Negative Declaration has been prepared, along with a Mitigation Measure and Monitoring Program, and has concluded that the project will not result in significant impacts on the environment with the implementation of mitigation measures for Air Quality, Noise, and Tribal Cultural Resources. Therefore, staff recommends that the Planning Commission adopt Resolution

2932 approving Environmental Assessment 971, Revision A to increase the total number of allowable generators from 14 to 15 and adopting an Initial Study/Mitigated Negative Declaration and Mitigation Measures and Monitoring Program.

ORIGINATED BY: Bradley J. Misner, AICP, Contract Planner

BJM *ra B.H.*

REVIEWED BY: Eduardo Schonborn, AICP, Planning Manager

ES

APPROVED BY: Michael Allen, AICP, Community Development Director

MA

ATTACHED SUPPORTING DOCUMENTS:

1. Planning Commission Resolution No. 2932, approving Environmental Assessment (EA) No. 971, Revision A, and adopting an Initial Study/Mitigated Negative Declaration
 - a. Exhibit A Conditions of Approval
 - b. Exhibit B Initial Study/Mitigated Negative Declaration
 - c. Exhibit C Mitigation Monitoring and Reporting Program
2. Response to Comments
3. Planning Commission Resolution 2728 from January 24, 2013
4. Development Plans

PLANNING COMMISSION RESOLUTION No. 2932

EXHIBIT A, CONDITIONS OF APPROVAL

EXHIBIT B, INITIAL STUDY/MND

EXHIBIT C, MMRP

RESOLUTION NO. 2932

A RESOLUTION OF THE CITY OF EL SEGUNDO PLANNING COMMISSION APPROVING ENVIRONMENTAL ASSESSMENT EA-971, REVISION A, INCREASING TO 15 THE TOTAL NUMBER OF BACKUP GENERATORS ALLOWED FOR THE EXISTING DATA CENTER LOCATED AT 444 NASH STREET, APPROVING THE CONSTRUCTION OF A DRYWELL, AND ADOTPING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: Recitals.

- A. On March 30, 2022, Sam Brown of Serverfarm, LLC filed an application to revise Environmental Assessment 971 to increase to 15 the total number of allowable backup generators and to allow the construction of a drywell at the existing data center located at 444 Nash Street (hereinafter, the “Project”).
- B. The application has been reviewed by the City’s Community Development Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code (“ESMC”).
- C. On January 26, 2023, the Planning Commission held a duly-noticed public hearing to receive public testimony and other evidence regarding the application and to review and consider the IS/MND, together with all public correspondence received.
- D. This Resolution and its findings are made based upon the totality of the evidence in the administrative record before the Commission at its January 26, 2023 public hearing, including, without limitation, the staff report prepared by the Community Development Department and all oral and written testimony received.

SECTION 2: Factual Findings and Conclusions. The Commission finds as follows:

- A. The Project site is located at 444 North Nash Street. The property is in the Urban Mixed-Use North General Plan land use designation and is zoned Urban Mixed-Use North (MU-N).
- B. The subject site is a 6.14-acre through-lot, rectangular in shape with approximately 468 feet of street frontage on Nash Street and on Duley Road. The surrounding land uses are primarily light industrial/manufacturing with a public recreational facility located directly to the west across Nash Street and a hotel use located across Nash Street to the northwest.

- C. The Project site is developed with a data center that is approved for a total size of 180,442 square feet.
- D. The City of El Segundo is the lead agency for the Project. The applicant retained the services of Kimley-Horn and Associates, Inc. to prepare an initial study and mitigated negative declaration for the Project. The City retained Michael Baker International, Inc. to peer review the draft CEQA document and supporting studies. An IS/MND was completed pursuant to CEQA Guidelines section 15070.
- E. The IS/MND was circulated for public review/comment from November 3, 2022 through November 23, 2022. Only two comment letters (AQMD and LA County Sanitation Districts) were received during the public review period.
- F. The IS/MND was presented to and considered by the Planning Commission at a duly-noticed meeting held on February 9, 2023.
- G. The IS/MND was prepared for the Project in compliance with the requirements of CEQA and the CEQA Guidelines and is adequate and appropriate for the City's use as the lead agency.
- H. The Project will either have no impacts or less than significant impacts in all areas except for Air Quality, Noise and Vibration, and Tribal Cultural Resources.
- I. Areas of concern were noted as potentially significant if not mitigated. Mitigation measures have been incorporated into the IS/MND and will be imposed of the Project through the City's adoption of a Mitigation Monitoring and Reporting Program ("MMRP") in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed to address potential environmental effects with respect to: Air Quality, Noise and Vibration, and Tribal Cultural Resources. With the implementation of these mitigation measures, all potential environmental effects will be reduced to a less than significant level. The MMRP is attached to this Resolution as Exhibit C and incorporated herein.
- J. The mitigation measures set forth in the MMRP are specific and enforceable. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedules, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures.
- K. The mitigation measures contained in the MMRP will also be imposed as enforceable conditions of approval. All mitigation measures are capable of being fully implemented by the Project applicant.
- L. Pursuant to CEQA, the Planning Commission has independently reviewed the Initial Study/Mitigated Negative Declaration together with all comments received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds that the Mitigated Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have

a significant effect on the environment with the incorporation of mitigation, and the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare an environmental impact report for the proposed Project.

SECTION 3: *Environmental Assessment/Adoption of Mitigated Negative Declaration.* Based on the facts and findings hereinabove set forth and the totality of the evidence in the administrative record, the Planning Commission hereby adopts (i) the Initial Study/Mitigated Negative Declaration dated November 2022 and attached hereto as Exhibit B, and (ii) the Mitigation Monitoring and Reporting Program attached hereto as Exhibit C.

SECTION 4: *General Plan and Zoning.* The Project is located in the Urban Mixed-Use North General Plan land use designation and is zoned Urban Mixed-Use North (MU-N). These designations allow for a mixture of office, research and development, retail, hotel, and light industrial uses. The proposed modifications to the existing data center are compatible with the goals and policies of the General Plan and will not obstruct their attainment. In addition, the proposed modifications to the existing data center are consistent with the underlying MU-N zone and the applicable development standards.

SECTION 5: *Action.* Subject to the conditions listed on Exhibit A of this Resolution, the Planning Commission hereby approves EA No. 971, Revision A, approving the construction of a drywell and increasing to 15 the number of allowable backup emergency generators for the data center located at 444 North Nash Street.

SECTION 6: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution is based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: This Resolution includes the following three exhibits:

- Exhibit A: Conditions of Approval
- Exhibit B: Initial Study/Mitigated Negative Declaration
- Exhibit C: Mitigation Monitoring and Reporting Program

SECTION 8: The documents and other materials that comprise the record of proceedings in this matter are located in the offices of the Community Development Department, City of El Segundo, 350 Main Street, El Segundo, CA 90245. The custodian of these documents is the Community Development Director, or his/her designee.

SECTION 9: This Resolution will take effect immediately and will remain effective unless superseded by a subsequent resolution.

SECTION 10: The Commission Secretary is directed to mail a copy of this Resolution to Sam Brown of Serverfarm, LLC, and to any other person requesting a copy.

PASSED, APPROVED AND ADOPTED this 9th DAY of FEBRUARY, 2023.

Michelle Keldorf, Chair
City of El Segundo Planning Commission

ATTEST:

Michael Allen, AICP, Secretary

Newman -
Hoeschler -
Keldorf -
Maggay -

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Gregg Kovacevich, Asst. City Attorney

PLANNING COMMISSION RESOLUTION NO. XXXX

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code (“ESMC”), Serverfarm, LLC (the “Owner”) agrees to comply with, and be bound by, the following provisions as conditions for the City of El Segundo’s approval of Environmental Assessment (EA) No. 971, Revision A for the project at 444 North Nash Street. (“Project Conditions”):

Zoning Conditions

1. This approval is for the project as shown on the plans presented to and reviewed by the Planning Commission on February 9, 2023 July 28, 2022, and on file with the Community Development Department.
2. Prior to issuance of any permit for the project, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Community Development Department. The Community Development Director is authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with said plans and conditions. Any subsequent modification must be referred to the Community Development Director for a determination regarding the need for Planning Commission and/or City Council review and approval of the proposed modification.
3. A positive balance shall be maintained in all project Reimbursement Accounts at all times. If the balance of the Reimbursement Account(s) associated with the project becomes negative at any time, all work on the project shall be suspended, including the issuance of permits, project inspections and/or permit final, until such time as the sufficient funds are deposited to return the account(s) to a positive balance.
4. This approval allows for construction of an additional generator bringing the allowable number of generators from 14 to 15.
Any change in uses or changes in the allocation of generators specified above must be referred to the Community Development Director for a determination regarding the need for Planning Commission and/or City Council review and approval of the proposed changes.
5. Trash enclosures on the property shall be either fully enclosed within the building or must be adequately screened by a trash enclosure per the ESMC. Further, the gates shall include architectural paneling or finishing that is consistent with the paneling or finishing of the building. Lastly, trash enclosure areas for the project shall have a non-combustible decorative cover that matches the building’s architecture.

6. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

Operational Conditions

7. For training of personnel under simulated emergency conditions to comply with emergency demand response procedures and for standard performance testing procedures as required by law or by the generator manufacturer, performance testing shall occur only during weekdays, between 7 am and 10 pm and shall not exceed a total of 43 hours per unit annually. Furthermore, no more than one unit shall be tested at any given time.

Hydrology and Water Quality

8. Any discharge of rainwater to the Los Angeles County Sanitation Districts' sewerage system is prohibited without prior approval. Controlled discharge of rainwater or stormwater to the sewerage system may be allowed on a case-by-case basis and would require a Districts' permit for Industrial Wastewater Discharge. Prior to any controlled discharge of rainwater or stormwater to the sewerage system, applicant shall contact the Districts' Industrial Waste Section at (562) 908-4288, extension 2900, to reach a determination on this matter. Applicant will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, please visit <https://www.lacsd.org/services/wastewater-programs-permits/industrial-waste-pretreatment-program/industrial-wastewater-discharge-permits>.

CEQA

9. Applicant must comply with all applicable mitigation measures identified in the Final Initial Study/ Mitigated Negative Declaration prepared for the project. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.
10. Prior to issuance of any demolition, grading or building permit or as otherwise appropriate, a matrix/spreadsheet shall be submitted to the City, as applicable, for review and compliance with:
 - The Mitigation Monitoring and Reporting Program (MMRP) as adopted by the Planning Commission on February 9, 2023.
 - All project conditions of approval.
11. Prior to Certificate of Occupancy, the project shall demonstrate compliance with all applicable mitigation measures in the MMRP and Project COA. A final mitigation and COA monitoring matrix/spreadsheet shall be submitted to the City.

12. All mitigation measures listed in Mitigation Monitoring and Reporting Program adopted by the Planning Commission on February 9, 2023, must be complied with. This shall include:

Air Quality

MM AQ-1

Generator run time associated with maintenance, staff training and testing shall be limited to a cumulative total of not more than 108 minutes on any single day for all generators in the facility. A non-resettable totalizing hour meter capable of tracking to at least one-tenth of an hour shall be installed and maintained on each generator. In addition, an engine operating log shall be maintained by the Applicant that shall list the daily run time that each or any engine was operated for the purposes of maintenance, staff training and/or testing. The engine operating log shall record each time the subject engine is manually started including the date of operation, the specific reason for operation, and the totalizing hour meter reading (in hours and tenths of hours) at the beginning and end of operation or operations for the specific date. Engine operating logs shall be retained on-site for a minimum of five calendar years and shall be made available to a City representative upon request. Further, upon request from the City but no more than one time per year, the Applicant shall have the engine manufacturers' service provider download from the engines' CPU the engines' run time for the year including date specific run times and fuel utilization.

Noise

MM NOI-1

Maintenance/testing for each individual generator shall occur sequentially (one at a time) and during normal daytime hours (i.e., between 7:00 AM and 10:00 PM). Simultaneous generator maintenance/testing of two or more generators is prohibited.

Tribal Cultural Resources

MM TCR-1

Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities. The project applicant shall retain a Native American Monitor ("Monitor") from or approved by the Gabrieleño Band of Mission Indians –Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground- disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency City prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency City upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant that all ground-disturbing activities and phases that may involve ground disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

MM TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects.

Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the monitor determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

MM TCR-3: Procedures for Burials and Funerary Remains. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

General Conditions

13. A weatherproof notice/sign to report dust, noise, or other construction-related impacts shall be posted and prominently displayed on the construction fencing clearly visible to the public from along the abutting street(s). The notice/sign shall set forth the name of the person(s) responsible for the construction site and a phone number(s) to be called in the event that a construction-related impact occurs.
14. All areas within the project site shall be maintained free of trash and debris.
15. Prior to issuance of any permit, an erosion control plan shall be reviewed and approved by the Building Official and the Public Works Director.
16. Water spraying or other approved methods shall be used during grading operations to control fugitive dust. Recycled water shall be used for grading operations whenever available.
17. During the grading phase and as needed during the remainder of the construction phase, the owner or contractor must conduct daily street sweeping along the streets abutting the project site(s).
18. In the event that a Planning, Building, Public Works, Fire Department or Police

Department requirements are in conflict, the stricter standard shall apply.

Building Safety Conditions

19. Building and Safety Division will require separate permit application for electrical, plumbing, mechanical and Grading work.
20. Plans for plan review can be submitted as hardcopy or digital.
21. A copy of Soils/Geo Engineering report shall be provided with the construction plans.
22. The site plan must clearly show all the existing underground utilities.
23. The Plan review time will be a minimum of 25 City working days and can be extended up to 30 working days.
24. 30-Day Notice of Excavation to the adjacent neighbor is required for any excavation close to the common property lines.
25. Compliance with Chapter 11A & 11 B of the California Building Code will be required.
26. The project shall comply with LA County LID requirements.
27. Comply with the current California Codes with the City of El Segundo Amendments.

Fire Department

28. The applicant must comply with the applicable requirements of the 2022 California Building and Fire Codes and the 2009 International Fire Code as adopted by the City of El Segundo and El Segundo Fire Department Regulations.
29. The applicant must submit and have approved by the Fire Department a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems before issuance of the building permit.
30. All excavations must be coordinated with dig-alert (811) before investigation or development.
31. The Applicant must comply with Title 23 of the California Code of Regulations for underground tank requirements. Specifically, tank systems must have vacuum, pressure or hydrostatic detection to continuously monitor for losses in the system. In addition, chemical inventory must be provided to include any refrigerant or additives used for chilled water production.
32. Methane gas must be measured, monitored and mitigated to standards approved by the El Segundo Fire Department, Environmental Safety Division during construction

and after construction.

33. The applicant must provide all hazardous materials information to the El Segundo Fire Department before the City issues building permits.
34. The applicant must comply with existing hazardous materials regulation and construction subject to but limited to Chapter 6.5 for Hazardous Wastes, Chapter 6.67 for Aboveground Tanks, Chapter 6.7 for underground tanks, and Chapter 6.11 for Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.
35. The applicant must ensure that the clarifier at the site will meet ASTM standards for removal. Any removal, investigation, or remediation at the site must be coordinated through the El Segundo Fire Department, Environmental Safety Division.
36. A chemical inventory and emergency plan must be prepared for diesel fuel spills that may occur during handling or storage. An electronic submission of the inventory and plan is due prior to issuance of a building permit. The inventory must include chemicals stored in drums or tanks that exceed 55-gallons or 500 pounds, including batteries, water treatment chemicals and lubricants. Southern California Edison will be required to produce a separate chemical inventory for the substation.
37. A Spill Prevention Control and Counter-Measure (SPCC) plan needs to be developed for aboveground storage of diesel fuel at time of operation. AU documents and forms must be submitted electronically to the Fire Department prior to the issuance of a building permit.

Public Works Conditions

General

38. All work in the City's right-of-way or on City-owned and maintained facilities shall require review and approval of the City Engineer or his/her designee. "City Engineer" = City Engineer or his/her designee throughout this document.
39. The applicant shall ensure that encroachment permits are secured from the Public Works Department/Engineering Division before commencing any and all work in the City's public right-of-way (ROW), including lane closures.
40. Construction inspection shall be coordinated with the Public Works Inspector and no construction shall deviate from the approved plans without approval of the City Engineer. If plan deviations are necessary, the applicant shall provide a revised plan or details of the proposed change for review and approval of the City Engineer prior to construction.
41. All construction-related parking shall be accommodated on-site or on other private property. No construction related parking shall be permitted off-site in the public right-of-way.

42. A grading and drainage plan shall be provided and stamped by a California State-licensed civil engineer as part of the Building Permit process.
43. A utility plan shall be provided that shows all existing and proposed utility lines and their sizes (sewer, water, gas, storm drain, electrical, etc.), including easements, within 200 feet of the project site boundary.
44. All record drawings (PDF and CAD format) and supporting documentation shall be submitted to the Public Works Engineering Division prior to scheduling the project's final inspection.
45. Haul trucks cannot use any route except the City's designated Truck Routes.
46. The applicant shall provide traffic control plans for all work requiring a lane closure.
47. The work scheduled in the public right-of-way on major arterial streets shall be Monday through Friday from 9am to 3pm, except holidays. Work scheduled on all other street classifications shall be Monday through Friday from 7am to 4pm. Contractor shall obtain prior approval from the City Engineer for performing weekend work, night work, or work on a holiday.
48. During construction, it shall be the responsibility of the applicant to provide safe pedestrian traffic control around the site. A pedestrian protection plan shall be submitted to the Public Works Department for review and approval by the City Engineer. This may include but not be limited to signs, flashing lights, barricades, and flag persons.

Sewer

49. Any unused sanitary sewer laterals shall be abandoned and properly capped at the City main. The Contractor is to obtain necessary permits and licenses and provide traffic control plans and shoring plans.

Storm Drain

50. Provide a Low Impact Development Study (LID) signed and stamped by a registered Civil Engineer. Make sure to comply with the project design requirements to retain on site (infiltrate or store for use) volume of runoff from $\frac{3}{4}$ inch storm or the 85th percentile 24-hour storm, whichever is greater (SWQDv).
51. Hydrologic and hydraulic calculations shall be submitted to size appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. Refer to the most recent Los Angeles County Hydrology Manual. Instructions and the manual are available at the County website at <http://dpw.lacounty.gov/wrd/Publication/index.cfm>. Calculations shall be signed by a registered civil engineer.

52. The project shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements and shall provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

Miscellaneous Conditions

53. Approval of this Project shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the ESMC shall apply.
54. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission, or City Council, pursuant to the provisions of the ESMC.
55. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.
56. The applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively "Claims") arising out of or in any way relating this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, all costs, including attorney's fees, shall be paid for by the applicant. The Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

AFFIDAVIT OF ACCEPTANCE OF CONDITIONS OF APPROVAL

Sam Brown warrants that he is duly authorized to sign this Affidavit of Acceptance and to bind Serverfarm, LLC to the same. By signing this document, Sam Brown, on behalf of Serverfarm, LLC, certifies that he has read, understood, and agrees to the project conditions listed in this document.

Sam Brown
Vice President Engineering and Construction
Serverfarm, LLC

Date

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}

Exhibit B

Initial Study/Mitigated Negative Declaration



Environmental Assessment No. EA-971, Revision A

Public Review Initial Study/
Mitigated Negative Declaration

444 North Nash Street Data Center Project

November 2022

Lead Agency:

City of El Segundo

350 Main Street
El Segundo, California 90245
Eduardo Schonborn, AICP, Planning Manager
310.524.2300

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1.0 INTRODUCTION

1.1 Statutory Authority and Requirements

This Initial Study has been conducted in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, §15000 et seq.). Pursuant to State CEQA Guidelines §15063, this Initial Study has been conducted to determine if the proposed 444 North Nash Street Data Center Project (Environmental Assessment No. EA-971, Revision A) (“Project”) would have a significant effect on the environment.

The Project site comprises approximately 0.50-acre at the northern portion of an existing approximately 6.14-acre multi-tenant data center. The Applicant seeks approval of one entitlement - to amend Environmental Assessment No. EA-971 (a 2012 discretionary City approval for the existing data center and up to 14 emergency backup diesel generators) (generators) to increase the total number of allowable generators from 14 to 15. Prior operators have obtained South Coast Air Quality Management District (SCAQMD) permits to install 8 of the 15 generators. Therefore, this IS/MND evaluates up to seven additional generators for a total allowable of up to 15 generators for SCAQMD permitting purposes. Specifically, the Project proposes to install up to seven generators at the property’s northeast corner - three at ground level and four on platforms. No change in land use or expansion in building floor area is proposed. These seven additional generators would support previously constructed interior electrical/equipment modifications, which would incrementally increase utility demand and result in up to five additional employees.¹

Pursuant to State CEQA Guidelines §15063(c), the purposes of an Initial Study are to:

- Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR or a ND;
- Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND;
- Assist in the preparation of an EIR, if one is required;
- Facilitate environmental assessment early in the design of a project;
- Provide documentation of the factual basis for the finding in a ND that a project will not have a significant effect on the environment;
- Eliminate unnecessary EIRs; and
- Determine whether a previously prepared EIR could be used with the project.

This Initial Study is intended to be used as a decision-making tool for the Lead Agency and responsible agencies in considering and acting on the proposed Project. Responsible agencies

¹ Pursuant to Building Permit C0260-22.

would comply with CEQA by considering this environmental analysis for discretionary actions associated with Project implementation, if any.

State CEQA Guidelines §15063(g) specifies that as soon as a Lead Agency has determined that an Initial Study will be required for a project, the Lead Agency shall consult informally with all Responsible Agencies and all Trustee Agencies responsible for resources affected by the project to obtain their recommendations as to whether an EIR, Mitigated Negative Declaration (MND), or ND should be prepared.

1.2 Summary of Findings

Pursuant to State CEQA Guidelines §15367, the City, as Lead Agency, has the authority for environmental review and adoption of the environmental documentation, in accordance with CEQA. This Initial Study has evaluated the environmental issues outlined in **Section 3.2: Environmental Factors Potentially Affected**. It provides decision-makers and the public with information concerning the Project's potential environmental effects and recommended mitigation measures, if any.

Based on the Environmental Checklist Form and supporting environmental analysis, the Project would have no impact or a less than significant impact concerning all environmental issue areas, except the following, for which the Project would have a less than significant impact with mitigation incorporated:

- Air Quality
- Noise and Vibration
- Tribal Cultural Resources

As set forth in State CEQA Guidelines §15070, an Initial Study leading to a Mitigated Negative Declaration (IS/MND) can be prepared when the Initial Study identifies potentially significant effects, but: Project revisions would avoid or mitigate the effects to a point where clearly no significant effects would occur, and there is no substantial evidence, in light of the whole record before the agency, that the Project as revised may have a significant effect on the environment.

1.3 Initial Study Public Review Process

The Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration has been provided to the Clerk of the County of Los Angeles and mailed to responsible and trustee agencies concerned with the Project and other public agencies with jurisdiction by law over resources affected by the Project. A 20-day public review period has been established for the IS/MND in accordance with State CEQA Guidelines §15073. During the public review period, the IS/MND, including the Technical Appendices, was made available for review on the City website, at <https://www.elsegundo.org/government/departments/development-services/planning-division/active-projects>.

In reviewing the IS/MND, affected public agencies and the interested public should focus on the document's adequacy in identifying and analyzing the potential environmental impacts and the ways in which the Project's potentially significant effects can be avoided or mitigated.

Written comments on this IS/MND may be sent to:

Eduardo Schonborn, Planning Manager
City of El Segundo, Community Development Department
350 Main Street,
El Segundo, CA 90245
Email: eschonborn@elsegundo.org

Following receipt and evaluation of comments from agencies, organizations, and/or individuals, the City will determine whether any substantial new environmental issues have been raised. If so, further documentation may be required. If not or if the issues raised do not provide substantial evidence that the Project would have a significant effect on the environment, the IS/MND will be considered for adoption and the Project for approval.

1.4 Incorporation by Reference

Pursuant to State CEQA Guidelines §15150, an MND may incorporate by reference all, or portions of, another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the MND's text.

The references outlined below, which were utilized during preparation of this Initial Study, are available for review on the City's website, at:

- <https://www.elsegundo.org/government/departments/development-services/planning-division/general-plan>
- <https://codelibrary.amlegal.com/codes/elsegundoca/latest/overview>

El Segundo General Plan (City of El Segundo, 1992). The City adopted its comprehensive El Segundo General Plan ("General Plan") in 1992. Since adopting the General Plan, the Circulation Element was adopted in September 2004 and the 2021-2029 Housing Element (6th Cycle) was adopted in February 2022. The General Plan outlines the City's goals, plans, and objectives for land use within the City's jurisdiction. The General Plan was used throughout this IS/MND as a source of baseline data and City policy requirements.

City of El Segundo Final General Plan Environmental Impact Report (EIP Associates) (SCH No. 1991041092). The City of El Segundo Final General Plan Environmental Impact Report ("General Plan EIR") was certified December 1, 1992 by Ordinance No. 1189. The General Plan EIR analyzed the potential environmental impacts that would result from General Plan implementation. The General Plan EIR was used throughout this IS/MND as a source of baseline data and mitigation requirements.

El Segundo Municipal Code. The El Segundo Municipal Code (ESMC) regulates municipal affairs within the City's jurisdiction including, without limitation, the building and zoning regulations (i.e., ESMC Title 13, *Building Regulations* and Title 15, *Zoning Regulations*). ESMC Titles 13 and 15 are the primary tools for implementing the General Plan and coordinating and controlling the

development and use of real property throughout the City. The ESMC is referenced throughout this IS/MND to establish the Project's baseline regulatory requirements.

T5 Data Center Expansion Project EA 971 444 N. Nash Street Initial Study/Mitigated Negative Declaration (2012 IS/MND) (RBF Consulting, December 3, 2012). The 2012 IS/MND evaluated a 63,666-SF expansion to an existing 116,756-SF data center. The project evaluated in the IS/MND included construction of a two-story building addition along the property's northern portion, and partial demolition of a building and construction of a two-story building addition along the property's western portion. The data center's floor area would total 180,422 SF at completion, representing a net increase in floor area of 63,666 SF. The IS/MND also evaluated up to four new generators, resulting in up to eight total generators. The 2012 IS/MND concluded the proposed project would result in no impact or less than significant impact for all resource areas studied, except the following, which were concluded to be less than significant with mitigation incorporated:

- Air Quality
- Noise and Vibration
- Tribal Cultural Resources

1.5 Report Organization

This document is organized into the following sections:

Section 1.0: Introduction provides a Project introduction and overview, cites the State CEQA Guidelines to which the proposed Project is subject, and summarizes the IS' conclusions.

Section 2.0: Project Description details the Project's location, environmental setting, background and history, characteristics, discretionary actions, construction program, phasing, agreements, and required permits and approvals. This Section also identifies the IS' intended uses, including a list of anticipated permits and other approvals.

Section 3.0: Environmental Checklist Form provides the Project background and an overview of potential impacts that may or may not result from Project implementation.

Section 4.0: Evaluation of Environmental Impacts provides an analysis of environmental impacts identified in the environmental checklist.

Section 5.0: References identifies resources used to prepare the IS.

Section 6.0: Inventory of Mitigation Measures provides an inventory of mitigation measures.

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2.0 PROJECT DESCRIPTION

2.1 Location

The Project site is located in the northeast quadrant of the City of El Segundo (City or El Segundo), in the County of Los Angeles (County), approximately 18-miles southwest of downtown Los Angeles. It is approximately 0.5 mile south of Los Angeles International Airport (LAX); see **Exhibit 2-1: Regional Vicinity Map**. Regional access to the site is provided via the San Diego Freeway (Interstate 405) located approximately 1.0 mile to the east, Interstate 105 approximately one mile to the north, and El Segundo Boulevard approximately 0.3 mile to the south. Additionally, Sepulveda Boulevard (Highway 1) is approximately 0.5 mile west of the Project site.

The Project site is comprised of a 0.5-acre portion of an approximately 6.14-acre property (Assessor's Parcel Number 4138-003-007²), located at 444 North Nash Street; see **Exhibit 2-2: Local Vicinity Map**.

2.2 Environmental Setting

2.2.1 ON-SITE CONDITIONS

The Project site is relatively level, with elevations ranging from 98 to 105 feet above sea level (amsl). As depicted on **Exhibit 2-3: Aerial Map**, the Project site is occupied by equipment concrete pads/footings, gravel and base, and stairs.

As also depicted on **Exhibit 2-3**, the overall data center property is fully developed and occupied by an approximately 116,756-SF data center with 70 surface parking spaces. Three emergency backup diesel generators and a Southern California Edison substation are situated at the property's southeast corner. One additional emergency backup diesel generator is on the roof of the building.

Site access to the data center is provided via two driveways off of North Nash Street. Vehicle access is restricted by a gate on the north driveway, while the south driveway is not gated. Pedestrian access is provided by sidewalks off of North Nash Street.

As discussed below in **Section 2.2: Background and History**, in 2012, the data center building was proposed to be expanded from 116,756-SF to 180,422-SF. This expansion was approved in 2013. The proposed improvements were constructed (i.e., installation of additional generators, and pad preparation for future generators), except an approximately 38,861-SF two-story building expansion on the north side of the data center (the "northerly building expansion") and replacement of the one-story annex with a two-story building on the west side of the data center. As of this writing, four additional generators are currently being installed (resulting in eight in total). Construction of the northerly building expansion (not a part of this Project) is anticipated to occur in late 2022.

² County of Los Angeles, Office of the Assessor, *Property Assessment Information System*. <https://maps.assessor.lacounty.gov/m/>, Accessed December 13, 2021.

State CEQA Guidelines §15125(a)(1) specifies that where existing conditions change over time, and where necessary to provide the most accurate picture practically possible of a project's impacts, a lead agency may define existing conditions by referencing conditions expected when the project becomes operational. Additionally, CEQA specifies that a lead agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record. Therefore, given the northerly building expansion and additional generators are expected to be in place when the proposed Project becomes operational, the environmental analyses contained herein consider two baselines (existing conditions and projected future conditions), where appropriate, as follows:

- 1) Existing Conditions: This baseline is the physical environmental conditions as they exist at the time this environmental analysis commenced in January 2022. Under this condition, the northerly building expansion and four additional generators are not assumed to be constructed.
- 2) Projected Future Conditions: This baseline is the projected future conditions that are expected to be in place when the proposed Project becomes operational. Under this condition, the northerly building expansion and four additional generators are assumed to be constructed and operational, as analyzed in the 2012 IS/MND.

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Exhibit 2-2: Local Vicinity Map



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2.2.2 GENERAL PLAN AND ZONING

The Project site’s General Plan land use designation is Urban Mixed Use North,³ which is intended to permit a mixture of office, research and development, retail, and hotel uses. Under this designation, light industrial uses conducted within a fully enclosed building must be permitted if approved with a discretionary application. The maximum floor area ratio (FAR) is 1.3.

The Project site is zoned Urban Mixed Use North (MU-N).⁴ The MU-N Zone is intended to provide area(s) where a mixture of compatible commercial, office, research and development, retail, and hotel uses can locate and develop in a mutually beneficial manner.

2.2.3 SURROUNDING LAND USES

Onsite and surrounding land uses and zoning are summarized in **Table 2-1: Onsite and Surrounding Land Uses** and depicted on **Exhibit 2-2**.

Table 2-1: Onsite and Surrounding Land Uses		
Description	Existing On-the-Ground	Zoning ¹
Project Site	Equipment concrete pads/footings, gravel and base, stairs, landscaping, and emergency backup generators	Urban Mixed Use North (MU-N)
North	Industrial/manufacturing, United States Post Office, Los Angeles International Airport	
South	On data center property, the existing data center and associated equipment and generators. Further south, beyond the data center, industrial and commercial uses	
East	Commercial uses and associated parking	
West	Light rail line, LA Kings Hockey Club, commercial uses	
Note: Source: Google Earth Pro, 2022.		

2.3 Background and History

A portion of the existing building was originally constructed as a warehouse and office building in the 1950’s. Modifications to the property later occurred in 2008 and 2011. In 2012, the data center building was proposed to be expanded from 116,756-SF to 180,422-SF. Additions to the data center were to include a new 38,861-SF two-story building on the north side of the existing building (northerly building expansion), replacement of the one-story annex with a two-story building on the west side of the data center, and an additional vehicle access point.⁵ On-site parking would remain unchanged. These improvements were addressed in the 2012 IS/MND discussed above in **Section 1.4: Incorporation by Reference**. The 2012 proposed improvements were constructed, except the approximately 38,861-SF northerly building expansion, which is

³ City of El Segundo. (1992). *Land Use Map*. <https://www.elsegundo.org/home/showpublisheddocument/362/637110574435030000>. Accessed December 13, 2021.

⁴ City of El Segundo. (2021). *City of El Segundo Planning & Building Safety Web Map*. <https://elsegundo.maps.arcgis.com/apps/webappviewer/index.html?id=f9f2069afe54421f883b291148a10eb9>. Accessed December 13, 2021.

⁵ City of El Segundo. (2013). Resolution No. 2728: *A resolution approving a 63,666 square-foot expansion to an existing 116,756 square-foot data center building located at 444 North Nash Street*.

anticipated to occur in late 2022, and replacement of the one-story annex with a two-story building on the west side of the data center.

Table 2-2: Summary of Existing and Permitted Generators, details the quantity and size of generators installed prior to 2022, and those units which, as of this writing, were under construction and are expected to be operational prior to the start of Project construction. The eight generators listed on **Table 2-2** are, for the purposes of this analysis, considered the future baseline condition applicable to the proposed Project.

Table 2-2: Summary of Existing and Permitted Generators			
Generator Size	Number of Units		
	Existing	CEQA Cleared/Permitted	Total
2,500 kW each	3	4	7
550 kW each	1		1
<i>Total</i>	4	4	8

On March 30, 2022, the City received an application from the Project Applicant to amend Environmental Assessment No EA 971 to allow up to 15 generators.

2.4 Project Characteristics

2.4.1 Project Overview

The Applicant proposes to install up to seven additional emergency backup diesel generators on the Project site, resulting in a total of 15 backup diesel generators. These seven additional generators would support previously constructed interior electrical/equipment modifications, which would result in increased electrical demand and up to five additional employees. Of the seven additional backup generators, four would be installed on platforms on top of existing generators. The platform generators would be shielded from view from the west by a proposed screen wall on the Project site’s western side, and partially shielded from view from the east by the existing perimeter block wall on the property’s eastern side. The remaining three at-grade generators would be built on concrete foundations. Supporting electrical equipment would be enclosed within electrical room containers (ERCs) located on separate foundations adjacent to the generators; see **Exhibit 2-3** for generator and ERC locations. No change in land use or increased building floor area is proposed as part of this Project. Additionally, no change in site access, landscaping, or parking is proposed. No new utility or service system (i.e., water, sewer, electrical, natural gas, communication) connections are proposed.

Existing drainage patterns would be maintained by matching the existing grades. Drainage would be accomplished through installing a drywell on the Project site’s northwestern corner to satisfy City Low Impact Development (LID) requirements.

2.4.2 Site Plan

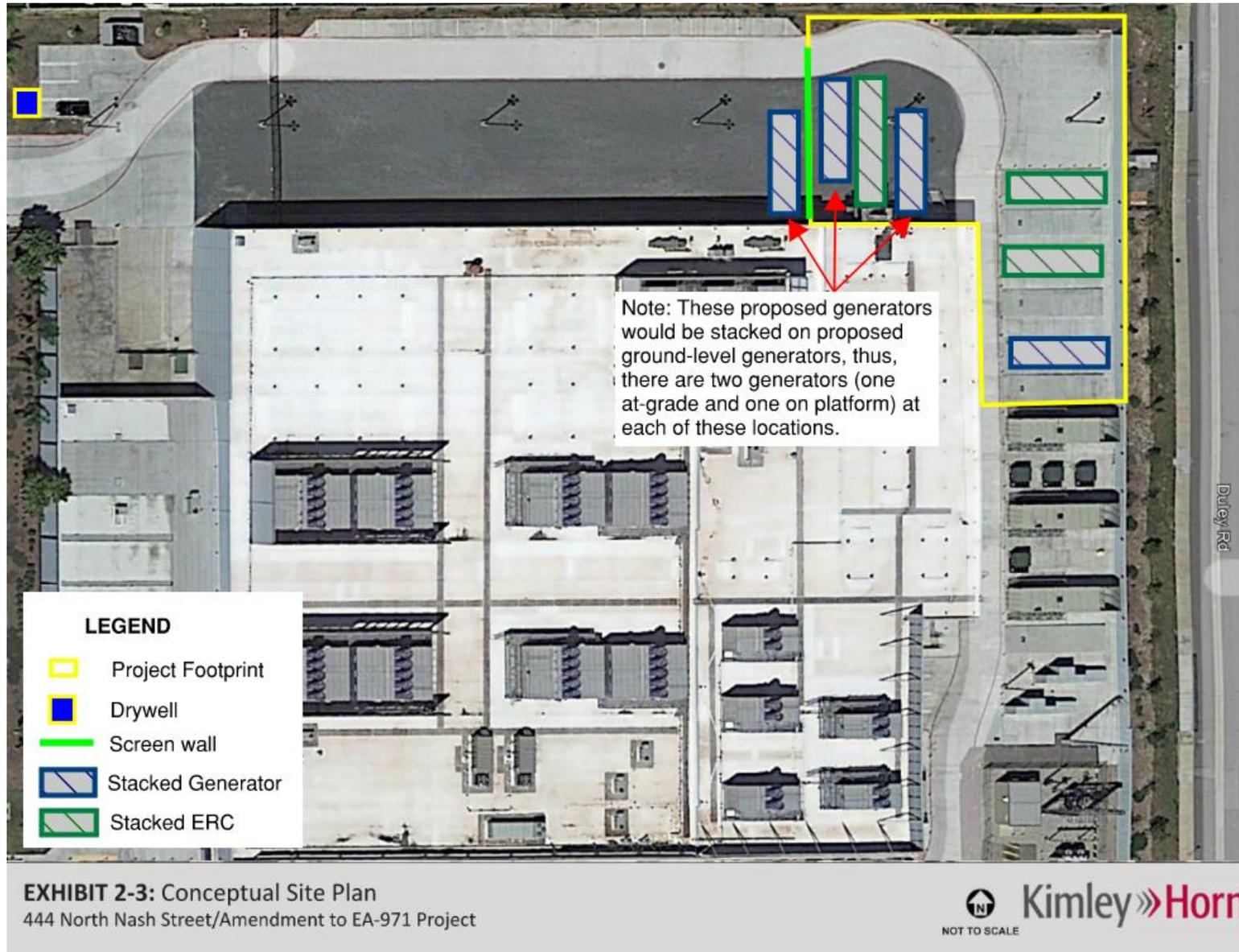
Generators are proposed on the building’s northeastern side, as depicted on **Exhibit 2-3: Conceptual Site Plan**. **Table 2-3: Summary of Existing and Proposed Generators**, inventories the number and size of existing and proposed future generators upon Project implementation. It is

noted that three proposed generators would be stacked on top of another proposed generator, as denoted on **Exhibit 2-3**.

Table 2-3: Summary of Existing and Proposed Generators			
Generator Size	Number of Generator Units		
	Existing¹	Project Proposed	Total
2,500 kW each	7	5	12
550 kW each	1		1
1,250 kW		2	2
Total	8	7	15
Note: 1. As explained in Section 2.3 above, at the time the Project analysis began, on or about February 2022, active construction to install generators 5 through 8 was underway, and expected to be completed by June 2022. Therefore, the appropriate baseline for the proposed Project is the projected future condition with eight onsite generators.			

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Exhibit 2-3: Conceptual Site Plan



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Exhibit 2-4: Existing Building Elevation (from Duley Road, Looking Northwest)



Exhibit 2-5: Proposed Building Elevation (from Duley Road, Looking Northwest)



Exhibit 2-6: Existing Building Elevation (from North Nash Street, Looking East)



Exhibit 2-7: Proposed Building Elevation (from North Nash Street, Looking East)



Note that, because the drywell would be subsurface and have no vertical components, it is not visible in **Exhibit 2-7**. Additionally, the screen wall will be designed to architecturally match the existing data center, thus, is not readily distinguished in **Exhibit 2-7**. The screen wall is shown left (north) of the building.

2.4.3 Generators and Equipment

All backup generators would include housing for mechanical equipment to attenuate noise and protect the equipment from outdoor conditions. The Project's elevations are depicted in **Exhibit 2-5: Building Elevation (from Duley Road, Looking Northwest)**, and **Exhibit 2-7: Building Elevation (from North Nash Street, Looking East)**.

The three ground level generators would be placed on concrete pads resulting in a total height of approximately 12 feet. The four platform generators would be placed on platforms resulting in a total height of approximately 30 feet.

An approximately 35-foot high equipment screen wall is proposed along the western Project site boundary to shield views of the platform generators from Nash Street to the west.

2.4.4 Utilities and Infrastructure

The City of El Segundo's Water Division and the City's Sewer Division are responsible for water and sewer services to the Project site. The Project does not propose new water or sewer utility connections.

Existing drainage patterns would be maintained by matching existing grades. Drainage would be accomplished through installing an approximately 30-foot deep drywell at the property's northwestern corner to satisfy City LID requirements. The drywell would collect stormwater runoff from on-site and, after treating within the drywell, percolate the water into the groundwater basin.

No new utility or service system (i.e., water, sewer, electrical, natural gas, communication) connections are proposed.

2.5 Project Construction Activities and Phasing

Project construction is anticipated to occur over one phase, lasting approximately two months, beginning mid-2022 and ending in late 2022. Construction would occur consistent with City noise policies, as presented in ESMC Title 2: Noise and Vibration. Specifically, construction would occur Monday through Saturday from 7:00 AM to 6:00 PM, consistent with the City noise policies specified in ESMC §7-2-10(D): Construction Noise. Project construction is anticipated to occur in the following sequence:

- Demolition (concrete removal),
- Site preparation, and
- Construction.

Site preparation for the Project would require cutting and removal of approximately 7,860 square feet of concrete and approximately 125 cubic yards of soil export. Final grading plans would be approved by the City, as applicable.

2.6 Project Operations

Upon installation of the additional generators, the Applicant expects future tenants to require on-site staff to occupy the existing office building space. It is anticipated that up to five employees over the baseline number of employees could result from Project implementation. Generators would only operate during emergency situations, commonly defined as "...whenever the primary energy supply is disrupted or discontinued during power outages or natural disasters that are beyond the control of the owner or operator of a facility" and for certain non-emergency situations, including⁶ "...training of personnel under simulated emergency conditions, as part of emergency demand response procedures, or for standard performance testing procedures as required by law or by the generator manufacturer..."⁷ The training and standard performance testing would occur weekdays, between 7 AM and 10 PM, and would total up to 50 hours per year per unit.

2.7 Agreements, Permits, and Approvals

The City, as Lead Agency, has discretionary authority over the proposed Project. Other agencies in addition to the City are expected to use this IS/MND in their decision-making process. To implement this Project, at a minimum, the following discretionary permits/approvals must be granted by the City and others:

- Environmental Assessment No. EA-971, Revision A, amending the total number of allowable generators from 14 to 15, and
- SCAQMD Authority to Construct/Permit to Operate.

⁶ United States Environmental Protection Agency, <https://www3.epa.gov/carbon-footprint-calculator/tool/definitions/emergency-generator.html>; Accessed June 30, 2022.

⁷ Ibid.

2.8 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the proposed Project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

	Aesthetics		Agricultural and Forestry Resources	X	Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology & Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Hydrology & Water Quality		Land Use & Planning		Mineral Resources
X	Noise		Population & Housing		Public Services
	Recreation		Transportation	X	Tribal Cultural Resources
	Utilities & Service Systems		Wildfire		Mandatory Findings of Significance

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3.0 LEAD AGENCY 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.	X
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 or a 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 an earlier EIR or NEGATIVE DECLARATION pursuant to applicable 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.	

CITY OF EL SEGUNDO

Eduardo Schönborn
 Eduardo Schonborn, AICP
 Planning Manager

October 28, 2022
 Date

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4.0 EVALUATION OF ENVIRONMENTAL IMPACTS

The following environmental analysis is patterned after State CEQA Guidelines Appendix G. An explanation is provided for all responses except “No Impact” responses, which are supported by the cited information sources. The responses consider the whole action involved with the proposed Project: on- and off-site, Project- and cumulative-level, direct and indirect, and short-term construction and long-term operational. The explanation of each issue also identifies the significance criteria or threshold, if any, used to evaluate each question, and the mitigation identified, if any, to avoid or reduce the impact to less than significant. To each question, there are four possible responses:

- **No Impact.** The Project would not have any measurable environmental impact.
- **Less Than Significant Impact.** The Project would have the potential to impact the environment, although this impact would be below-established thresholds that are considered to be significant.
- **Less Than Significant With Mitigation Incorporated.** The Project would have the potential to generate impacts, which may be considered as a significant effect on the environment, although mitigation measures or changes to the Project’s physical or operational characteristics could reduce these impacts to a less than significant level.
- **Potentially Significant Impact.** The Project could have impacts, which may be considered significant, and therefore additional analysis is required to identify mitigation. A determination that there is a potential for significant effects indicates the need to more fully analyze the Project’s impacts and identify mitigation.

4.1 Aesthetics

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code §21099, 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) If in a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Impact Analysis

4.1a *Would the project have a substantial adverse effect on a scenic vista?*

No Impact. Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly-valued landscape for the public’s benefit. The City’s General Plan does not identify any officially designated scenic vistas within the City boundaries. Although the City’s western boundary includes 0.8-mile of Pacific Ocean shoreline, the Project site is approximately 2.65-miles east of the City’s western boundary. Additionally, the intervening commercial and other uses block any view of the Pacific Ocean from the Project site and surrounding properties. Therefore, the Project would have no adverse effect on a scenic vista. No impact would occur in this regard and no mitigation is required.

4.1b *Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State Scenic Highway?*

No Impact. There are no State- or County-designated scenic highways in the City.⁸ Further, there are no trees, rock outcroppings, or historic buildings on or adjacent to the Project site. Therefore, the Project would not damage scenic resources within a State scenic highway. No impact would occur in this regard and no mitigation is required.

⁸ California Department of Transportation. (2018). *California Scenic Highway*. Retrieved from <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa>. Accessed on December 14, 2021.

4.1c If in a non-urbanized area, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. Onsite and surrounding land uses and zoning are summarized in **Table 2-1: Onsite and Surrounding Land Uses** and depicted on **Exhibit 2-2**. The Project site is in an urbanized area and is fully developed. All surrounding land is fully developed and zoned Urban Mixed Use North (MU-N). The ESMC regulations pertaining to the MU-N zone are found in ESMC §15-5E-7 through §15-5E-10.

The Project proposes to install up to seven emergency generators at the property's northeast corner—three at ground level and four on platforms. The three ground level generators would be placed on concrete pads resulting in a total height of approximately 12 feet. The four platform generators would be placed on platforms resulting in a total height of approximately 30 feet. An approximately 30-foot-high equipment screen wall is proposed along the western Project site boundary to shield views of the platform generators from Nash street to the west. As shown on **Exhibit 2-4**, the proposed generators would be partially shielded by existing containers, landscaping, and the perimeter wall along Duley Street. The proposed generators would be shielded by a proposed screen wall on the Project site's western portion. Upon completion of the northerly building expansion, generators would be further shielded from views on Nash Street by the expansion's building façade, which would be in front of the screening wall shown on **Exhibit 2-7**. Also, a drywell is proposed at the Project site's northwestern corner. Because the drywell would not have above ground elements, the drywell would not be visible; see **Exhibit 2-7**.

Through the Site Plan review process, the City would verify the proposed Project's consistency with the zoning regulations that govern visual and scenic quality, which are found in ESMC §15-5E-7, *Site Development Standards*. The proposed generators would be a continuation of the existing data center, and visually compatible with the surrounding MU-N zone land uses. Concerning building height, the MU-N zone allows building heights up to 175 feet; see ESMC §15-5E-7, *Site Development Standards*. The Project's proposed screen wall and platform generators would be a maximum of 35 feet tall, in compliance with the MU-N zone's allowable building height. Therefore, following compliance with City standards, the proposed Project would result in a less than significant impact concerning regulations governing scenic quality and no mitigation is required.

4.1d Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. Existing outdoor lighting at and near the Project site is associated with industrial and street lighting along North Nash Street and Duley Road typical of urbanized areas. The Project does not propose to install any new lighting. Therefore, the Project would not create a new source of light or glare. No impact would occur in this regard and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.2 Agricultural and Forestry Resources

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
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 §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?				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

Impact Analysis

- 4.2a *Would the project 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?*
- 4.2b *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- 4.2c *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?*
- 4.2d *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

4.2e *Would the project 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?*

No Impact. No Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance is mapped in the City.⁹ Further, according to the Williamson Act Status Report (2018-2019) Los Angeles County is a Non-Participating County.¹⁰ Therefore, the Project would not conflict with any existing Williamson Act contract. Additionally, the Project site is zoned Urban Mixed Use North (MU-N). No agricultural, forest land, or timberland zoning exists in the City.¹¹ Therefore, no impact concerning mapped farmlands, Williamson Act contracts, or agricultural, forest, or timber land zoning would occur, and no mitigation is required.

⁹ California Department of Conservation. (2016). *California Important Farmland Finder*. Retrieved from <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed on December 14, 2021.

¹⁰ California Department of Conservation. (2020) *The Williamson Act Status Report 2018-2019*. Retrieved from https://www.conservation.ca.gov/dlrp/wa/Documents/stats_reports/2020%20WA%20Status%20Report.pdf. Accessed on December 14, 2021.

¹¹ City of El Segundo. (2021). *Zoning Map*. Retrieved from <https://www.arcgis.com/apps/webappviewer/index.html?id=bf31cc23239f4504bf078ce36373fe2d>. Accessed on December 14, 2021.

4.3 Air Quality

This Section is based on the *Air Quality Assessment* (Kimley-Horn, October 2022) and Health Risk Assessment (October 2022), which are included in their entirety as **Appendix A: Air Quality and Greenhouse Gas Technical Memorandum** and **Appendix D: Health Risk Assessment Technical Memorandum**, respectively.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district 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) 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?		X		
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X		

South Coast Air Quality Management District (SCAQMD) Thresholds

Mass Emissions Thresholds

The SCAQMD CEQA Air Quality Handbook provides significance thresholds for volatile organic compounds (VOC) (also referred to as reactive organic gases [ROG]), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur oxides (SO_x), particulate matter 10 microns or less in diameter (PM₁₀), and particulate matter 2.5 microns or less in diameter (PM_{2.5}). The thresholds apply to both project construction and operation within the SCAQMD jurisdictional boundaries. If the SCAQMD thresholds are exceeded, a potentially significant impact could result. See **Table 4.3-1: South Coast Air Quality Management District Emissions Thresholds** for SCAQMD’s construction and operational emissions thresholds.

Criteria Air Pollutants and Precursors (Regional)	Mass Daily Thresholds (pounds per day)	
	Construction	Operations
Nitrogen Oxides (NO _x)	100	55
Volatile Organic Compounds (VOC) ¹	75	55
Particulate Matter 10 Microns and smaller in diameter (PM ₁₀)	150	150
Particulate Matter 2.5 Microns and smaller in diameter (PM _{2.5})	55	55

Table 4.3-1: South Coast Air Quality Management District Emissions Thresholds		
Criteria Air Pollutants and Precursors (Regional)	Mass Daily Thresholds (pounds per day)	
	Construction	Operations
Sulfur Oxides (SO _x)	150	150
Carbon Monoxide (CO)	550	550
Notes: 1. VOCs and reactive organic gases (ROGs) are subsets of organic gases that are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. Although they represent slightly different subsets of organic gases, they are used interchangeably for the purposes of this analysis.		
Source: South Coast Air Quality Management District, SCAQMD Air Quality Significance Thresholds, April 2019.		

Localized Carbon Monoxide

In addition to the daily thresholds listed above, the proposed Project would be subject to the ambient air quality standards. These are addressed through an analysis of localized CO impacts. The California 1-hour and 8-hour CO standards are:

- 1-hour = 20 ppm
- 8-hour = 9 ppm

The significance of localized impacts depends on whether ambient CO levels near the Project site exceed State and federal CO standards. The South Coast Air Basin (SCAB) has been designated as attainment under the 1-hour and 8-hour standards.

Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed Local Significance Thresholds (“LSTs”) for emissions of NO₂, CO, PM₁₀, and PM_{2.5} generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project site without expecting to cause or substantially contribute to an exceedance of the most stringent federal ambient air quality standard (FAAQs) or State ambient air quality standards (CAAQS). LSTs are based on the ambient concentrations of that pollutant within the Project Source Receptor Area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. The Project’s appropriate SRA for the localized significance thresholds is the Southwest Coastal Los Angeles (SRA 3) area since this area includes the Project site. LST analysis for construction is applicable for all projects that disturb 5.0 acres or less on a single day. **Table 4.3-2: Local Significance Thresholds (Construction/Operations)** provides the LSTs for a 1.0-acre, 2.0-acre, and 5.0-acre project site in SRA 3 with sensitive receptors located within 25 meters of a project site. The Project site totals approximately 0.50 acre, thus, the 1.0-acre threshold is used for Project analysis.

Table 4.3-2: Local Significance Thresholds (Construction/Operations)

Project Size	Nitrogen Oxide (NO _x) (lbs per day)	Carbon Monoxide (CO) (lbs per day)	Coarse Particulates (PM ₁₀) (lbs per day)	Fine Particulates (PM _{2.5}) (lbs per day)
1.0 Acre:				
Construction	91	674	5	3
Operations	91	674	1	1
2.0 Acres:				
Construction	131	982	8	5
Operations	131	982	2	1
5.0 Acres:				
Construction	197	1,823	15	8
Operations	197	1,823	4	2

Source: South Coast Air Quality Management District. (July 2008). *Localized Significance Threshold Methodology*.

Health Risk Analysis Thresholds

Project health risks are determined by examining the types and levels of air toxics generated and the associated impacts on factors that affect air quality. While the final determination of significance thresholds is within the Lead Agency’s purview pursuant to State CEQA Guidelines, the SCAQMD recommends that the air pollution thresholds presented below be used by lead agencies in determining whether a project’s impacts are significant. If the lead agency finds that the project has the potential to exceed the air pollution thresholds, the project should be considered significant. A project’s impacts would be considered significant with respect to toxic air contaminant emissions if the project would:

- **Cancer Risk:** Emit contaminants that exceed the maximum individual cancer risk of 10 in one million.
- **Cancer Burden:** Emit contaminants resulting in a cancer burden greater than 0.5 excess cancer cases (in areas with individual cancer risk greater than 1 in 1 million)
- **Non-Cancer Risk:** Emit contaminants that exceed the maximum hazard quotient of 1 in one million.

Cancer risk is expressed in terms of expected incremental incidence per million population. The SCAQMD has established an incremental increase in lifetime cancer risk of 10 in one million due to DPM exposure. This threshold serves to determine whether or not a project has a potentially significant development-specific and cumulative impact. The 10 in one million standard is a health-protective significance threshold. This risk would be an excess cancer that is in addition to any cancer risk borne by a person not exposed to these air toxics. To put this risk in perspective, the risk of contracting cancer from all air toxics in the SCAB is 420 in a million which is 42 times more than the SCAQMD’s threshold of 10 in one million.¹²

Because the proposed generators are subject to SCAQMD rules and regulations, additional thresholds of significance apply. Specifically, Rule 1401 *New Source Review of Toxic Air*

¹² South Coast Air Quality Management District, *MATES V Estimated Risk*, https://experience.arcgis.com/experience/79d3b6304912414bb21ebdde80100b23/page/home/?data_id=dataSource_105-a5ba9580e3aa43508a793fac819a5a4d%3A315&views=view_38%2Cview_1, Accessed February 2, 2022.

Contaminants establishes limits for maximum individual cancer risk (MICR), cancer burden,¹³ and noncancer acute and chronic hazard index (HI) from new permit units, relocations, or modifications to existing permit units which emit applicable toxic air contaminants. DPM is a substance listed in Rule 1401 Table 1.¹⁴ Therefore, the requirements to allow construction and use of the proposed generators are as follows:

1. **MICR and Cancer Burden:** The cumulative increase in MICR, which is the sum of the calculated MICR values for all toxic air contaminants emitted from the new, relocated, or modified permit unit, will not result in any of the following:
 - (A) An increased MICR greater than one in one million (1.0×10^{-6}) at any receptor location, if the permit unit is constructed without T-BACT;
 - (B) An increased MICR greater than ten in one million (10×10^{-6}) at any receptor location, if the permit unit is constructed with T-BACT;
 - (C) A cancer burden greater than 0.5.
2. **Chronic Hazard Index:** The cumulative increase in total chronic HI for any target organ system due to total emissions from the new, relocated, or modified permit unit owned or operated by the Applicant for which applications were deemed complete on or after the date when the risk value for the compound is finalized by the State Office of Environmental Health Hazard Assessment (OEHHA) will not exceed 1.0 at any receptor location.
3. **Acute Hazard Index:** The cumulative increase in total acute HI for any target organ system due to total emissions from the new, relocated, or modified permit unit owned or operated by the Applicant for which applications were deemed complete on or after the date when the risk value for the compound is finalized by OEHHA will not exceed 1.0 at any receptor location.

SCAQMD Rule 1402 *Control of Toxic Air Contaminants From Existing Sources* reduces the health risk associated with TAC emissions from existing sources by specifying notification risk levels, action risk levels, and significant risk levels (see **Table 4.3-3: Facility-Wide Risk Levels**) for MICR, cancer burden, and non-cancer acute and chronic HI applicable to total facility emissions. The rule establishes requirements to implement Risk Reduction Plans to achieve specified risk limits, as required by the Hot Spots Act and Rule 1402.

Table 4.3-3: Facility-Wide Risk Levels			
Indicator	Notification Risk	Action Risk Level	Significant Risk Level
MICR	10 in one million	25 in one million	100 in one million
Cancer burden	N/A	0.5	N/A
Acute HI	1.0	3.0	5.0
Chronic HI	1.0	3.0	5.0

¹³ Cancer burden means the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

¹⁴ SCAQMD. (2017). *Rule 1401*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf?sfvrsn=4>; page 1401-17; Accessed January 26, 2022.

The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Noncarcinogenic risks are quantified by calculating a "hazard index," expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index of less than 1.0 means that adverse health effects are not expected, thus, non-carcinogenic exposures of less than 1.0 are considered less than significant. See **Appendix A** for additional information on modeling.

Methodology

The Project's operations were analyzed for impacts concerning the additional seven generators; see **Appendix A** for model inputs, and see **Table 2-2** for the quantity and engine type of the proposed generators. Cumulative impacts included the existing eight generators plus the additional seven generators, as detailed below.

State CEQA Guidelines §15145, speculation, specifies that, "if, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." There is no basis or available data for what the underlying assumptions an emergency operations analysis/modeling might include. Emergency operations would entirely depend on the nature and duration of emergency (i.e., the number of generators would depend on the power disruption, and operational hours during this time would depend on the duration of the emergency). Therefore, because analysis of the Project's impacts under an emergency operations scenario would be too speculative, emergency operations were not analyzed.

SCAQMD policy and procedures No. EC-02-09 (dated February 24, 2009) establishes that the potential to emit (PTE) for stationary emergency generators be calculated based solely on the annual maintenance hours allowed (50 hours). This analysis is based on the generators operating for certain non-emergency situations, including training of personnel under simulated emergency conditions, as part of emergency demand response procedures, or for standard performance testing procedures as required by law or by the generator manufacturer. Therefore, this analysis assumes the training and standard performance testing would occur up to 50 hours per year per unit, per SCAQMD policy and procedures No. EC-02-09.

Impact Analysis

4.3a Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. As part of its enforcement responsibilities, the United States Environmental Protection Agency (USEPA) requires that each state with nonattainment areas prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the California Clean Air Act (CCAA) requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the FAAQS and CAAQS. Air quality attainment plans

outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project site is within the SCAB, which is under SCAQMD's jurisdiction. The SCAQMD is required, pursuant to the Federal Clean Air Act (FCAA), to reduce criteria pollutant emissions for which SCAB is in non-attainment. To reduce such emissions, the SCAQMD drafted the 2016 Air Quality Management Plan (AQMP), which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, SCAG, and the Environmental Protection Agency (EPA). The AQMP's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans.

Criteria for determining consistency with the AQMP are defined by the following indicators:

- **Consistency Criterion No. 1:** A proposed project would not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of the AQMP's air quality standards or the interim emissions reductions.
- **Consistency Criterion No. 2:** A proposed project would not exceed the AQMP's assumptions or increments based on the years of the project build-out phase.

Consistency Criterion No. 1 refers to the NAAQS and CAAQS. As indicated in **Table 4.3-4: Construction-Related Emissions (Maximum Pounds Per Day)** and **Table 4.3-5: Operational Emissions (Maximum Pounds Per Day)** below, Project construction would be below SCAQMD's thresholds. Operational emissions would be below SCAQMD thresholds, except for NO_x, which would be less than significant with mitigation incorporated; see MM AQ-1. As the Project would not generate localized construction or regional construction or operational emissions that would exceed SCAQMD thresholds of significance, the Project would not violate any air quality standard. Thus, the Project would be consistent with Criterion No. 1. A less than significant impact would occur, and no mitigation is required.

Consistency Criterion No. 2 refers to SCAG's growth forecasts and associated assumptions included in the AQMP. The AQMP's projected future air quality levels are based on SCAG's growth projections, which are based, in part, on the general plans of cities located within the SCAG region. Therefore, projects that are consistent with the applicable assumptions used in AQMP development would be consistent with the AQMP's assumed VMT and population growth, thus, not jeopardize attainment of the AQMP's identified air quality levels, even if they exceed the SCAQMD's recommended daily emissions thresholds.

The Project site's General Plan land use designation is Urban Mixed Use North. The Project proposes to install up to seven generators at an existing data center. No change or expansion in land use is proposed. Additionally, the Project would not generate any population growth and

only very nominal VMT from the up to five additional employees. The Project would not conflict with or cause an exceedance of the Urban Mixed Use North designation's intended/assumed land uses for the Project site, which are the basis for the AQMP. Therefore, the Project would be consistent with the AQMP's population and VMT assumptions. It is also noted that the Project's construction air emissions would not exceed the SCAQMD regional thresholds, and operational air emissions would not exceed the SCAQMD regional thresholds with mitigation incorporated. Localized construction and operations emissions would not exceed SCAQMD LST thresholds; see Responses 4.3b and 4.3c below. As such, the Project would be consistent with Criterion No. 2. A less than significant impact would occur and no mitigation is required.

4.3b Would the project 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?

Less Than Significant Impact With Mitigation Incorporated.

Construction Emissions

Project construction activities would generate short-term criteria air pollutant emissions. The Project area's criteria air pollutants of primary concern are ozone-precursor pollutants (i.e., ROG and NO_x) and PM₁₀ and PM_{2.5}. Construction-related emissions are short-term and temporary, lasting only while construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction activities temporarily generate emissions from site grading, motor vehicle exhaust associated with construction equipment and worker trips, and movement of construction equipment, especially on unpaved surfaces. Airborne particulate matter emissions are largely dependent on the amount of ground disturbance associated with site preparation activities, as well as weather conditions and the application of water.

For analysis purposes, Project construction is estimated to occur over approximately two months, beginning July 2022. The Project would install seven emergency generators- three at ground level on concrete pads and four on platforms. Project construction-generated emissions were calculated using the CARB-approved CalEEMod, which is designed to model emissions for land use development projects based on typical construction requirements. See **Appendix A** for more information regarding the Project's construction assumptions.

As discussed above, the air quality modeling assumes Project construction would begin in July 2022. However, the current Project construction schedule assumes Project construction would begin September 2022, or two months later than assumed in the air quality modeling. However, the air quality modeling concerning the construction schedule is considered conservative because CalEEMod emissions factors for future years decline given advancements in construction equipment technology and fleet turnover. **Table 4.3-4** provides the Project's estimated maximum daily construction-related emissions and indicates all criteria pollutant emission levels would be below their respective thresholds. In addition, the Project would be subject to compliance with SCAQMD Rules 402, 403, and 1113, which prohibit nuisances, require

dust control measures, and limit VOC content in paints, respectively. Compliance with these SCAQMD rules would further reduce construction-related emissions. All criteria pollutant emissions would be below the applicable thresholds; thus, impacts would be less than significant.

Table 4.3-4: Construction-Related Emissions (Maximum Pounds Per Day)						
Construction Year	Reactive Organic Gases (ROG)	Nitrogen Oxide (NOx)	Carbon Monoxide (CO)	Sulfur Dioxide (SO₂)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
2022	1.77	17.58	14.26	0.03	8.16	4.38
Maximum Emissions	1.77	17.58	14.26	0.03	8.16	4.38
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	No	No	No	No	No
Notes:						
1. Emissions were calculated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0, as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported.						
Source: CalEEMod version 2020.4.0; see Appendix A: Air Quality and Greenhouse Gas Technical Memorandum for model outputs.						

Operational Emissions

Operational emissions are associated with the emergency generators attributable to the Project. As shown in **Table 4.3-5**, the Project’s operational emissions could exceed the SCAQMD threshold for NOx emissions. These operational emissions are mostly attributed to a day in which generator routine testing, staff training, and maintenance could occur simultaneously. The 50 hours per year includes scheduled and unscheduled maintenance. SCAQMD requires the facility to monitor and demonstrate compliance. The scheduled maintenance would be dictated in accordance with manufacturers recommendations, which are currently not available until possessions of units occurs. Additionally, a small amount of Project operational emissions would be attributed to vehicle trips from up to five additional employees. Mitigation Measure AQ-1 requires that generator maintenance and testing be limited on any single day to no more than 110 minutes for the entire facility (up to 15 generators). Therefore, with implementation of Mitigation Measure AQ-1, all criteria pollutants would remain below their respective thresholds and regional operational emissions would result in a less than significant long-term regional air quality impact.

Table 4.3-5: Operational Emissions (Maximum Pounds Per Day)						
Source	Emissions (pounds per day) ¹					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO _x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO ₂)	Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})
Unmitigated Scenarios						
Generators	7.98	412.86	68.74	0.70	5.74	5.74
Project Trips	0.03	0.03	0.52	>0.01	0.19	0.05
Total	8.01	412.89	69.26	0.70	5.93	5.79
SCAQMD Threshold	55.00	55.00	550.00	150.00	150.00	55.00
SCAQMD Threshold Exceeded?	No	Yes	No	No	No	No
Mitigated Scenario²						
Generators	0.41	25.19	3.73	0.04	0.34	0.34
Project Trips	0.03	0.03	0.52	>0.01	0.19	0.05
Total	0.44	25.22	4.25	0.04	0.53	0.39
SCAQMD Threshold	55.00	55.00	550.00	150.00	150.00	55.00
SCAQMD Threshold Exceeded?	No	No	No	No	No	No
Notes:						
1. Emissions were calculated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0, as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported. 2. Mitigated emissions include compliance with Mitigation Measure AQ-1, which requires that generator maintenance and testing be limited on any single day to no more than 110 minutes for the entire facility (15 generators). 3. Potential to emit (PTE) of an engine is based on the 50 hour per year limit on maintenance and testing operations, in accordance with South Coast AQMD's policy and procedures No. EC-02-09, dated 2/24/2009.						

Cumulative Short-Term Emissions

SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for CAAQS and nonattainment for O₃ and PM_{2.5} for NAAQS. As discussed above, the Project's construction-related emissions by themselves would not exceed the SCAQMD significance thresholds for criteria pollutants.

Since these thresholds indicate whether individual Project emissions have the potential to affect cumulative regional air quality, it can be expected that the Project-related construction emissions would not be cumulatively considerable. The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout SCAB, which would include related cumulative projects. As concluded above, the Project's construction-related air quality impacts would be less than significant. Compliance with SCAQMD rules and regulations would further minimize the Project's construction-related emissions. Therefore, Project-related construction emissions, combined with other projects in the area, would not substantially deteriorate the local air quality. The Project's construction-related emissions would not result in a cumulatively considerable contribution to a significant cumulative air quality impact.

Cumulative Long-Term Emissions

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to SCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

As indicated in **Table 4.3-5**, the Project's operational emissions would not exceed SCAQMD thresholds and the PTE would remain below major source thresholds. Therefore, the Project's operational emissions would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. Additionally, adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

4.3c Would the Project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact.

Localized Construction Significance Analysis

The sensitive receptor nearest the Project site is an aquatic center located approximately 350 feet (107 meters) to the southeast. According to SCAQMD a recreational facility is a sensitive receptor. To identify impacts to sensitive receptors, the SCAQMD recommends addressing Localized Significance Thresholds (LSTs) for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific level proposed projects.

The Project's appropriate SRA for the localized significance thresholds is the Southwest Coastal Los Angeles (SRA 3) area since this area includes the Project site. LSTs apply to NO_x, CO, PM₁₀, and PM_{2.5}. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5.0 acres in size. The Project would include minor grading on the 0.5-acre site. However, the LST methodology and daily equipment modeled in CalEEMod do not provide thresholds for disturbance less than 1.0 acre. Therefore, Project construction is assumed to disturb

approximately 1.0 acre in a single day, and the LSTs for a maximum daily disturbance of 1.0 acre were used for this analysis.

The SCAQMD’s methodology indicates that “off-site mobile emissions from a project should not be included in the emissions compared to LSTs.” Therefore, for purposes of the Project’s construction LST analysis, only emissions included in the CalEEMod “on-site” emissions outputs were considered. The sensitive receptors nearest the Project site are the swimming facility located approximately 350 feet (107 meters) to the southeast and the soccer field located approximately 475 feet (145 meters) to the north. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, as recommended by the SCAQMD, LSTs for receptors located at 100 meters were utilized in this analysis to conservatively analyze for the nearest sensitive receptor located 107 meters from the Project site.

Table 4.3-6: Significance of Localized Emissions, presents the results of localized construction emissions. **Table 4.3-6** shows that peak day pollutant emissions during construction would not exceed SCAQMD LSTs, thus, would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, the Project would result in a less than significant impact concerning LSTs during construction activities.

Table 4.3-6: Significance of Localized Emissions				
Source/Activity	Emissions (pounds per day)¹			
	NO_x	CO	PM₁₀	PM_{2.5}
Construction Emissions				
Demolition 2022	16.81	13.19	1.76	0.93
Grading 2022	11.78	6.55	8.73	4.55
Building Construction 2022	14.15	13.90	0.72	0.68
Paving 2022	7.85	9.24	0.39	0.36
SCAQMD Localized Screening Threshold (1 acre of disturbance at 100 meters)	107	1,156	28	9
Exceed SCAQMD Threshold?	No	No	No	No
Operational Emissions				
On-Site Emissions (Area + Energy Sources) ¹	25.31	4.37	0.54	0.95
SCAQMD Localized Screening Threshold (1 acre of disturbance at 50 meters)	107	1,156	7	3
Exceed SCAQMD Threshold?	No	No	No	No
1. Source: CalEEMod version 2020.4.0. Refer to Appendix A: Air Quality and Greenhouse Gas Technical Memorandum for model data outputs. 2. This includes Mitigation Measure AQ-1 which limits maintenance and testing of the emergency generators.				

According to the SCAQMD LST methodology, LSTs apply to on-site sources. LSTs for receptors located at 100 meters for SRA 3 were conservatively utilized in this analysis. The 1-acre LST threshold is used for the 0.5-acre Project site. The operational emissions shown in **Table 4.3-6** include all on-site Project-related stationary sources (i.e., area and energy sources). **Table 4.3-6** shows that the Project’s maximum daily emissions of these pollutants during operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, the Project would result in a less than significant impact concerning LSTs during operational activities.

Construction-Related Diesel Particulate Matter

Project construction would generate DPM emissions from the use of off-road diesel equipment required. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to toxic air contaminants (TAC) emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment would dissipate rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The receptor nearest the Project site is the United States Postal Service located approximately 50 feet to the north, and even further from the major Project construction areas. However, the sensitive receptor nearest the Project site is the swimming facility located 350 feet to the southeast.

California Office of Environmental Health Hazard Assessment has not identified short-term health effects from diesel particulate matter (DPM). Construction is temporary and would be transient throughout the site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time. Construction activities would be subject to and would comply with California regulations limiting the idling of heavy-duty construction equipment to no more than five minutes to further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. For these reasons, DPM generated by Project construction activities, in and of itself, would not expose sensitive receptors to substantial amounts of air toxins and the Project would result in a less than significant impact. No mitigation is required.

Operational Health Risk Analysis

The Project would increase the number of on-site emergency generators from 8 (existing) to 15 (permitted), which would potentially expose nearby sensitive receptors to increased air toxics and resultant health risks. Emergency generator emission rates were calculated using generator specifications.

Based on the AERMOD outputs, expected annual average diesel PM_{2.5} emission concentrations from the Project's emergency generators to the sensitive receptors would be 0.003 µg/m³ in the opening year. As shown in **Table 4.3-7: Operational Risk Assessment Results**, the Project's highest calculated carcinogenic risk is 4 per million, which is below the lowest threshold of 10 per million. The calculated acute and chronic hazards are also below the Rule 1401 threshold of 1.0 and Rule 1402 threshold of 3.0.

Table 4.3-7: Operational Risk Assessment Results				
Emission and Exposure Scenario	Pollutant Concentration (µg/m³)	Maximum Cancer Risk (Risk per Million)	Chronic Noncancer Hazard	Acute Noncancer Hazard
Individual Emergency Generator, at nearest offsite worker location	0.0001	0.01	0.00002	0.004
Individual Emergency Generator, at nearest residence	0.0003	0.25	0.0001	0.004
Total Facility (15 Emergency Generators), at nearest offsite (worker location)	0.002	0.10	0.0004	0.058
Total Facility (15 Emergency Generators), at nearest residence	0.005	4.03	0.0009	0.058
Exceed CEQA Threshold?³	No	No	No	No
Exceed 1401 Threshold?⁴	No	No	No	No
Exceed 1402 Threshold?⁵	No	No	No	No
1. Refer to Appendix D: Health Risk Assessment Technical Memorandum . 2. The maximum cancer for would be experienced at the soccer field northwest of the Project site based on worst-case exposure durations for the Project, 95 th percentile breathing rates, and 25-year averaging time for workers. The residents are located east of the Project site. 3. CEQA threshold is expose sensitive receptors to substantial pollutant concentrations (10 in one million cancer risk and 1.0 acute and chronic noncancer risk). 4. SCAQMD 1401 Threshold is 10 in one million cancer risk and 1.0 acute and chronic noncancer risk. 5. SCAQMD 1402 Threshold is 25 in one million cancer risk and 3.0 acute and chronic noncancer risk.				

The pollutant concentrations modeled in AERMOD represent the exposure levels outdoors. The analysis conservatively does not include indoor exposure adjustments for residents. However, the typical person spends most of their time indoors rather than remaining outdoors in the same location for 24 hours a day. Therefore, the AERMOD outdoor pollutant concentrations are not necessarily representative of actual exposure at the Project site and tend to overestimate exposure. The risk calculations are based on the pollutant concentration at the worst-case location (approximately 2,200 feet to the east) and conservatively assume no cleaner technology or lower emissions in future years, and 95th percentile breathing rates.

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project’s air emissions to health impacts or explain why such information could not be ascertained (Sierra Club v. County of Fresno [Friant Ranch, L.P.] [2018] 6 Cal.5th 502). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme ozone nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based FAAQS. The FAAQS establish the necessary air quality levels, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the SCAQMD’s mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts would occur.

NO_x and ROG are precursor emissions that form ozone in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources. Breathing ground-level ozone can result in health effects that include reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily ozone concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that ozone can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According to the SCAQMD's 2016 AQMP, SCAB's ozone, NO_x, and ROG have been decreasing since 1975 and are projected to continue to decrease in the future. Although the SCAB's VMT continue to increase, NO_x and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_x emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2016 AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour ozone standard in 2023 would lead to sufficient NO_x emission reductions to attain the 1-hour ozone standard by 2022. In addition, since NO_x emissions also lead to the formation of PM_{2.5}, the NO_x reductions needed to meet the ozone standards will likewise lead to improved PM_{2.5} levels and attainment of PM_{2.5} standards.

The SCAQMD's air quality modeling demonstrates that NO_x reductions prove to be much more effective in reducing ozone levels and will also lead to a significant decrease in PM_{2.5} concentrations. NO_x-emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane. The 2016 AQMP identifies robust NO_x reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO_x emissions levels achievable but there are opportunities to require and accelerate replacement with cleaner zero-emission alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The AQMD plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

The 2016 AQMD also emphasized that beginning in 2012, continued implementation of previously adopted regulations will lead to NO_x emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NO_x from stationary sources is expected in the 15-year period between

2008 and 2023. This is in addition to significant NO_x reductions from stationary sources achieved in the decades prior to 2008.

As previously discussed, the Project's construction-related and operational emissions would not exceed SCAQMD thresholds, thus, would be less than significant with mitigation incorporated; see **Table 4.3-4** and **Table 4.3-5**, respectively. The onsite Project emissions' localized effects on nearby receptors were also found to be less than significant; see **Table 4.3-6** and **Table 4.3-7**. The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable NAAQS or CAAQS. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations such as asthmatics, children, and the elderly. As shown above, Project-related emissions would not exceed the regional thresholds or the LSTs, and therefore would not exceed the ambient air quality standards or cause an increase in the frequency or severity of existing violations of air quality standards. Therefore, sensitive receptors would not be exposed to criteria pollutant levels more than the health-based ambient air quality standards.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in an intersection's level of service (LOS) from a proposed project could result in exceedances of the NAAQS or CAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, California's CO standard is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined.

Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard. An SCAQMD analysis prepared for CO attainment in the SCAB can assist in evaluating the potential for CO exceedances. CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 AQMP. The SCAB was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD's AQMP.

The 2003 AQMP is the most recent AQMP that addresses CO concentrations. As part of the SCAQMD CO Hotspot analysis, the Century Boulevard at La Cienega Boulevard intersection, one of the most congested intersections in Southern California, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 3.7 parts per million (ppm), which is well below the 35 ppm federal standard. Further, as part of the SCAQMD CO Hotspot analysis, the Wilshire Boulevard at Veteran Avenue intersection, which accommodates 100,000 daily vehicles, was analyzed and no CO hotspots were identified. Nash Street adjacent to the Project

site has an existing 9,300 average daily trips.¹⁵ As concluded in Response 4.17b, the Project is forecast to generate approximately 18 average daily trips; thus, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections as the Project would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's 2003 CO hot-spot analysis. Therefore, impacts would be less than significant in this regard.

4.3d Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant

Construction

The Project would result in emissions other than those leading to odors; see Responses 4.3b and 4.3c above.

Odors that could be generated by construction activities are required to follow SCAQMD Rule 402 to prevent odor nuisances on sensitive land uses. SCAQMD Rule 402, Nuisance, states:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

During construction, emissions from construction equipment, such as diesel exhaust and VOCs from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people, and would disperse rapidly. Therefore, the Project's construction-related impacts concerning odors would be less than significant.

Operations

The SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as odor sources (i.e., agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding). The Project proposes to install up to seven emergency generators, which would not constantly operate (i.e., they would operate only during maintenance, staff training, testing, and emergency conditions). Additionally, the Project does not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, Project operations would not create objectionable odors and impacts would be less than significant.

Mitigation Measures

MM AQ-1 Generator maintenance, staff training, and testing shall be limited on any single day to no more than 110 minutes for the entire facility (up to 15 generators).

¹⁵ City of El Segundo. (2004). *Circulation Element*. <https://www.elsegundo.org/home/showpublisheddocument/1958/637237747168070000> (accessed October 2022).

4.4 Biological Resources

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (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

Impact Analysis

4.4a *Would the project 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?*

No Impact. According to the El Segundo General Plan Conservation Element, the El Segundo blue butterfly (*Euphilotes battoides allyni*) has been found within the City’s boundaries.¹⁶ El Segundo blue butterflies are listed as State and federally endangered. The butterfly’s range is recorded to

¹⁶ City of El Segundo. (1992). *Conservation Element*. Retrieved <https://www.elsegundo.org/home/showpublisheddocument/370/637110579849570000>. Accessed on December 14, 2021.

be on the coast and not known to be found at or near the Project site.¹⁷ Additionally, the Project site is fully developed and devoid of any native vegetation, trees, or sensitive habitats. Therefore, the Project would not have an adverse effect on any species identified as a candidate, sensitive, or special-status species. No impact would occur in this regard and no mitigation is required.

4.4b *Would the project 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 U.S. Fish and Wildlife Service?*

4.4c *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. No riparian habitats or wetlands are present on or adjacent to the Project site.¹⁸ Therefore, the Project would not have an adverse effect on riparian habitat or other sensitive natural community, or wetlands. No impact would occur in this regard and no mitigation is required.

4.4d *Would the project 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?*

No Impact. The Project site is fully developed, surrounded by urban development, and not part of an established wildlife corridor. No trees or vegetation are present on the Project site. Additionally, the tree/vegetation nearest the Project site is more than 75 feet to the east. Therefore, the Project would not interfere with the movement of any wildlife species or wildlife corridors. There would be no impact on migratory wildlife or nesting birds and no mitigation is required.

4.4e *Would the project conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact. There are no local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance that are relevant to the Project site. Further, as previously noted, the Project site is devoid of any native vegetation, trees, or sensitive habitat. Therefore, the Project would not conflict with local policies or ordinances protecting biological resources. No impact would occur in this regard and no mitigation is required.

4.4f *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. No areas within the City are located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or

¹⁷ U.S. Fish & Wildlife Service. (Undated). *Environmental Conservation Online System- El Segundo Blue Butterfly*. Retrieved from <https://ecos.fws.gov/ecp/species/3135>. Accessed on December 14, 2021.

¹⁸ Department of Fish and Wildlife. (2021). *National Wetlands Inventory*. Retrieved from <https://www.fws.gov/wetlands/data/mapper.html>. Accessed on December 14, 2021.

State habitat conservation plan.¹⁹ Therefore, the Project would result in no conflicts or impacts in this regard and no mitigation is required.

Mitigation Measures

No mitigation is required.

¹⁹ SCAG. (2019). *Data/Map Book- City of El Segundo*. Retrieved from <https://scag.ca.gov/sites/main/files/file-attachments/elsegundo.pdf?1604794141>. Accessed on December 14, 2021.

4.5 Cultural Resources

This Section considers the *Assembly Bill 52 Communications*, which are included in **Appendix B: Assembly Bill 52 Communications**.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

Impact Analysis

4.5a Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. ESMC Title 14, *Historic Preservation*,²⁰ provides for the identification, protection, enhancement, perpetuation and use of historic buildings and structures within the City that reflect special elements of the City’s historical heritage. ESMC §15-1-6, *Definitions*, defines a historic site as “any parcel or portion of real property, which has special character or special historical, cultural, architectural, archaeological, community, or aesthetic value.” Additionally, in accordance with ESMC §15-14-5, *List of Designated Cultural Resources*, the City maintains a designated cultural resources list. The Project site contains only equipment, concrete pads/footings, gravel and base, and stairs, and the existing adjacent data center (circa 1973) does not embody any distinctive characteristic (i.e., type, period, region, or construction method) with potential historical significance. The Project site and adjacent data center do not contain any historical resources pursuant to ESMC and as defined in State CEQA Guidelines §15064.5. Therefore, the Project would not cause an adverse change in the significance of a historical resource. No impact would occur in this regard and no mitigation is required.

4.5b Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact. The Project site has already been subject to extensive disruption and contains artificial fill materials.²¹ The Project site is underlain by 4.0 to 6.0 feet of artificial fill²² and would require excavations of only approximately 3.0 feet below the bottom of generator

²⁰ El Segundo Municipal Code. (2021). *Chapter 14 Historic Preservation*. Retrieved from https://codelibrary.amlegal.com/codes/elsegundoca/latest/elsegundo_ca/0-0-0-12865.

²¹ Terracon Consultants, Inc. (2021). Geotechnical Engineering Report.

²² Ibid.

foundations;²³ thus, no excavations into native soil are anticipated to occur with the Project. Depth of excavation for the proposed equipment would not exceed 5.0 feet, except at the northwest corner where a drywell would be constructed up to 30 feet deep. Due to the extremely narrow width of excavation required for the drywell (approximately 10.0 feet), the drywell is unlikely to encounter archaeological resources. Additionally, only 125 cubic yards of material would be exported during construction of the emergency generators. Given the Project site has already been subject to extensive disruption and contains artificial fill materials, the potential to encounter or impact an as yet unidentified archaeological resource is considered remote. Additionally, the Project site consists of, and is surrounded by, urban/developed land that has been permanently altered due to construction of below and aboveground improvements. Therefore, the Project would result in a less than significant impact concerning the potential to adversely change the significance of an archaeological resource. No mitigation is required.

4.5c Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. Given the Project site has already been subject to extensive disruption and contains artificial fill materials, the potential to disturb or impact any human remains is remote. The Project would be constructed on already paved surfaces and would require minimal ground disturbance. Nevertheless, if human remains were found, those remains would require proper treatment in accordance with applicable laws. Public Resources Code §§5097, et seq., and Health and Safety Code §§7050.5-7055 describe the general provisions regarding human remains, including the requirements if any human remains are accidentally discovered during excavation of a site. The requirements and procedures set forth in Public Resources Code §5097.98 would be implemented if human remains are discovered, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the “most likely descendant.” If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overly adjacent remains until the County Coroner investigates and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Compliance with the established regulatory framework would ensure the proper treatment of human remains should they be encountered. Therefore, the Project would result in less than significant impact concerning the potential to disturb any human remains. No mitigation is required.

Mitigation Measures

No mitigation is required.

²³ Ibid.

4.6 Energy

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Renewable Portfolio Standard

In 2002, California established its Renewable Portfolio Standard program²⁴ with the goal of increasing the annual percentage of renewable energy in the State’s electricity mix by the equivalent of at least 1 percent of sales, with an aggregate total of 20 percent by 2017. The California Public Utilities Commission subsequently accelerated that goal to 2010 for retail sellers of electricity (*Public Utilities Code* §399.15(b)(1)). Then-Governor Schwarzenegger signed Executive Order S-14-08 in 2008, increasing the target to 33 percent renewable energy by 2020. In September 2009, then-Governor Schwarzenegger continued California’s commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the State meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In September 2010, the CARB adopted its Renewable Electricity Standard regulations, which require all the State’s load-serving entities to meet this target. In October 2015, then-Governor Brown signed into legislation Senate Bill (SB) 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030. Signed in 2018, SB 100 revised the program’s goal to achieve the 50 percent renewable resources target by December 31, 2026 and a 60 percent renewable resources target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Impact Analysis

4.6a *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact.

²⁴ The Renewable Portfolio Standard is a flexible, market-driven policy to ensure that the public benefits of wind, solar, biomass, and geothermal energy continue to be realized as electricity markets become more competitive. The policy ensures that a minimum amount of renewable energy is included in the portfolio of electricity resources serving a state or country.

Electricity

Southern California Edison (SCE) provides electricity to the Project area. Electricity is currently used by the emergency generators located on the property. Total electricity demand in SCE's service area is forecast to increase by approximately 12,000 GWh—or 12 billion kWh—between 2015 and 2026.²⁵

The Project's electrical demand is expected to be served by existing SCE electrical facilities. The Project's construction-related electrical demand is anticipated to be nominal since most construction equipment would be gas- or diesel-powered. The Project's estimated operational electrical demand would total approximately 16,600,000 kWh per year. This would represent 0.13 percent of SCE's forecast 2026 increased demand, thus, would result in a negligible increased demand compared to SCE's overall demand. It is also noted that the Project (i.e., design and materials) would be subject to compliance with the 2019 Building Energy Efficiency Standards. The Project would also be required to comply with CALGreen, which establishes planning and design standards for sustainable site development, energy efficiency (more than California Energy Code requirements), water conservation, material conservation, and internal air contaminants. Therefore, Project construction and operations would not result in wasteful, inefficient, or unnecessary consumption of electrical resources.

Natural Gas

Southern California Gas Company (SoCalGas) provides natural gas to the Project area. Natural gas is currently not used at the Project site.

No construction-related natural gas demand is anticipated for the Project since most construction equipment would be gasoline- or diesel-powered. Additionally, the Project's proposed generators would not use natural gas during operations. Therefore, Project construction and operations would not result in wasteful, inefficient, or unnecessary consumption of natural gas resources.

Fuel

During Project construction, transportation energy use would depend on the type and number of trips, VMT, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would be from transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel/gasoline. The use of energy resources by these vehicles would fluctuate according to the construction phase and would be temporary. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or construction of new infrastructure. Therefore, Project construction would not result in wasteful, inefficient, or unnecessary fuel consumption.

During Project operations, diesel fuel consumption would be associated with operations of the up to seven proposed emergency generators, which would operate only up to 50 hours per year

²⁵ California Energy Commission. (2018). *California Energy Demand 2018-2030 Revised Forecast, Figure 49 Historical and Projected Baseline Consumption SCE Planning Area*. Retrieved from <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2017-integrated-energy-policy-report/2017-iepr>

per unit. The Project's diesel fuel consumption associated with operation of the proposed emergency generators would be approximately 23,444 gallons per year. The fuel consumption associated with the up to five additional employees resulting from Project implementation would be nominal. The County's annual diesel fuel use in 2021 was 581,646,739 gallons.²⁶ Estimated Project operational diesel fuel use would represent 0.0004 percent of the County's current diesel use. Thus, the proposed Project would not result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities. Therefore, Project operations would not result in wasteful, inefficient, or unnecessary fuel consumption.

None of the projected energy uses exceed one percent of their corresponding County use. Project operations would not substantially affect existing energy or fuel supplies or resources. Further, the Project would be subject to compliance with applicable energy standards and new capacity would not be required. Project construction and operations would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, the Project would result in a less than significant impact concerning consumption of energy resources, and no mitigation is required.

4.6b Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. Project design and operations would be subject to compliance with State Building Energy Efficiency Standards, appliance efficiency regulations, and CALGreen standards. As concluded in Response 4.6a, Project construction and operations would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Although the City has not adopted any specific plans that address energy efficiency, the City adopted the *City of El Segundo Climate Action Plan* on December 2017, that has been prepared to help the City comply with the City's GHG emissions reduction goals through implementation of many measures that also result in energy conservation and efficiency. As noted in **Appendix A**, the Project would be consistent with the City's CAP and with the applicable energy efficiency strategies set forth in the CAP. As such, the Project would be designed to meet all applicable State building energy efficiency standards as well as the City's energy efficiency standards. Therefore, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts would be less than significant and no mitigation would be required.

²⁶ California Air Resources Board. (2018). *EMFAC2017*.

4.7 Geology and Soils

This Section is based on the *Geotechnical Engineering Report* (Terracon Consultants, Inc., September 2021), which is included in its entirety in **Appendix C: Geotechnical Engineering Report**.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death 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 direct or indirect 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 the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Impact Analysis

4.7ai *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, or death involving the 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.*

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the State Geologist to establish regulatory zones, known as "Alquist-Priolo (AP) Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet). There are no identified Alquist-Priolo Earthquake Fault Zones that traverse the Project site.²⁷ Additionally, the Project does not propose structures for human occupancy. Therefore, the Project would not cause potential substantial adverse effects involving rupture of a known earthquake fault. No impact would occur in this regard, and no mitigation is required.

4.7aii *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, or death involving strong seismic ground shaking?*

Less Than Significant Impact. The Project site is within Southern California region, a seismically active area, thus, is exposed to potential risk involving strong seismic ground shaking. The type and magnitude of seismic hazards affecting the Project site would depend upon the distance to causative faults, the intensity, and the magnitude of the seismic event. However, the Project is subject to compliance with the City's regulatory framework (i.e., California Building Code and ESMC §13-1, Building Code), which is intended to minimize potential risk involving seismic ground shaking. Additionally, the Geotechnical Engineering Report concluded "The site appears suitable for the proposed construction based upon geotechnical conditions encountered in the test borings, provided that the recommendations provided in this report are implemented in the design and construction phases of this project."²⁸ The City would verify compliance with the Geotechnical Engineering Report recommendations through the Project's Building Permit process. Therefore, following compliance with the established regulatory framework and Geotechnical Engineering Report recommendations, the Project would not cause potential substantial adverse effects involving strong seismic ground shaking. A less than significant impact would occur in this regard and no mitigation is required.

²⁷ California Geological Survey. (2021). *Earthquake Zones of Required Investigation*. Retrieved from <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed on December 14, 2021.

²⁸ Terracon Consultants, Inc. (2021). *Geotechnical Engineering Report*. page 8

4.7aiii Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, or death involving seismic-related ground failure, including liquefaction?

No Impact. Liquefaction is a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. For liquefaction to occur, three criteria must be met: underlying loose, coarse-grained (sandy) soils, a groundwater depth of approximately 25 feet, and a potential for seismic shaking from nearby large-magnitude earthquakes.

The Project is not located within a liquefaction zone.²⁹ Additionally, the Geotechnical Engineering Report concluded, based on California Geological Survey maps and the anticipated depth to groundwater, liquefaction hazard potential at the site is considered low. Other geologic hazards related to liquefaction, such as lateral spreading, are therefore also considered low. Therefore, the Project would not cause potential adverse effects involving seismic-related ground failure, including liquefaction. A less than significant impact would occur in this regard and no mitigation is required.

4.7aiv Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, or death involving landslides?

No Impact. Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. The City and Project site do not lie in a landslide hazard zone.³⁰ Therefore, the Project would not cause adverse effects involving landslides. No impact would occur in this regard, and no mitigation is required.

4.7b Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The Project site comprises approximately 0.50-acre, thus, ground disturbances would be nominal with only approximately 125 cubic yards of soil export required (to be backfilled and repaved). ESMC §5-4-9.F requires a project applicant to submit information to the City that the grading will retain sediments onsite, retain construction-related materials and wastes, spills, and residues, prevent discharges to streets and drainage facilities, contain non-stormwater runoff, and contain erosion from slopes and channels through use of BMPs; see **Section 4.10: Hydrology and Water Quality**, for more information regarding LID requirements and implementation. Given the nature and scope of Project construction, and since construction activities would be subject to ESMC standards, the Project would not result in substantial soil erosion or loss of topsoil. A less than significant impact would occur in this regard and no mitigation would be required.

²⁹ Ibid.

³⁰ Ibid.

4.7c *Would the project 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?*

No Impact. The Project site would not be subject to seismically-induced liquefaction (see Response 4.7aiii) or landslides (see Response 4.7aiv). The Geotechnical Report concluded the Project site is not within a liquefaction zone, thus, other geological hazards related to liquefaction, such as lateral spreading, are therefore also considered low.³¹ Lateral spreading and collapse result from liquefaction and subsidence. Because the site has low liquefaction and subsidence potential, no impact would occur and no mitigation is required.

4.7d *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risk to life or property?*

Less Than Significant Impact. The Uniform Building Code defines expansive soils as soils having an expansion index greater than 20.³² The Geotechnical Engineering Report concluded existing fill materials are underlain by lean clay soils with expected expansion potential and recommended that such materials not be used in structural areas but may be blended with sandy soils such that the resulting materials conform with the low volume change materials specifications provided in the Report.³³ The Geotechnical Engineering Report further recommends engineered fill extending to a minimum depth of 3.0 feet below the bottom of foundations for the emergency generators, to stabilize the soil. The City would verify compliance with the Geotechnical Engineering Report recommendations through the Project's Building Permit process. Therefore, following compliance with Geotechnical Engineering Report recommendation, the Project would not create substantial risk involving expansive soils. A less than significant impact would occur in this regard and no mitigation is required.

4.7e *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact. The Project proposes to install generators, which would not create a demand for wastewater disposal. Further, sewers are available to the existing data center. Therefore, no impact would occur in this regard, and no mitigation is required.

4.7f *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant Impact. Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. These resources are valued for the information they yield about the earth's history and its past ecological settings. The potential for fossil occurrence depends on the rock type exposed at the surface in a given area. The Project site has already been subject to extensive disruption and contains artificial fill materials. The

³¹ Ibid.

³² Uniform Building Code. (1994). *Vol. 2 Structural Engineering Design Provisions*. Retrieved from https://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf.

³³ Terracon Consultants, Inc. (2021). *Geotechnical Engineering Report*. Page 11

Project site is underlain by 4.0 to 6.0 feet of artificial fill³⁴ and would require excavations of only approximately 3.0 feet below the bottom of generator foundations;³⁵ thus, no excavations into native soil would occur with the Project, except at the northwest corner where a drywell would be constructed up to 30 feet deep. Due to the extremely narrow width of excavation required for the drywell (approximately 10.0 feet), the drywell is unlikely to encounter paleontological resources. Additionally, only 125 cubic yards of material would be exported during construction of the emergency generators. Given the Project site has already been subject to extensive disruption and contains artificial fill materials, the potential to encounter or impact an as yet unidentified paleontological resource is considered remote. Additionally, the Project site consists of, and is surrounded by, urban/developed land that has been permanently altered due to construction of below and aboveground improvements. Therefore, the Project would result in a less than significant impact concerning the potential to destroy a unique paleontological resource directly or indirectly. No mitigation is required.

Mitigation Measures

No mitigation is required.

³⁴ Ibid.

³⁵ Ibid.

4.8 Greenhouse Gas Emissions

This Section is based on the Greenhouse Gas Emissions Assessment (Kimley-Horn, October 2022), which is included in its entirety in **Appendix A: Air Quality and Greenhouse Gas Emissions Technical Memorandum**.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

City of El Segundo Climate Action Plan (CAP)

El Segundo, in addition to 14 other South Bay Cities, have prepared a CAP (2017) to guide the City toward a more sustainable future. The CAP’s goal is to reduce the City’s GHG emissions. The City’s CAP serves as a guide for action by setting GHG emission reduction goals and establishing strategies and policy to achieve desired outcomes over the next 20 years. The CAP outlines various municipal measures that encourage reductions in the following categories: land use and transportation, energy efficiency, solid waste, urban greening, and energy generation and storage.

Greenhouse Gas	Description
Carbon Dioxide (CO ₂)	CO ₂ is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO ₂ emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO ₂ is variable because it is readily exchanged in the atmosphere. CO ₂ is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N ₂ O)	N ₂ O is largely attributable to agricultural practices and soil management. Primary human-related sources of N ₂ O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N ₂ O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N ₂ O is approximately 120 years. The Global Warming Potential of N ₂ O is 298.
Methane (CH ₄)	CH ₄ , a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, approximately 87 percent by volume. Human-related

Table 4.8-1: Description of Greenhouse Gases	
Greenhouse Gas	Description
	sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH ₄ include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH ₄ is approximately 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays approximately 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF ₆)	SF ₆ is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF ₆ is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase-out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF ₃)	NF ₃ was added to Health and Safety Code §38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a Global Warming Potential of 17,200.
Source: Compiled from: USEPA, <i>Overview of Greenhouse Gases</i> , April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); USEPA, <i>Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016</i> , 2018; Intergovernmental Panel on Climate Change, <i>Climate Change 2007: The Physical Science Basis</i> , 2007; National Research Council, <i>Advancing the Science of Climate Change</i> , 2010; USEPA, <i>Methane and Nitrous Oxide Emission from Natural Sources</i> , April 2010.	

South Coast Air Quality Management District Thresholds

The SCAQMD formed a GHG CEQA Significance Threshold Working Group (Working Group) to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. This Working Group was formed to assist SCAQMD's efforts to develop a GHG significance threshold and included a wide variety of stakeholders including the State Office of Planning and Research (OPR), CARB, the Attorney General's Office, a variety of city and county planning departments in the Air Basin, various utilities such as sanitation and power companies throughout the Air Basin, industry groups, and environmental and professional organizations. On December 5, 2008, the SCAQMD Governing Board adopted a 10,000 metric tons of carbon

dioxide equivalent (MTCO_{2e}) industrial threshold for projects where the SCAQMD is the lead agency. However, the SCAQMD has not announced when a GHG threshold for land use projects will be presented to the governing board where the SCAQMD is not the lead agency. The Working Group proposed a 3,000 MTCO_{2e} threshold for non-industrial projects, but that threshold has not been formally adopted. Nonetheless, the City of Gardena has determined that the 3,000 MTCO_{2e} is the appropriate threshold to determine the significance of the GHGs arising from the Project's proposed addition of seven generators.

Impact Analysis

4.8a *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant Impact.

Short-Term Construction Greenhouse Gas Emissions

The Project would generate greenhouse gas (GHG) emissions directly from construction-related activities. Project construction was assumed to begin July 2022. However, the current Project construction schedule assumes Project construction would begin September 2022, or two months later than assumed in the GHG modeling. However, the GHG modeling concerning the construction schedule is considered conservative because CalEEMod emissions factors for future years decline given advancements in construction equipment technology and fleet turnover.

Table 4.8-2: Construction-Related Greenhouse Gas Emissions provides the approximate daily GHG emissions generated by construction equipment utilized to build the Project. As indicated in **Table 4.8-2**, Project construction-related activities would generate approximately 79 metric tons of carbon dioxide equivalent (MTCO_{2e})³⁶ over the course of construction. Consistent with SCAQMD guidance, construction emissions will be amortized over the Project's life, defined as 30 years, added to the operational emissions, and compared to the applicable interim GHG significance threshold.³⁷ The amortized Project construction emissions would be approximately 2.6 MTCO_{2e} per year.

Table 4.8-2: Construction-Related Greenhouse Gas Emissions	
Construction	MTCO_{2e} per Year
Total Construction	79
Amortized over 30 Years	2.6

Source: CalEEMod version 2020.4.0; see **Appendix A: Air Quality and Greenhouse Gas Technical Memorandum** for model outputs.

³⁶ Metric tons of carbon dioxide equivalent or MTCO_{2e} is the unit of measurement used. The unit " CO_{2e}" represents an amount of a GHG whose atmospheric impact has been standardized to that of one-unit mass of carbon dioxide (CO₂), based on the gas' global warming potential (GWP). Tool formulas convert standard metrics for electricity, green energy, fuel use, chemical use, water use, and materials management into MTCO_{2e}.

³⁷ SCAQMD. (2008). *Staff Report for Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans, December 5, 2008*, [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2); page 5.

Long-Term Operational Greenhouse Gas Emissions

Operational or long-term emissions would occur over the proposed Project’s life. The Project’s operational GHG emissions would result from direct emissions such as consumption of fossil fuels in the new generators and new employee trips. **Table 4.8-3: Project Greenhouse Gas Emissions** provides the Project’s long-term operational GHG emissions and indicates the Project would generate approximately 663 MTCO₂e/year. The Project would not result in an increase in GHG emissions that would exceed the SCAQMD’s proposed screening threshold of 3,000 MTCO₂e per year.³⁸ Therefore, Project-related GHG emissions would be less than significant and no mitigation is required.

Emissions Source	MTCO₂e per Year
Construction Amortized Over 30 Years	2.60
New Generators	635
New Employee Trips	25
Total Project Emissions	663
SCAQMD Project Threshold	3,000
Threshold Exceeded?	No

Source: CalEEMod version 2020.4.0; see **Appendix A: Air Quality and Greenhouse Gas Technical Memorandum** for model outputs.

4.8b Would the project conflict with applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact.

In 2015, the City adopted the Energy Efficiency Climate Action Plan (EECAP) to improve energy efficiency and reduce GHG emissions. The City also adopted a CAP in 2017, with the EECAP serving as a supporting appendix. To develop this EECAP, a GHG emissions inventory was conducted to determine baseline GHG emissions from the community and from municipal operations for calendar year 2005 and 2012. A forecast was made of business-as-usual emissions in the absence of any emissions reduction actions. This forecast was then adjusted to account for the emissions reduction expected from Statewide policies. The 2017 CAP uses the same inventories and reduction targets. To meet the City’s GHG reductions target, the City would implement the additional local energy efficiency and GHG reduction measures described in the EECAP and CAP. Reaching the emissions reduction goals requires that residents, businesses, and City government work together.

The proposed Project would be subject to compliance with all building codes in effect at the time of construction, which include energy efficiency measures mandated by the 2019 Building Energy Efficiency Standards. CCR Title 24, Part 6 standards indirectly regulate and reduce GHG emissions

³⁸ On September 28, 2010, air quality experts serving on the SCAQMD GHG CEQA Significance Threshold Stakeholder Working Group recommended an interim screening level numeric bright-line threshold of 3,000 metric tons of CO₂e annually. The Working Group was formed to assist the SCAQMD’s efforts to develop a GHG significance threshold and was composed of a wide variety of stakeholders including the State Office of Planning and Research (OPR), CARB, the Attorney General’s Office, and various city and county planning departments. The numeric bright line and efficiency-based thresholds, which were developed for consistency with CEQA requirements for developing significance thresholds, are supported by substantial evidence and provide guidance to CEQA practitioners and lead agencies for determining whether GHG emissions from a proposed project are significant.

because they require energy efficiency features in new construction (e.g., high-efficiency lighting, high-efficiency heating, ventilating, and air-conditioning (HVAC) systems, thermal insulation, double-glazed windows, water-conserving plumbing fixtures). California's Building Energy Efficiency Standards are updated on an approximately three-year cycle. The 2019 Building Energy Efficiency Standards improved upon the 2016 Standards for new construction of, and additions and alterations to, residential, commercial, and industrial buildings.

The Project proposes to install up to seven additional emergency backup diesel generators on the Project site to support internal electrical/equipment modifications within the existing data center. The Project does not propose a change in land use or increased building floor area to the existing data center. The data center is an existing permitted land use. Given its nature and scope, the proposed Project would not conflict with EECAP/CAP goals, measures, and emission reduction targets and would not conflict with any applicable plan, policy, or regulation of an agency adopted to reduce GHG emissions, including Title 24, AB 32, and SB 32. Therefore, Project impacts would be less than significant.

Cumulative Setting

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (approximately one day), GHGs have much longer atmospheric lifetimes of one year to several thousand years that allow them to be dispersed around the globe.

Cumulative Impacts and Mitigation Measures

It is generally the case that an individual project of the proposed Project's scale and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHG emissions would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the proposed Project, as well as other cumulative related projects, would be subject to all applicable regulatory requirements, which would further reduce GHG emissions. As indicated in **Table 4.8-3**, the proposed Project's GHG emissions would be less than significant. Additionally, as discussed above, the Project would be consistent with the City's EECAP and CAP. As a result, the Project would not conflict with any GHG reduction plan. Therefore, the Project's cumulative contribution of GHG emissions would not be cumulatively considerable and the Project's cumulative GHG impacts would also be less than significant. No mitigation is required.

4.9 Hazards and Hazardous Materials

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely 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 or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

Impact Analysis

4.9a *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact. Routine construction activities would involve the transport, storage, use and/or disposal of limited quantities of hazardous materials, such as fuels, solvents, degreasers, and paints. The use of these materials during Project construction would be short-term and would occur in accordance with standard construction practices, as well as with applicable federal, State, and local regulations, including the following:

Federal

- Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq.)

- Clean Water Act, National Pollutant Discharge Elimination System (Section 402[p]) (33 U.S.C. § 1342(p))
- Toxic Substances Control Act (15 U.S.C. § 2601 et seq.)
- Hazardous Materials Transportation Act (49 U.S.C. § 5101 et seq. and 49 C.F.R. Parts 101, 106, 107, and 171–180)
- Hazardous Materials Transportation Uniform Safety Act of 1990 (Public Law 101-615)

State

- Hazardous Materials Release Response Plans and Inventory Law (Cal. Health and Safety Code, § 25500 et seq.)
- Transportation of Hazardous Materials and Wastes (Cal. Code of Regs tit. 26)
- Senate Bill 1082, which created the Certified Unified Program Agency (CUPA)

Local

The City of El Segundo Fire Department is a CUPA, which regulates and oversees:

- Hazardous materials business plans
- California accidental release prevention plans or federal risk management plans
- The operation of underground storage tanks and aboveground storage tanks
- Universal waste and hazardous waste generators and handlers
- Onsite hazardous waste treatment
- Inspections, permitting, and enforcement
- Proposition 65 reporting
- Emergency response

Beyond the statewide regulations, CUPAs administer policies and regulations found in various local and regional plans (i.e., the City’s General Plan and Municipal Code) that address hazards and hazardous materials. Policies and regulations are intended as guides for the appropriate use of potentially hazardous materials, the cleanup of contaminated sites, and the preparation of emergency response plans.

Potentially hazardous materials would be contained, stored, and used in accordance with manufacturers’ instructions and handled in compliance with applicable standards and regulations. Examples of such activities include fueling and servicing construction equipment and applying paints and other coatings. Project construction would be temporary, and on-site activities would be governed by existing regulations of several agencies. Construction activities would be subject to compliance with relevant regulatory requirements and restrictions concerning the transport, use, or disposal to prevent a significant hazard to the public or

environment. The primary regulatory requirements include SCAQMD Rules 1166 (volatile organic compound emissions) and 1466 (fugitive dust-toxic air contaminants).

The Project proposes to install up to seven emergency generators, which would require routine maintenance that would involve diesel fuel, oil, and lubricants. As under existing conditions, these materials would continue to be delivered by qualified vendors who are trained in these substances' transportation requirements, and because the generators are in enclosed containers, any spills would be contained in these areas. The primary hazardous material at the Project site would be diesel fuel associated with the backup generators. Diesel fuel delivery and fueling would be subject to individual vendors and could change over time. However, all activities would be required to comply with the above regulatory framework, and these maintenance activities would be a continuation of the same types of maintenance activities that occur at the data center's existing generators.

Therefore, continued compliance with the regulatory requirements, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant in this regard, and no mitigation is required.

4.9b Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. Project construction would require digging and excavation that could result in the accidental release of hazardous materials, however it is unlikely hazardous materials would be found on the Project site.

Given the proposed Project's nature, the emergency generators would not be used on a consistent basis. Diesel leaks are unlikely, but should they occur, they would be contained within the enclosed generator housing, which is installed on a concrete pad, thus, any spilled diesel fuel could be cleaned up without significant hazard to the public or environment.

The CUPA administers inspections of businesses that use hazardous materials or generate hazardous waste and ensures compliance with federal and state regulations listed in Response 4.9a. Facilities that store, handle, or transport hazardous materials are required to procure business plans and adhere to strict procedures enforced by agencies with jurisdiction over businesses or areas that routinely use or handle hazardous materials. Project operations would comply with all CUPA, U.S. Environmental Protection Agency, and DTSC standards.

Routine maintenance would require diesel fuel for each generator, as discussed above in **Section 4.6: Energy**. Project operations are not expected to release any hazardous materials as a result of foreseeable upset and accident conditions. It is assumed that the use and storage of such materials would continue to occur in compliance with applicable standards and regulations, and would not pose significant hazards. It is anticipated that the use of such hazardous materials would not create a significant hazard associated with a risk of upset or accident conditions involving the release of hazardous materials during Project operations. A less than significant impact would occur in this regard, and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.9c *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less Than Significant Impact. The Project site is within 500 feet of the City of El Segundo Wiseburn School District Aquatics Center and within 0.3-mile of the main school building located at 201 North Douglas Street, El Segundo. However, the Project proposes emergency backup generators, which would not emit significant quantities of hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Project operations would result in diesel fuel usage and associated DPM; however, the Project's operational DPM emissions would be far below all health risk thresholds; see **Table 4.3-7: Operational Health Risk**. Further would operate only under emergency conditions or during routine maintenance. Therefore, the Project would result in a less than significant in this regard, and no mitigation is required.

4.9d *Would the project 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?*

No Impact. Government Code §65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the DTSC. The Cortese list contains hazardous waste and substance sites including public drinking water wells with detectable levels of contamination, sites with known underground storage tanks (USTs) having a reportable release, solid waste disposal facilities from which there is a known migration, hazardous substance sites selected for remedial action, historic Cortese sites, and sites with known toxic material identified through the abandoned site assessment program. A regulatory agency database search was conducted and determined that no Cortese sites were identified as on the Project site.³⁹ Therefore, no impact would occur in this regard, and no mitigation is required.

4.9e *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 or excessive noise for people residing or working in the project area?*

No Impact. The Los Angeles International Airport (LAX) is located 0.5-mile north of the Project site. However, the Project site is not within the Airport Noise Contour or the Noise Contour Map boundary shown in LAX Part 150 Noise Exposure Map Update Report, Exhibit 5-2.⁴⁰ Also, the Project site is not within the Airport Influence Area pursuant to the Los Angeles County Airport Land Use Commission's *GIS Interactive Map (A-NET)*.⁴¹ Therefore, the Project would not result in

³⁹ CalEnviroStor. (2022). *EnviroStor Database*. Retrieved from <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=444+north+nash+street>. Accessed on January 11, 2022.

California Waterboards. (2022). *GeoTracker*. Retrieved from <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Sacramento>. Accessed April 21, 2022.

⁴⁰ Los Angeles International Airport. (2016). *LAX Part 150 Noise Exposure Map Update Report*. Retrieved from <https://www.lawa.org/lawa-environment/noise-management/lawa-noise-management-lax/lax-part-150-noise-exposure-map-update/nem-update-documents>. Accessed on January 11, 2022.

⁴¹ Los Angeles County. (2016). *A-NET*. Retrieved from <https://lacounty.maps.arcgis.com/apps/webappviewer/index.html?id=acf2e87194a54af9b266bf07547f240a>. Accessed April 21, 2022.

an airport-related safety hazard or excessive noise for people working in the Project area. No impact would occur in this regard, and no mitigation is required.

4.9f Would the project impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan?

No Impact. The Project site totals only 0.50 acre and is located in the northeast portion of the property, where adequate circulation and access is provided to facilitate emergency response. The nearest disaster route is Sepulveda Boulevard, 0.4-mile west of the Project site.⁴² Construction activities are expected to be contained within the Project site boundaries and would not obstruct the adjacent roadway to the west (Nash Street). Therefore, the Project would not impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan. No impact would occur in this regard, and no mitigation is required.

4.9g Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The Project site is in a fully urbanized area and it is not adjacent to any wildland. Additionally, the Project site is not within a very high fire severity zone (VHFSZ); see **Section 4.20: Wildfire**. Therefore, the Project would not expose people or structures to a significant risk involving wildland fires. No impact would occur, and no mitigation is required.

⁴² County of Los Angeles Department of Public Works. (June 25, 2008). *Disaster Route Maps (by City)*, City of El Segundo.

4.10 Hydrology and Water Quality

This Section is based on the Low Impact Development (LID) Report (Kimley-Horn and Associates, Inc. September 2021), which is included in its entirety in **Appendix E: Low Impact Development Plan**.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the projects may impede sustainable groundwater management of the basin?			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 through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site.			X	
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Impact Analysis

4.10a *Would the project violate water quality or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant Impact. The Project’s construction-related activities would include nominal excavation, grading, and trenching, which would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Construction-related erosion effects

would be addressed through compliance with ESMC Title 5, *Storm Water and Urban Runoff Pollution Controls*, which specifies development requirements to reduce pollutants in stormwater and urban runoff to the maximum extent practicable. Following compliance with ESMC §5-4-9 requirements, construction-related activities would not violate any water quality standards or otherwise substantially degrade surface or groundwater quality. Therefore, a less than significant impact would occur in this regard, and no mitigation is required.

The Los Angeles County Flood Control District (LACFCD), the County, and the City along with 83 other incorporated cities therein (Permittees) discharge pollutants from their municipal separate storm sewer (drain) systems (MS4s). Stormwater and non-stormwater enter and are conveyed through the MS4 and discharged to Los Angeles Region surface water bodies. These discharges are regulated under countywide waste discharge requirements contained in Order No. R4-2012-0175⁴³ (NPDES Permit No. CAS004001), *Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges Within the Coastal Watersheds of Los Angeles County, Except Discharges Originating from the City of Long Beach MS4*, which was adopted November 8, 2012.⁴⁴ The MS4 Permit Order provides the revised waste discharge requirements for MS4 discharges within the Los Angeles County watersheds, which includes the City. The MS4 Permit Order, which became effective December 28, 2012, supersedes Order No. 01-182. Los Angeles County uses its Low Impact Development (LID) Ordinance to require projects to comply with NPDES MS4 Permit water quality requirements.

The MS4 Permit Order requires development and implementation of a Planning and Land Development Program for all “New Development” and “Redevelopment” projects subject to the Order. New development and redevelopment projects/activities subject to Los Angeles County’s LID Ordinance include all development projects equal to 1.0 acre or greater of disturbed area and residential new or redeveloped projects that create, add, or replace 10,000 SF or greater impervious surface area. The Project is a redevelopment project which would replace 10,000 SF or more of impervious surface area; as such, the Project is subject to Los Angeles County’s LID Ordinance. Additionally, ESMC §5-4-8: *Best Management Practices Required*, specifies that new development and redevelopment projects are subject to the MS4. LID controls effectively reduce the amount of impervious area of a completed project site and promote the use of infiltration and other controls that reduce runoff. Source control BMPs prevent runoff contact with pollutant materials that would otherwise be discharged to the MS4. Specific structural controls are also required to address pollutant discharges from certain uses including but not limited to housing developments, parking lots, and new streets, among others.

Infiltration is Los Angeles County’s first option when screening potentially feasible LID BMPs. Infiltration systems collect stormwater runoff and conduct it into permeable soils beneath the site; effectively reducing pollution, reducing runoff and flooding, and recharging groundwater. The Project would treat site runoff in accordance with the Los Angeles County Low Impact Development Manual, 2014. To do so, the Project proposes a 30-foot-deep drywell in order to achieve this. The drywell system would have the capacity to process up to 2,277 cubic feet (CF)

⁴³ State of California Water Quality Control Board. (undated). *Order No. R4-2012-0175 NPDES Permit NO. CAS004001*. Los Angeles, CA: State of California Water Quality Control Board.

⁴⁴ Ibid.

of water per day, which is a 1,538 CF improvement in runoff capacity over existing conditions. The drywell would also include a Bio Clean Screening Filter that would pre-treat captured water before its return to the wastewater system. The Project would not only comply with existing wastewater regulations, but would improve the site's current drainage and water processing conditions.

Following compliance with NPDES and ESMC requirements, Project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Therefore, the Project would result in a less than significant in this regard, and no mitigation is required.

4.10b Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. Basin recharge occurs through percolation of precipitation and artificial recharge activities at spreading grounds, among other sources. The Project site was previously developed and the proposed Project would maintain the site's 100 percent effective impervious area. The Project would not interfere with groundwater recharge given the Project proposes a 30-foot-deep drywell, which would increase the Project site's capacity to process runoff by 1,538 cubic feet (CF). This would allow a greater volume of stormwater to infiltrate into the groundwater after being treated, improving groundwater recharge rates. Additionally, although the Project would generate a nominal water demand (approximately 1,535 gallons per day (GPD), see Response 4.19b), the City does not use groundwater as a potable water source. Therefore, the Project's water demands would not decrease groundwater supplies. Finally, as concluded in Response 4.10e, most run-off would occur from natural rain events and the maintenance of landscaping that is not directly connected to the Project. The Project would not substantially deplete groundwater supplies nor interfere substantially with groundwater recharge such that the Project would impede the basins' sustainable groundwater management. Therefore, a less than significant impact would occur in this regard, and no mitigation is required.

4.10c Would the project substantially alter the existing drainage pattern of the site or area, including through the alterations of the course of stream or river or through the addition of impervious surfaces, in a manner which would:

- (i) Result in substantial erosion or siltation on- or off-site?*
- (ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- (iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
or*
- (iv) Impede or redirect flood flows?*

Less Than Significant Impact. The Project site is within Zone X of the applicable FEMA flood map, corresponding to an Area of Minimal Flood Hazard.⁴⁵ In the current condition, the runoff from the Project site flows northeasterly and southeasterly towards Duley Road where the water travels through gutters into catch basins untreated. The proposed Project would maintain the site's 100 percent impervious surface coverage and therefore would not change the site's surface run-off volumes. Additionally, the Project would include a 30-foot drywell that would improve site drainage and redirect flows, which would minimize potential flooding and allow the Project site to treat a greater volume of run-off. With the proposed drywell, the site's existing runoff capacity (i.e., the volume of run-off that can be treated onsite) would increase by 1,538 CF. By increasing the site's run-off capacity while maintaining the same amount of impervious area, the Project would enable treatment of run-off from greater rain events. By improving the site's drainage, the potential for flooding would be further minimized. Additionally, the Project site is not located in any geologically hazardous or flooding areas that would increase the likelihood of erosion or flooding on-site; see **Section 4.7: Geology and Soils** and Response 4.10d. The system would also prevent the exceedance of stormwater drainage systems in the area and would treat run off before leaving the site. While the new drywell would slightly redirect flows, drainage and water treatment would be improved. Therefore, the Project would result in a less than significant effect concerning alterations to drainage and surface runoff volumes/flooding, and no mitigation is required.

4.10d In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. The Project site is in an area of minimal flood hazard as noted above.⁴⁶ Tsunamis are sea waves that are generated in response to large-magnitude earthquakes. When these waves reach shorelines, they sometimes produce coastal flooding. Seiches are the oscillation of large bodies of standing water that can occur in response to ground shaking. The Project site is approximately 2.65 miles east of the Pacific Ocean and there are no nearby bodies of standing water. Tsunamis and seiches do not pose hazards due to the Project site's inland location and lack of nearby bodies of standing water. Additionally, the Project site is not within a tsunami zone according to the Department of Conservation.⁴⁷ The Project proposes the installation of up to seven emergency generators that would involve the use of materials associated with routine maintenance, such diesel and other products associated with machinery maintenance. The Project is not within a flood hazard, tsunami, or seiche zone and would not risk the release of pollutants. Therefore, potential impacts associated with inundation by flood hazard, tsunami, or seiche would be less than significant, and no mitigation is required.

⁴⁵ Federal Emergency Management Agency. (2022). *National Flood Hazard Layer FIRMette*. Retrieved from <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-118.41035951785176,33.91329149209945,-118.36881746462802,33.93109698617504>.

⁴⁶ Ibid.

⁴⁷ Department of Conservation. (2021). *Tsunami Risk Zone*. Retrieved from <https://www.conservation.ca.gov/cgs/tsunami/maps>. Accessed on January 10, 2022.

4.10e Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The Project site is within the West Coast Groundwater Basin. Groundwater levels are managed within a safe basin operating range to protect the LA Basin's long-term sustainability and to protect against land subsidence. The Southwest System is supplied by two active, Golden State Water Company (GSWC)-owned wells in the Central Basin and 12 active, GSWC-owned wells in the West Coast Basin. The Southwest System has a total normal year active well capacity of 10,865 gpm (17,525 AFY), of which 8,715 gpm (14,057 AFY) is in the West Coast Basin, and 2,150 gpm (3,468 AFY) is in the Central Basin. The Central Basin's groundwater storage capacity is approximately 13.8 million AF. The storage capacity of the West Coast Basin's primary water producing aquifer, the Silverado aquifer, is estimated to be 6.5 million AF.

The Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline.

The SGMA requires local Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or to develop Alternatives to GSPs. GSPs provide a roadmap for how groundwater basins will reach long-term sustainability.

The latest basin prioritization project, SGMA 2019 Basin Prioritization, was completed in December 2019. SGMA 2019 Basin Prioritization identified 94 basins/sub-basins as medium or high priority. The Project site is located in a very low priority basin,⁴⁸ therefore, there is no GSP available/required for the Project area. Additionally, the City's water use in 2020 (most recent UWMP) was 307 gallons per capita per day (GPCD), well below the SBX7-7 2020 target of 411 GPCD.⁴⁹ As discussed in Response 4.19b, the Project would result in only a nominal increase in water demand (approximately 1,535 GPD) and the City does not use groundwater as a potable water source. Therefore, the Project's water demands would not decrease groundwater supplies. Also, the Project would not interfere with groundwater recharge given the Project proposes a 30-foot deep drywell, which would increase the Project site's capacity to process runoff, allowing a greater volume of stormwater to infiltrate into the groundwater after being treated, improving groundwater recharge rates. Further, the City would continue to comply with SBX7-7 requirements. Therefore, the Project would not conflict with or obstruct implementation of a sustainable groundwater management plan. Impacts would be less than significant in this regard, and no mitigation is required.

⁴⁸ California Department of Water Resources. (2020). *Basin Prioritization Dashboard*. Retrieved from <https://gis.water.ca.gov/app/bp-dashboard/final/>.

⁴⁹ City of El Segundo. (2021). *2020 Urban Water Management Plan*. Retrieved from https://wuedata.water.ca.gov/public/uwmp_attachments/7228116691/ElSegundo.2020UWMP.FINAL.pdf.

4.11 Land Use Planning

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Impact Analysis

4.11a *Would the project physically divide an established community?*

No Impact. Examples of projects that could physically divide an established community include a new freeway or highway that traverses an established neighborhood. There are no established communities in the Project area; see **Table 2-1: Onsite and Surrounding Land Uses**. The Project proposes to install up to seven emergency generators. No new streets or other physical barriers which could physically divide an established community are proposed. Therefore, the Project would not physically divide an established community. No impact would occur in this regard, and no mitigation is required.

4.11b *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Less Than Significant Impact.

General Plan

The Project site’s land use designation is Urban Mixed Use North.⁵⁰ The Urban Mixed Use North land use designation is intended to allow a range of uses including offices, hotels, and retail as well as light industrial, with a discretionary permit. The Project proposes to install up to seven emergency generators in continuation of an existing data center, which already operates eight emergency generators. The proposed Project would not conflict with the Urban Mixed Use North designation’s intended uses as described above. Additionally, the Project would not expand or alter floor area.

Zoning

The Project site is zoned Urban Mixed Use North (MU-N), which is intended to provide area(s) where a mixture of compatible commercial, office, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner. As previously noted, the Project proposes to install up to seven emergency generators in continuation of an existing light

⁵⁰ City of El Segundo. (2010). *Land Use Map Revised 2010*. Available <https://www.elsegundo.org/home/showpublisheddocument/362/637110574435030000>.

industrial use (i.e., a data center), which already contains eight emergency generators. The proposed improvements would be subject to compliance with the MU-N development standards specified in ESMC §15-5E-7, which would be verified through the City's site review process outlined in ESMC §15-25. The proposed Project would not conflict with the MU-N North designation's intended uses as described above.

The Applicant seeks approval of one entitlement - to amend Environmental Assessment No. EA-971, a 2012 discretionary City approval for the existing data center. As discussed in **Section 2.2: Background and History**, in 2012, the data center building was proposed to be expanded from 116,756-SF to 180,422-SF. The *T5 Data Center Expansion Project EA 971 444 N. Nash Street Initial Study/Mitigated Negative Declaration* (RBF Consulting, December 3, 2012) was prepared to evaluate the environmental impacts of the proposed data center expansion, which was approved in 2013.

Therefore, no conflict with the General Plan or ESMC, or significant environmental impact due to a conflict, would occur. A less than significant impact would occur in this regard, and no mitigation is required.

4.12 Mineral Resources

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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

Impact Analysis

4.12a Would the project 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?

4.12b Would the project 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?

No Impact. There are no mineral resources or recovery sites present on the Project site, as the property is an existing data center with approximately 4.0 to 6.0 feet of artificial fill.⁵¹ Therefore, the Project would not result in the loss of availability of a known mineral resource or a locally-important mineral resource recovery site. No impact would occur in this regard, and no mitigation is required.

⁵¹ Terracon Consultants, Inc. (2021). Geotechnical Engineering Report.

4.13 Noise

This Section is based on the Noise Analysis Memorandum (Kimley-Horn & Associates, Inc., October 2022), which is included in its entirety in **Appendix F: Noise Analysis Technical Memorandum**.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Generate of excessive ground borne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or 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	

Sound and Environmental Noise

Acoustics is the science of sound. Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a medium (e.g., air) to human (or animal) ear. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second, or hertz (Hz).

Noise is defined as loud, unexpected, or annoying sound. In acoustics, the fundamental model consists of a noise source, a receptor, and the propagation path between the two. The loudness of the noise source, obstructions, or atmospheric factors affecting the propagation path, determine the perceived sound level and noise characteristics at the receptor. Acoustics deal primarily with the propagation and control of sound. A typical noise environment consists of a base of steady background noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These sources can vary from an occasional aircraft or train passing by to continuous noise from traffic on a major highway. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a large range of numbers. To avoid this, the decibel (dB) scale was devised. The dB scale uses the hearing threshold of 20 micropascals (μPa) as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a

practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels correspond closely to human perception of relative loudness.

Noise Descriptors

The dB scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Several rating scales have been developed to analyze the adverse effect of community noise on people. Because environmental noise fluctuates over time, these scales consider that the noise's effect on people is largely dependent on the noise's total acoustical energy content, as well as the time when the noise occurs. The equivalent noise level (L_{eq}) is the average noise level averaged over the measurement period, while the day-night noise level (L_{dn}) and Community Equivalent Noise Level (CNEL) are measures of energy average during a 24-hour period, with dB weighted sound levels from 7:00 PM to 7:00 AM. Most commonly, environmental sounds are described in terms of an average level (L_{eq}) that has the same acoustical energy as the summation of all the time-varying events.

A-Weighted Decibels

The perceived loudness of sounds is dependent on many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable and can be approximated by dBA values. There is a strong correlation between dBA and the way the human ear perceives sound. For this reason, the dBA has become the standard tool of environmental noise assessment. All noise levels reported in this Section are in terms of dBA, but are expressed as dB, unless otherwise noted.

Addition of Decibels

The dB scale is logarithmic, not linear, and therefore sound levels cannot be added or subtracted through ordinary arithmetic. Two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic dB is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70-dBA sound is half as loud as an 80-dBA sound and twice as loud as a 60-dBA sound. When two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3.0 dBA higher than one source under the same conditions. Under the dB scale, three sources of equal loudness together would produce an increase of 5.0 dBA.

Sound Propagation and Attenuation

Sound spreads (propagates) uniformly outward in a spherical pattern, and the sound level decreases (attenuates) at a rate of approximately 6.0 dB for each doubling of distance from a stationary or point source. Sound from a line source, such as a highway, propagates outward in a cylindrical pattern. Sound levels attenuate at a rate of approximately 3.0 dB for each doubling of distance from a line source, such as a roadway, depending on ground surface characteristics. No excess attenuation is assumed for hard surfaces like a parking lot or a body of water. Soft surfaces, such as soft dirt or grass, can absorb sound, so an excess ground-attenuation value of

1.5 dB per doubling of distance is normally assumed. For line sources, an overall attenuation rate of 3.0 dB per doubling of distance is assumed.

Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by approximately 5.0 dBA, while a solid wall or berm reduces noise levels by 5.0 to 10 dBA. The manner in which older homes in California were constructed generally provide a reduction of exterior-to-interior noise levels of approximately 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units is generally 30 dBA or more.

Human Response to Noise

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day or night or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60 to 70 dBA range, and high above 70 dBA. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet, suburban, residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate-level noise environments are urban residential or semi-commercial areas (typically 55 to 60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with noisier urban residential or residential-commercial areas (60 to 75 dBA) or dense urban or industrial areas (65 to 80 dBA). Regarding increases in dBA, the following relationships should be noted:

- Except in carefully controlled laboratory experiments, a 1.0-dBA change cannot be perceived by humans.
- Outside the laboratory, a 3.0-dBA change is considered a just-perceivable difference.
- A minimum 5.0-dBA change is required before any noticeable change in community response would be expected. A 5.0-dBA increase is typically considered substantial.
- A 10-dBA change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

Hearing Loss

While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud

noise. The Occupational Safety and Health Administration has a noise exposure standard that is set at the noise threshold where hearing loss may occur from long-term exposures. The maximum allowable level is 90 dBA averaged over eight hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

Annoyance

Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The L_{dn} as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement concerning these different sources' relative annoyance. A noise level of approximately 55 dBA L_{dn} is the threshold at which a substantial percentage of people begin to report annoyance.

Existing Noise Sources

The City is impacted by various noise sources, including mobile and stationary. Mobile noise sources, especially cars, trucks, and trains are the City's most common and substantial noise sources. Other noise sources throughout the City are the various land uses (i.e., residential, commercial, institutional, and recreational) that generate stationary-source noise.

As previously noted, the Project site comprises approximately 0.5-acre of an existing approximately 6.14-acre data center. The Project site doesn't contain any existing noise generating sources. Land uses surrounding the Project site include the existing data center, commercial, office, and recreational uses.

Mobile Sources. Mobile sources of noise, especially aircraft and cars, are the City's most common and significant noise sources. Compared to other Los Angeles County areas, the City is heavily affected by major noise sources including LAX. The primary mobile noise sources in the Project area are the motor vehicles traveling on North Nash Street and East Mariposa Avenue. LAX, which is north of the Project site, is also a primary mobile noise source in the Project area. However, the Project site is located outside LAX' 65 dBA noise contour; see Response 4.9e.

Stationary Sources. The primary stationary noise sources in the Project vicinity are those associated with the existing data center's generators, vehicles, and heating, ventilation, and air conditioning (HVAC) equipment. Such noise sources include idling vehicles and machinery noise. The noise associated with these sources may represent a single-event noise occurrence or short-term noise.

Noise Measurements

To quantify noise levels in the Project area, three short-term ambient noise measurements were conducted; see **Appendix F**. The average noise levels and sources of noise measured at each location are listed in **Table 4.13-1: Existing Noise Measurements**, and shown on **Exhibit 4.13-1: Noise Measurement Locations**. In addition, two noise measurements were taken to obtain

reference noise levels for the operation of the proposed emergency generators. This data was used to determine impacts from the addition of future similar generators.

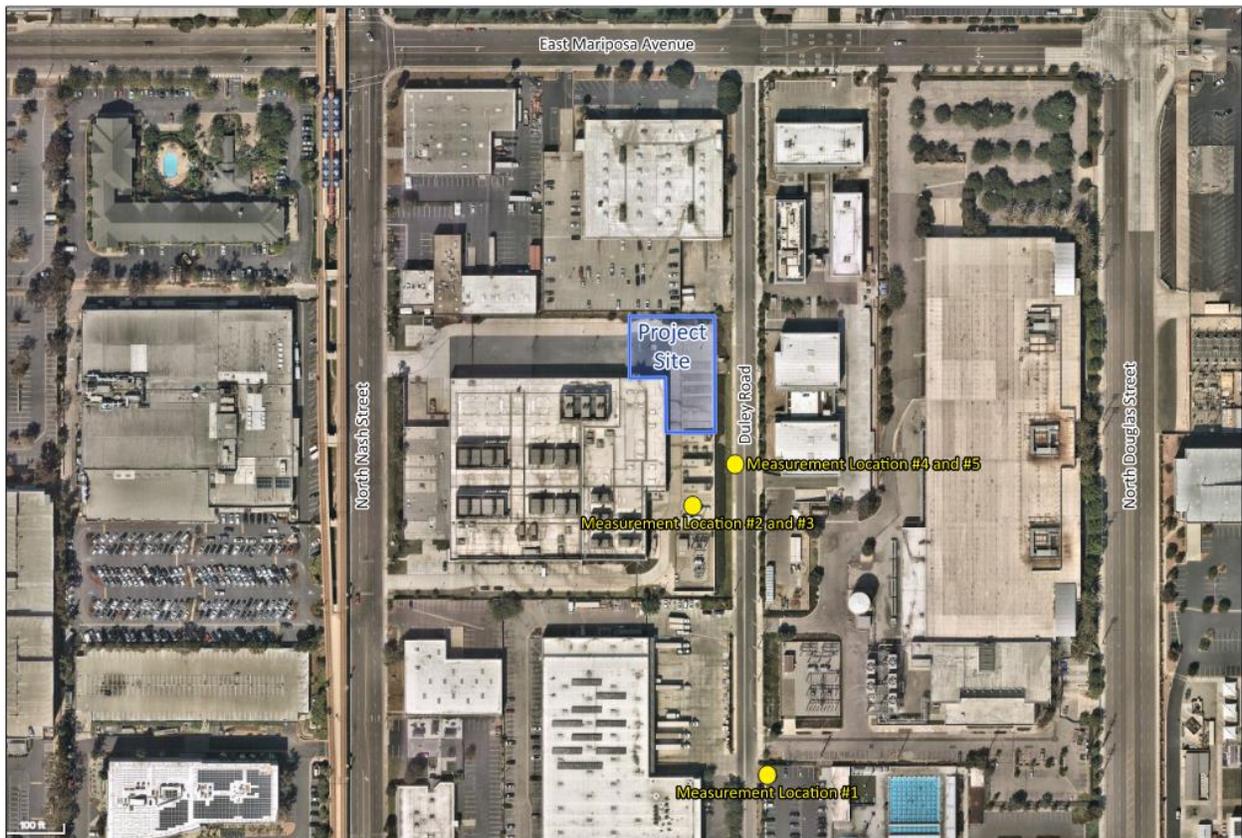
Table 4.13-1: Existing Noise Measurements							
Site #	Location	Date	Time	Duration	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)
1	The northwest corner of the El Segundo Aquatics Center at 2240 East Grand Avenue	12/17/2021	7:28 AM	10 min	65.1	58.6	74.5
2	Approximately 15 feet from Generator 1 at the Project site	12/17/2021	8:09 AM	5 min	60.9	54.8	71.7
3	Approximately 15 feet from Generator 1 at the Project site (reference noise level measurement with generator running).	12/17/2021	8:16 AM	8 min	71.8	60.4	74.2
4	Approximately 35 feet east of the on-site generator area, along Duley Road (reference noise level measurement with generator running).	12/17/2021	8:35 AM	8 min	63.9	57.5	74.5
5	Approximately 35 feet east of the on-site generator area, along Duley Road.	12/17/2021	8:43 AM	10 min	61.2	72.9	72.9
dBA = A-weighted decibel; L _{eq} = Equivalent Noise Level; L _{min} = Minimum Noise Level; L _{max} = Maximum Noise Level							
Source: Noise measurements taken by Kimley-Horn on December 17, 2021. See Appendix F: Noise Analysis Technical Memorandum for noise measurement results.							

Noise-Sensitive Receptors

Noise exposure standards and guidelines for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, libraries, and churches are treated as the most sensitive to noise intrusion and therefore have more stringent noise exposure targets than do other uses, such as manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. Noise-sensitive receptors near the Project site consist mostly of recreational uses. However, the nearby commercial uses are included as receptors because of City thresholds. **Table 4.13-2: Noise-Sensitive Receptors**, identifies the noise-sensitive receptors and receptors within the Project vicinity, as well as their distances and directions from the Project site.

Table 4.13-2: Noise Sensitive Receptors			
Description	Land Use	Noise Type	Distance and Direction from Project
United States Postal Service	Commercial	Construction Noise and Vibration	Approximately 50 feet (16 meters) north of Project construction area
		Operational Noise	Approximately 105 feet (32 meters) north of proposed generators
Campus El Segundo Soccer Fields	Recreational	Construction Noise and Vibration	Approximately 475 feet (145 meters) north of Project construction area
		Operational Noise	Approximately 475 feet (145 meters) north of proposed generators
El Segundo Aquatics Center	Recreational	Construction Noise and Vibration	Approximately 670 feet (204 meters) southeast of Project construction area
		Operational Noise	Approximately 350 feet (107 meters) southeast of proposed generators
Commercial/Office Building	Commercial	Construction Vibration and Vibration	Approximately 150 (48 meters) feet east of Project construction area
		Operational Vibration	Approximately 105 feet (32 meters) east of proposed generators

Exhibit 4.13.1: Noise Measurement Locations



Regulatory Setting

City of El Segundo General Plan

The El Segundo General Plan Noise Element (1992), which contains an overview of the City's existing noise conditions, is intended to describe existing noise conditions and provide a statement of goals, policies, and programs designed to minimize existing and foreseeable noise impacts.

City of El Segundo Noise Element

The Noise Element includes the following policy applicable to the proposed Project:

Policy N1-2.1: Require all new projects to meet the City's Noise Ordinance Standards as a condition of building permit approval.

City of El Segundo Municipal Code

The following ESMC sections are applicable to the proposed Project:

ESMC §7-2-1: Declaration of Policy

It is hereby declared to be the policy of the City to prohibit unnecessary, excessive and annoying noises and vibrations from all sources subject to its police power. Therefore, the City Council does ordain and declare that creating, maintaining, causing or allowing to be created, caused or maintained, any noise or vibration in a manner prohibited by or not in conformity with the provisions of this chapter, is a public nuisance as well as an infraction and shall be punishable as such. (Ord. 1242, 1-16-1996).

ESMC §7-2-4: Noise Standards

No person shall, at any location within the City, create any noise, nor shall any person allow the creation of any noise within the person's control on public or private property (hereinafter "noise source"), which causes the noise level when measured on any other property (hereinafter "receptor property"), to exceed the applicable noise standard, except as set forth in subsection C1 of this section.

- A. *Residential Property: Five (5) dBA above the ambient noise level.*
- B. *Commercial and Industrial Properties: Eight (8) dBA above the ambient noise level.*
- C. *Adjustments:*
 - 1. *Increases to the noise standards as set forth in subsections A and B of this Section may be permitted in accordance with the following:*

Table 4.13-3: Noise Standards Adjustments	
Permitted Increase (dBA)	Duration of Increase (Minutes)*
0	30
5	15
10	5
15	1
20	Less than 1
*Cumulative minutes during any one hour	

2. *If the receptor property is located on a boundary between two (2) different noise zones, the lower noise level standard applicable to the quieter zone shall apply. (Ord. 1242, 1-16-1996).*

ESMC §7-2-7: Standards; Criteria:

The standards which shall be considered in determining whether a violation of the provisions of Section 7-2-6 of this Chapter exists shall include, but shall not be limited to, the following criteria:

- A. *The frequency of the noise;*
- B. *The intensity of the noise;*
- C. *Whether the nature of the noise is usual or unusual;*
- D. *The ambient noise level;*
- E. *The proximity of the noise to residential sleeping facilities;*
- F. *The nature and zoning of the area within which the noise emanates;*
- G. *The density of the inhabitation of the area within which the noise emanates;*
- H. *The time of the day or night the noise occurs;*
- I. *The duration of the noise;*
- J. *Whether the noise is recurrent, intermittent or constant; and*
- K. *Whether the noise is produced by a commercial or noncommercial activity. (Ord. 1242, 1-16-1996)*

ESMC §7-2-8: Specific Prohibitions

The following acts, and the causing thereof, are declared to be in violation of this Chapter if they occur in such a manner as to disturb the peace, quiet and comfort of any reasonable person of normal sensitivity residing in the area; and occur:

- A. *Between the Hours Of 10:00 P.M. And 7:00 A.M:*
 1. *Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces or amplifies sound.*

2. *Using or operating any loudspeaker, public address system or similar device.*
 3. *Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects.*
 4. *Repairing, building, rebuilding, adjusting or testing any motor vehicle.*
- B. Between The Hours Of 8:00 P.M. And 7:00 A.M.:*
1. *Refuse Collection Vehicles:*
 - a. *Collection of refuse with a collection vehicle in a residential area or within five hundred feet (500') thereof;*
 - b. *Operation or permitting the operation of the compacting mechanism of any motor vehicle which compacts refuse in a residential area or within five hundred feet (500') thereof.*
 2. *Loudspeakers/Public Address Systems: Using or operating for any commercial purpose any loudspeaker, public address system, or similar device on a public right of way or public space.*
 3. *Powered Model: Operating or permitting the operation of powered models. (Ord. 1242, 1-16-1996)*

ESMC §7-2-10: Exemptions

The following activities shall be exempted from the provisions of this Chapter:

- D. *Construction Noise: Between the Hours Of 10:00 P.M. And 7:00 A.M: Noise sources associated with or vibration created by construction, repair, or remodeling of any real property, provided said activities do not take place between the hours of six o'clock (6:00) P.M. and seven o'clock (7:00) A.M. Monday through Saturday, or at any time on Sunday or a Federal holiday, and provided the noise level created by such activities does not exceed the noise standard of sixty five (65) dBA plus the limits specified in subsection 7-2-4C of this Chapter as measured on the receptor residential property line and provided any vibration created does not endanger the public health, welfare and safety.*

Impact Analysis

- 4.13a *Would the project result in generation a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact With Mitigation Incorporated.

Construction Noise

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high

levels. During construction, exterior noise levels could affect noise-sensitive receptors near the construction site. Construction activities may include demolition, trenching, generator installation, and concrete pouring. Such activities may require concrete/industrial saws, backhoes during demolition, cranes, forklifts, generators, and tractors during generator installation. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than 1 minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed in **Table 4.13-4: Typical Construction Noise Levels.**⁵²

Table 4.13-4: Typical Construction Noise Levels ¹	
Equipment	Typical Noise Level (dBA) at 50 feet from Source ²
Backhoe	80
Concrete Mixer	85
Crane, Mobile	83
Dozer	85
Generator	82
Concrete Saw	76
Truck	84
Note: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018 Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1 + 20\log(d_1/d_2)$ Where: dBA_2 = estimated noise level at receptor; dBA_1 = reference noise level; d_1 = reference distance; d_2 = receptor location distance Source: Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , September 2018	

Following the methodology for quantitative construction noise assessments in the Federal Transit Administration’s (FTA’s) *Transit Noise and Vibration Impact Assessment Manual* (September 2018) (FTA Noise and Vibration Manual), the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) was used to predict construction noise at the nearest receptors (i.e., the commercial and recreational uses located approximately 80 feet and 670 feet, respectively, from the Project construction area). For the construction noise analysis, the center point of construction activity is used; this differs from the distance to noise sensitive receptors, which is typically calculated property line to property line. **Table 4.13-5: Project Construction Noise Levels** shows the estimated exterior construction noise levels at the nearest noise-sensitive receptors.

⁵² This Project will not use a pile driver, thus, typical noise levels for pile drivers are excluded.

Table 4.13-5: Project Construction Noise Levels						
Construction Phase	Receptor Location			Worst Case Modeled Exterior Noise Level (dBA L _{eq}) ²	Noise Threshold (dBA L _{eq}) ³	Exceeded?
	Land Use	Direction	Distance (feet) ¹			
Demolition	Commercial	North	80	79.7	85	No
	Recreational	Southeast	670	61.3	85	No
Grading	Commercial	North	80	78.6	85	No
	Recreational	Southeast	670	60.1	85	No
Building Construction	Commercial	North	80	76.7	85	No
	Recreational	Southeast	670	60.1	85	No
Paving	Commercial	North	80	72.6	85	No
	Recreational	Southeast	670	54.1	85	No

Note:

1. Per the methodology described in the FTA Noise and Vibration Manual (September 2018), distances are measured from the nearest receptors to the center of the Project construction site.
2. Assumes a 5 dBA reduction from intervening perimeter walls along the northern and eastern property boundary.
3. The City does not have a quantitative noise threshold for construction noise for commercial uses (they have construction noise standards for residential uses only). Therefore, the construction noise thresholds from the FTA Noise and Vibration Manual (September 2018) are used for this analysis.

Source: Federal Highway Administration, Roadway Construction Noise Model, 2006. Refer to **Appendix F: Noise Analysis Technical Memorandum** for noise modeling results.

As shown in **Table 4.13-5**, the highest anticipated construction noise level of 79.7 dBA (during the demolition phase) would not exceed the FTA noise threshold of 85 dBA for commercial uses. In addition, compliance with ESMC §7-2-10(D) would further minimize impacts from construction noise, as construction would be limited to the hours of 7:00 AM to 6:00 PM Monday through Saturday and is prohibited at any time on Sunday or a Federal holiday. Therefore, because Project construction noise levels would not exceed FTA noise standards and construction activities would be required to comply with ESMC provisions, Project construction would result in a less than significant noise impact. Further, although construction noise levels may exceed the existing ambient levels in the area, construction would be temporary and would not result in a permanent increase in ambient noise levels in the area.

Operational Noise

Project implementation would introduce new stationary noise sources on the Project site. The primary noise sources associated with the Project that could potentially impact nearby noise-sensitive receptors are the emergency generators and associated equipment.

Stationary Noise from Generators

The primary noise sources associated with the Project would consist of the periodic testing of seven new generators, of which five generators (3516C, 2,500 kW) would be located on the data center’s north side and two generators (C-32, 1,250 kW) would be located on the data center’s east side adjacent to eight existing generators. Of the seven generators, three would be at ground level on concrete pads and four would be on platforms up to approximately 30 feet tall. The seven proposed generators would include housing for mechanical equipment that would reduce noise levels. The generators would operate only during staff training and equipment maintenance/testing (between the hours of 7:00 AM and 10:00 PM) and emergency conditions,

thus, would not operate on a constant basis. In addition, it is noted that periodic generator maintenance/testing would occur sequentially (one at a time), such that no more than one generator is tested at a time; see **MM NOI-1**.

Based on the reference noise levels in **Table 4.13-1**, one generator would produce noise levels up to 63.9 dBA L_{eq} at 35 feet with attenuation from the perimeter wall. The nearest off-site property is a United States Post Office (USPS) facility located approximately 50 feet north of the Project's proposed generators. Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law of sound propagation. Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source. As a result, generator noise would attenuate to approximately 60.8 dBA L_{eq} at the nearest property line to the north. ESMC §7-2-4(B) specifies that the noise standard for commercial and industrial properties is eight (8) dBA over the ambient noise level. Thus, the estimated noise standard for commercial and industrial properties would be 69.2 dBA L_{eq} (i.e., the measured ambient noise level of 61.2 dBA L_{eq} (see **Table 4.13-3**) plus 8 dBA). Therefore, since Project-generated noise levels from periodic generator maintenance/testing (60.8 dBA L_{eq}) would not exceed the 69.2 dBA threshold at the nearest off-site uses, generator noise levels from the Project would comply with ESMC standards and a less than significant impact would occur in this regard.

Mitigation Measure

MM NOI-1 Maintenance/testing for each individual generator shall occur sequentially (one at a time) and during normal daytime hours (i.e., between 7:00 AM and 10:00 PM). Simultaneous generator maintenance/testing of two or more generators shall be prohibited.

4.13b Would the project generate excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact.

Construction

Increases in ground-borne vibration levels attributable to the Project would be primarily associated with short-term construction-related activities. Project construction would have the potential to result in varying degrees of temporary ground-borne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with

reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage. This analysis uses the FTA architectural damage criterion for continuous vibrations at non-engineered timber and masonry buildings of 0.2 inch-per-second peak particle velocity (PPV) and human annoyance criterion of 0.4 inch-per-second PPV in accordance with Caltrans guidance⁵³ to evaluate potential construction vibration impacts.

Table 4.13-6: Typical Construction Equipment Vibration Levels, lists vibration levels at 25 feet for typical construction equipment. The nearest off-site building/structure is the industrial building located approximately 150 feet east of the Project construction area. Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in **Table 4.13-6**, based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction would range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity.

Table 4.13-6: Typical Construction Equipment Vibration Levels		
Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 150 Feet (in/sec)
Large Bulldozer	0.089	0.0061
Loaded Trucks	0.076	0.0052
Jackhammer	0.035	0.0024
Small Bulldozer/Tractors	0.003	0.0002
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018.		

As shown in **Table 4.13-6**, at 150 feet the vibration velocities from construction equipment would not exceed 0.089 in/sec PPV, which would be below the FTA’s 0.20 in/sec PPV threshold for building damage and Caltrans’ 0.4 in/sec PPV threshold for human annoyance. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point nearest off-site structures. Therefore, construction vibration impacts associated with the proposed Project would be less than significant and no mitigation is required.

Operations

During operations, the proposed Project would include minimal vibration-generating uses or operations. The nearest off-site structures are located 105 feet from the proposed generator locations and would not be exposed to high vibration levels. Therefore, operational vibration impacts from Project operations would be less than significant and no mitigation is required.

⁵³ California Department of Transportation. (September 2013). *Transportation and Construction Vibration Guidance Manual, Table 20.*

4.13c Would the project be located within the vicinity of a private airstrip or 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?

Less Than Significant Impact. Refer to Response 4.9e. Additionally, there are no private airstrips located within the Project vicinity. Therefore, the Project would not expose people residing or working in the Project area to excessive airport- or airstrip-related noise levels. Impacts would be less than significant in this regard, and no mitigation is required.

Cumulative Noise Impacts

The Project's construction activities would not result in a substantial temporary increase in ambient noise levels. ESMC §7-2-8 and ESMC §7-2-10 which limit construction noise to between the hours of 10:00 PM and 7:00 AM. Noise sources associated with or vibration created by construction, repair, or remodeling of any real property, provided said activities do not take place between the hours of 6:00 PM and 7:00 AM. Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with Project-specific noise impacts, would not be cumulatively significant.

4.14 Population and Housing

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?				X

Impact Analysis

4.14a Would the project induce substantial unplanned 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)?

No Impact. The Project does not propose construction of new homes or businesses or to extend roads or other infrastructure, which have potential to induce substantial unplanned population growth. The Project proposes to construct up to seven emergency generators and increase the onsite jobs by up to five employees.⁵⁴ Currently, the City’s employee population is approximately 48,300⁵⁵ and the residential population is 17,084.⁵⁶ The addition of up to five employees is considered nominal considering the City’s employee population is approximately 48,300, and the additional employment is not anticipated to result in unplanned population growth in the City. Therefore, no impact would occur in this regard, and no mitigation is required.

4.14b Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. There is no housing on the Project site. Therefore, the Project would not displace existing people or housing, or require construction of replacement housing elsewhere. No impact would occur in this regard, and no mitigation is required.

⁵⁴ Email correspondence with Sam Brown, ServerFarm. December 21, 2021.

⁵⁵ SCAG. (2020). *Connect SoCal- Demographics and Growth Forecast*. Retrieved from https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579.

⁵⁶ California Department of Finance. (2022). *E-5 Population and Housing Estimates for Cities, Counties, and the State*, January 2021-2022, with 2020 Benchmark. <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/>.

4.15 Public Services

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physical 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:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X

Impact Analysis

4.15a Fire Protection?

Less Than Significant Impact. The City is served by El Segundo Fire Department. There are 14 firefighters on duty at all times. There are two fire stations in the City: Fire Station 1 (314 Main Street) and Fire Station 2 (2261 East Mariposa Avenue).⁵⁷ Fire Station 2 is approximately 800 feet northeast of the Project site. Given their scope and nature, the Project’s proposed additional generators and employment increase are not anticipated to increase the demand for fire protection services. Diesel transport, fueling, and operations would be subject to compliance with applicable federal, State, and local regulations identified in **Section 4.9: Hazards and Hazardous Materials**. In the event of a fire within a generator, they are located within enclosures, which would in part contain fire. Also, as under existing conditions for the existing data center, fire protection services would continue to be provided to the property. The Project would not require new or physically altered fire protection facilities to maintain acceptable response times, therefore, would not result in adverse physical impacts in this regard. The City has confirmed that a project of this nature would not be subject to developer impact fees.⁵⁸ The Project would result in a less than significant impact concerning fire protection services, and no mitigation is required.

4.15b Police Protection?

Less Than Significant Impact. El Segundo Police Department provides police protection services to the City. The Police Department is approximately 1.64-miles southeast of the Project site (348 Main Street). Given their scope and nature, the Project’s proposed additional generators and employment increase are not anticipated to increase the demand for police protection services. Also, as under existing conditions for the existing data center, police protection services

⁵⁷ El Segundo Fire Department. (Undated). *Operations*. Retrieved from <https://www.elsegundofd.org/suppression/operations>. Accessed on December 17, 2021.

⁵⁸ Email Correspondence with Maria Baldenegro, El Segundo Planning Division. February 1, 2022.

would continue to be provided to the property. The Project would not require new or physically altered police facilities to maintain acceptable response times, therefore, would not result in adverse physical impacts in this regard. The Project would result in a less than significant impact concerning police protection services, and no mitigation is required.

4.15c Schools?

No Impact. As mentioned, the Project would not induce population growth (see **Section 4.14**), thus, would not increase the demand for school services. Given their scope and nature, the Project's proposed generators and employment increase are not anticipated to increase the area's student population. The Project would not require new or physically altered school facilities, therefore, would not result in adverse physical impacts in this regard. The Project would result in no impact concerning school facilities, and no mitigation is required.

4.15d Parks?

No Impact. See Response 4.16 below.

4.15e Other public facilities?

No Impact. The City has one library at 111 West Mariposa Avenue. The Project would not induce population growth, thus, would not increase the demand for public facilities. Given their scope and nature, the Project's proposed additional generators and employment increase are not anticipated to increase the demand for library facilities or resources. The Project would not require new or physically altered library facilities, therefore, would not result in adverse physical impacts in this regard. The Project would result in no impact concerning library facilities, and no mitigation is required.

4.16 Recreation

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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

Impact Analysis

4.16a 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?

4.16b 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?

No Impact. The recreational facility nearest the Project site is an aquatic center located approximately 350 feet (107 meters) to the southeast. The Project would not induce population growth, thus, is not anticipated to increase the demand for recreational facilities. Given their scope and nature, the Project’s proposed additional generators would not increase the use of existing recreational facilities or generate a demand for new recreational facilities. Further, the Project’s nominal employment increase is not anticipated to increase the use of existing recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated. The Project does not propose or require new or physically altered recreational facilities, therefore, would not result in adverse physical impacts in this regard. No impact would occur, and no mitigation is required.

4.17 Transportation

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycles, and pedestrian facilities?				X
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?			X	
d) Result in inadequate emergency access?				X

Impact Analysis

4.17a Would the project conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

No Impact. Given the proposed Project’s scope and nature, the Project does not propose changes to, or increase the demand for the area’s circulation system. Additionally, all construction would be within the Project site limits, thus, would not disrupt nearby roadways or site access. Therefore, the Project would not conflict with a program plan, ordinance, or policy addressing the circulation system. The Project would result in no impact in this regard, and no mitigation is required.

4.17b Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

Less Than Significant Impact. State CEQA Guidelines §15064.3 codifies the change from level of service to vehicle miles traveled (VMT) as a metric for transportation impact analysis. Pursuant to SB 743, VMT analysis is the primary method for determining CEQA impacts. According to State CEQA Guidelines §15064.3(a), VMT refers to the amount and distance of automobile travel attributable to a project. The City’s Draft VMT Guidelines are aligned with the Office of Public Research’s (OPR) Technical Advisory. The Draft VMT Guidelines allow screening for non-significant transportation impacts. The purpose of this step is to determine if a presumption of a non-significant transportation impact can be made based on a project’s characteristics. Screening for “Small Projects” applies to projects with low trip generation per existing CEQA exemptions. Note that this includes any land use type (residential, office, open space, neighborhood parks, etc.). Projects that generate less than 110 trips per day per the ITE Manual or other acceptable source determined by the City are presumed to cause a less-than-significant transportation impact. The Project would not increase floor area but would increase the onsite jobs by up to five

employees, resulting in approximately 18 average daily trips.⁵⁹ Given the Project would generate substantially less than 110 daily trips, the Project is presumed to result in a less than significant transportation impact concerning VMT.

4.17c Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. Vehicular access (i.e., left-turn and right-turn ingress/egress turning movements) is currently provided at the two existing property driveways located off of Nash Street. The Project would not alter the site's circulation. The Project does not propose any traffic improvements with potential to increase hazards due to geometric design. The Project proposes to install up to seven additional emergency backup diesel generators at the property's northeast corner to serve the existing data center. The proposed generators would be similar to the eight generators that already exist on the property. Thus, the Project does not propose any improvements with potential to increase hazards due to incompatible uses. The Project would result in a less than significant impact in this regard, and no mitigation is required.

4.17d Would the project result in inadequate emergency access?

No Impact. Primary vehicular access to the Project site is provided via the south driveway off North Nash Street. The northern driveway is gated, however it would continue to be available for use if needed in an emergency. As previously noted, the Project would not affect circulation within or near the Project site as the emergency generators would be installed in areas that would not affect on-site circulation. Therefore, the Project would not result in inadequate emergency access. No impact would occur in this regard, and no mitigation is required.

⁵⁹ Based on ITE Trip Generation, 11th Edition. Land Use Code 110 – General Light Industrial, Employees, (3.1 daily trips per employee).

4.18 Tribal Cultural Resources

This Section is based on Assembly Bill 52 (AB 52) communications initiated by the City; see **Appendix B: Assembly Bill 52 Communications**.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k); or				
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				

Impact Analysis

4.18ai Cause a substantial adverse change in the significance of a tribal cultural resource, listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k); or

4.18aii Cause a substantial adverse change in the significance of a tribal cultural resource- a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant With Mitigation Incorporated. Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52 (AB 52)) requires that lead agencies evaluate a project’s potential impact on “tribal cultural resources,” which include “[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical

resources.” AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a “tribal cultural resource.” In compliance with PRC §21080.3.1(b), the City provided formal notification to California Native American tribal representatives identified by the California NAHC. Results of the Sacred Lands File Search conducted with the NAHC were negative, however, Native American groups may have knowledge about the area’s cultural resources and may have concerns about a development’s adverse effects on tribal cultural resources, as defined in PRC §21074. The City contacted the tribal representative of the tribe noted below pursuant to AB 52 requirements. Correspondence to and from the tribal representative is included in **Appendix B**.

- **Gabrieleno Band of Mission Indians-Kizh Nation**, Andrew Salas.

Pursuant to AB 52, the City engaged with the Gabrieleno Band of Mission Indians-Kizh Nation in consultation on the Project on June 30, 2022. On May 13, 2022, the Gabrieleno Band of Mission Indians-Kizh Nation responded in writing to the City requesting consultation. Consultation pursuant to AB 52 is deemed complete when:

- Parties reach mutual agreement concerning appropriate measures for preservation or mitigation; or
- Either party, acting in good faith or after reasonable effort, concludes that mutual agreement cannot be reached concerning appropriate measures of preservation or mitigation.

On June 14, 2022, the City submitted a follow-up response to the Kizh Nation, including a draft list of mitigation measures to avoid/lessen potential impacts to tribal cultural resources. After further consultation, on September 21, 2022, the City and Kizh Nation reached a mutual agreement concerning appropriate mitigation measures; see **MM TCR-1**. Therefore, consultation pursuant to AB 52 is deemed complete for the Project.

It is noted, as discussed in Response 4.9b, the Project site has already been subject to extensive disruption and contains artificial fill materials.⁶⁰ The Project site is underlain by 4.0 to 6.0 feet of artificial fill⁶¹ and would require excavations of only approximately 3.0 feet below the bottom of generator foundations;⁶² thus, no excavations into native soil would occur with the Project. Depth of excavation for the proposed equipment would not exceed 5.0 feet, except at the northwest corner where a drywell would be constructed up to 30 feet deep. Due to the extremely narrow width of excavation required for the drywell (approximately 10.0 feet), the drywell is unlikely to encounter tribal cultural resources. Notwithstanding, the potential exists for the Project to result in a substantial adverse change in the significance of a previously unidentified Native American tribal cultural resource. With implementation of **MMs TCR-1, TCR-2, and TCR-3**, potential impacts to tribal cultural resources would be less than significant.

⁶⁰ Terracon Consultants, Inc. (2021). Geotechnical Engineering Report.

⁶¹ Ibid

⁶² Ibid

Mitigation Measures

MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities. The project applicant shall retain a Native American Monitor (“Monitor”) from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency City prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency City upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

MM TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the monitor determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

MM TCR-3: Procedures for Burials and Funerary Remains. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that,

as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

4.19 Utilities and Service Systems

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded facilities concerning the following, the construction or relocation of which could cause significant environmental effects? i. Water, ii. Wastewater, iii. Wastewater Treatment (see Response 4.19.c below), iv. Stormwater Drainage, v. Electric Power, Natural Gas, and Telecommunications.			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Impact Analysis

4.19a *Require or result in the relocation or construction of new or expanded facilities concerning the following, the construction or relocation of which could cause significant environmental effects?*

i. *Water,*

Less Than Significant Impact. See Response 4.19b below.

- ii. *Wastewater,*
- iii. *Wastewater Treatment,*

Less Than Significant Impact. See Response 4.19.c below.

- iv. *Stormwater Drainage,*

Less Than Significant Impact. Refer to Response 4.10c concerning drainage patterns and stormwater drainage systems. As discussed in Response 4.10c, the Project proposes onsite drainage improvements. The Project also proposes a drywell at the property's northeast corner to collect and treat stormwater runoff and recharge groundwater to satisfy the City's Low Impact Development (LID) requirements. The environmental effects associated with the proposed onsite drainage improvements are analyzed throughout this Initial Study. The Project would not require or result in the relocation or construction of new or expanded offsite stormwater facilities, the construction or relocation of which could cause significant environmental effects. Therefore, the Project would result in a less than significant impact in this regard, and no mitigation is required.

- i. *Electric Power, Natural Gas, and Telecommunications.*

Less Than Significant Impact. The City's electrical power is provided by SCE and natural gas is provided by SoCalGas. The City's telecommunications are provided by various companies. SCE, SoCalGas, and local telecommunications companies operate and maintain transmission and distribution infrastructure throughout the City. Refer to Responses 4.6a and 4.6b for further discussions concerning electricity and natural gas usage. The Project proposes to install up to seven emergency backup diesel generators. These seven additional generators would support previously constructed internal electrical/equipment modifications, which would result in increased electrical demand and up to five additional employees. No change in land use or expansion in building floor area is proposed. The Project's estimated operational electrical demand, inclusive of the existing data center operations, would total approximately 16,600,000 kWh per year. This would represent 0.13 percent of the SCE's forecast increased demand in 2026, which would be negligible compared to the SCE service area's overall demand. Additionally, the proposed generators would be diesel and used solely for emergency purposes and during maintenance. On-site connections to existing electrical lines would be required to power the proposed generators. The Project would not generate a demand for natural gas or telecommunications, since the proposed generators would not require these utilities and the additional employees would occupy the existing data center, with no additional floor area proposed. The Project would not require or result in the relocation or construction of new or expanded offsite electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Therefore, the Project would result in a less than significant impact in this regard, and no mitigation is required.

4.19b Would the project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. The Golden State Water Company (GSWC) supplies water to the City. GSWC's *Final 2020 Urban Water Management Plan (UWMP)* Tables 5-2 and 5-3 indicate water supplies would meet the service area's water demands for normal, single-dry, and multiple

dry-year conditions through 2045. UWMP water demand forecasts are based on historical water use analysis, population growth, and commercial and residential development.

Assuming a water demand rate of 307 gallons per day (GPD) per employee and up to five additional employees generated by the Project, the Project would generate a water demand of approximately 1,535 GPD. It is anticipated that sufficient water supplies would be available to serve the Project given: the Project would not result in unplanned population growth or additional floor area, with resultant water demands; the proposed additional employees' water demand would be nominal; the proposed generators, which would require a nominal amount of water for cooling, would operate only under emergency conditions or during routine maintenance.

The Project would not require or result in the relocation or construction of new or expanded offsite water facilities, the construction or relocation of which could cause significant environmental effects. Therefore, the Project would result in a less than significant impact in this regard, and no mitigation is required.

4.19c Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The City is within the jurisdictional boundaries of Sanitation Districts of Los Angeles County Sanitation District (LACSD) No. 19.⁶³ The Project proposes to install generators, which would not generate wastewater or create a demand for wastewater conveyance or treatment. The unit of measure the LACSD uses to calculate wastewater generation is square foot (for various land use types). The Project does not propose any additional floor area, thus, wastewater generation for employees cannot be calculated. However, given the nominal increase in employment (up to five additional employees), the Project is anticipated to generate a proportionately nominal increase in wastewater. Therefore, the Project would not impact LACSD wastewater treatment facility capacity.

The Project would not require or result in the relocation or construction of new or expanded offsite sewer facilities, the construction or relocation of which could cause significant environmental effects. Therefore, the Project would result in a less than significant impact in this regard, and no mitigation is required.

4.19d Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

4.19e Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The equipment concrete pads/footings, gravel and base, and stairs that currently occupy the Project site would be demolished and replaced by the proposed

⁶³ Los Angeles County Sanitation Districts. (2015). *Sanitation District's Service Area*. Retrieved from: <https://www.lacsd.org/home/showpublisheddocument/960/637637537988200000>.

generators. California's Green Building Standards Code (CALGreen) requires a 65 percent diversion rate for construction and demolition (C&D) projects. The City has adopted the Code through ESMC Title 13, Chapter 1. Thus, the Project would be subject to compliance with CBC §4.408 Construction Waste Reduction, Disposal and Recycling, which would achieve compliance with State law.

The unit of measure typically used to calculate solid waste generation is square foot (for various land use types). The Project does not propose any additional floor area, thus, this methodology is not appropriate. While CalRecycle does identify a solid waste generation rate of 8.93 pounds per employee per day for the industrial sector,⁶⁴ this rate is based on 2006 data. Assuming a solid waste generation rate of 8.93 pounds per employee per day and up to five additional employees generated by the Project, the Project employees would generate approximately 45 pounds per day. Given this is a nominal increase in solid waste generation and as under existing conditions, the data center would be subject to any State and City regulations governing recycling, a less than significant impact would occur in this regard, and no mitigation is required.

⁶⁴ CalRecycle. 2022. *Waste Characterization*. Retrieved from:
<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Commercial>.

4.20 Wildfire

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Impact Analysis

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

4.20a substantially impair an adopted emergency response plan or emergency evacuation plan?

4.20b due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

4.20c require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

4.20d expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. The CalFire Fire Hazard Severity Zone Map indicates the City is not within a State Responsibility Area or within a very high fire severity zone (VHFSZ).⁶⁵ Therefore, the Project would result in no impact concerning wildfires, and no mitigation is required.

⁶⁵ CalFire. (2021). *FHSZ Viewer*. <https://egis.fire.ca.gov/FHSZ/>. Accessed on December 14, 2021.

4.21 Mandatory Findings of Significance

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the Project:				
a) Have the potential to substantially 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, substantially 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) 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 the past projects, the effects of other current projects, and the effects of probable future projects.)				X
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Impact Analysis

4.21a *Does the project have the potential to substantially 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, substantially 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?*

Less Than Significant Impact. As discussed throughout this Initial Study, the Project does not have the potential to degrade the environment’s quality or result in significant environmental impacts that cannot be reduced to less than significant following compliance with the established regulatory framework (i.e., federal, State, and local regulations) and the recommended mitigation measures.

As concluded in **Section 4.4**, the Project would not 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, or reduce the number or restrict the range of a rare or endangered plant or animal.

As concluded in **Section 4.5**, the Project would not eliminate important examples of the major periods of California history.

As concluded in **Section 4.18**, the Project could cause an adverse change in the significance of a tribal cultural resource, unless mitigated. Following compliance with **MM TCR-1**, **MM TCR-2**, and **MM TCR-3**, potential impacts to tribal cultural resources would be reduced to less than significant.

4.21b 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 the past projects, the effects of other current projects, and the effects of probable future projects.)

Less Than Significant Impact. The proposed Project would result in significant impacts unless mitigated for the following environmental resource areas: air quality, noise and vibration, and tribal cultural resources. The potential impacts associated with air quality and noise would be during the maintenance and testing of the generators. Impact analysis concerning air quality and noise analyzed Project impacts cumulatively with existing generator maintenance and testing, thus, analyzed cumulative impacts concerning air quality and noise. Incorporation of **MM AQ-1** and **NOI-1** would result in no cumulative impacts for air quality or noise. The potential impacts associated with tribal cultural resources are localized, thus, would not result in cumulative impacts. A Mitigation Program has been prepared for each of these environmental resource areas to reduce impacts to less than significant. Other development projects within the City would be subject to the City's discretionary review process, CEQA, and the established regulatory framework, which would be evaluated on a case-by-case basis.

For all other resources areas, the analysis determined the Project would result in either no impact or a less than significant impact following compliance with the established regulatory framework, without the need for mitigation. Due to the Project's massing and scale, and nature as a minor augment to an existing facility, no cumulative impacts would occur.

The City's cumulative project list includes one data center approximately 0.1 mile east of the Project site, at 445 North Douglas Street.⁶⁶ Because Project impacts would be less than significant, or less than significant with mitigation incorporated, the proposed Project would not result in any significant impacts that when combined with impacts of the nearby data center would be considered cumulatively considerable; see also Responses 4.3d and 4.8b. Therefore, the proposed Project would not result in any cumulatively considerable impacts, and no mitigation is required.

4.21c Does the project have environmental effects which will cause substantial adverse effects on human beings, directly or indirectly?

Less Than Significant With Mitigation Incorporated. As discussed in the respective sections, the proposed Project would have no potentially significant impacts that would not be reduced to less than significant following compliance with the established regulatory framework and/or recommended mitigation measures. The Project would not cause substantial adverse effects on human beings directly or indirectly with mitigation incorporated concerning air quality and noise. Therefore, with mitigation incorporated, impacts concerning adverse effects on human beings would be less than significant.

⁶⁶ City of El Segundo. (undated). *Cumulative Project List*. <https://www.elsegundo.org/government/departments/development-services/planning-division/cumulative-projects-list>.

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Exhibit C

Mitigation Monitoring and Reporting Program



Environmental Assessment No. EA-971, Revision A

Mitigation Monitoring and Reporting Program

January 2023

Lead Agency:

City of El Segundo

350 Main Street
El Segundo, California 90245
Eduardo Schonborn, AICP, Planning Manager
310.524.2300

Consultant:

Kimley-Horn and Associates, Inc.

1100 West Town and Country, Suite 700
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Rita Garcia
714.786.6116

1.0 Purpose of Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring/reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor mitigation measures (MMs) specified in the 444 North Nash Street Data Center Project (Environmental Assessment No. EA-971, Revision A) (“Project”) Initial Study/Mitigated Negative Declaration (IS/MND). This MMRP has been prepared in accordance with City of El Segundo (City) monitoring requirements and Public Resources Code §21081.6. Specifically, Public Resources Code §21081.6 states:

(a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

State CEQA Guidelines §15097 clarifies mitigation monitoring and reporting requirements and provides guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during Project implementation. The City is the Lead Agency for the Project and is therefore responsible for ensuring MMRP implementation. The MMRP has been drafted to meet Public Resources Code §21081.6 requirements as a fully enforceable monitoring program.

The mitigation measure numbering in the MMRP table that follows corresponds with the IS/MND’s mitigation measure numbering. The MMRP table “Verification” column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be maintained on file at the City of El Segundo Community Development Department.

**444 North Nash Street Data Center Project (Environmental Assessment No. EA-971, Revision A) Project
 Mitigation Monitoring and Reporting Program**

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/Monitoring	Verification	
				Date	Initials
<p>MM AQ-1: Generator run time associated with maintenance, staff training, and testing shall be limited to a cumulative total of not more than 108 minutes on any single day for all generators in the facility. A non-resettable totalizing hour meter capable of tracking to at least one-tenth of an hour shall be installed and maintained on each generator. In addition, an engine operating log shall be maintained by the Applicant that shall list the daily run time that each or any engine was operated for the purposes of maintenance, staff training and/or testing. The engine operating log shall record each time the subject engine is manually started including the date of operation, the specific reason for operation, and the totalizing hour meter reading (in hours and tenths of hours) at the beginning and end of operation or operations for the specific date. Engine operating logs shall be retained on-site for a minimum of five calendar years and shall be made available to a City representative upon request. Further, upon request from the City but no more than one time per year, the Applicant shall have the engine manufacturers' service provider download from the engines' CPU the engines' run time for the year including date specific run times and fuel utilization.</p>	During Operations	Applicant/operator shall maintain logs of generator usage, indicating date, time, the meter reading (in hours and tenths of hours), and duration of each maintenance, training, or testing event. Upon request from the City, the Applicant shall have the engine manufacturers' service provider download each engine's run time for the year including date specific run times and fuel utilization.	Community Development Manager, or designee		
<p>MM NOI-1: Maintenance/testing for each individual generator shall occur sequentially (one at a time) and during normal daytime hours (i.e., between 7:00 AM and 10:00 PM). Simultaneous generator maintenance/testing of two or more generators shall be prohibited.</p>	During Operations	Applicant/operator shall maintain logs of generator usage, indicating date, time, and duration of each maintenance, training, or testing event. Upon request from the City, the Applicant shall have the engine manufacturers' service	Community Development Manager, or designee		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/Monitoring	Verification	
				Date	Initials
<p>On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.</p> <p>Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>	<p>If Tribal Cultural Resources Are Discovered</p>	<p>Assessment/Disposition</p>	<p>Kizh Monitor (for monitoring)</p>		
<p>MM TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p>If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains.</p>	<p>During Construction If Human Remains or Funerary Objects Are Encountered</p>	<p>Notification of County Coroner</p>	<p>Community Development Manager</p>		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/Monitoring	Verification	
				Date	Initials
<p>If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p> <p>Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the monitor determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)</p> <p>Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.</p> <p>Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>					
<p>MM TCR-3: Procedures for Burials and Funerary Remains. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</p> <p>If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p>	<p>During Construction If Human Remains or Funerary Objects Are Encountered</p>	<p>Assessment/ Disposition</p>	<p>Community Development Manager (for approval)/Kizh Monitor (for monitoring, if Kizh Nation determined to be MLD)</p>		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/Monitoring	Verification	
				Date	Initials
<p>The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p> <p>In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.</p> <p>In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.</p> <p>Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a</p>					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/Monitoring	Verification	
				Date	Initials
<p>site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>The Tribe will work closely with the project’s qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>					

RESPONSE TO COMMENTS

TECHNICAL MEMORANDUM

To: Mr. Eduardo Schonborn
Planning Manager, City of El Segundo

From: Rita Garcia
Project Manager

Date: January 18, 2023

Subject: 444 North Nash Street Data Center Project
(Environmental Assessment No. Ea-971, Revision A) (Project)
Initial Study/Mitigated Negative Declaration
Responses to Comments Raised During Public Review and Errata

1.0 INTRODUCTION

The Project's Initial Study/Mitigated Negative Declaration (IS/MND) was prepared pursuant to California Environmental Quality Act (CEQA) (Public Resources Code §§21000-21177) and State CEQA Guidelines §15063 requirements.

The IS/MND and supporting documentation were made available for public review pursuant to State CEQA Guidelines §15070. The public review period began on November 3, 2022 and ended on November 23, 2022. The IS/MND and supporting documentation were made available for public review at the following location:

- City of El Segundo Website:
<https://www.elsegundo.org/government/departments/community-development-department/planning-division/cumulative-projects-list>

The comment letters received during the public review period are listed below and provided in **Appendix A: Comment Letters** of this Technical Memorandum (TM).

Letter Number / Author / Date

1. Robert C Ferrante, Chief Engineer and General Manager. Los Angeles County Sanitation Districts. November 18, 2022
2. Sam Wang, Program Supervisor, CEQA-IGR. South Coast Air Quality Management District. November 23, 2022.

Although CEQA and the State CEQA Guidelines do not require a Lead Agency to prepare responses to comments raised regarding an IS/MND, as contrasted with the requirement to prepare responses to comments on a Draft Environmental Impact Report (State CEQA Guidelines §15088), the City has elected to prepare the following written responses in the spirit and with the intent of conducting a comprehensive and meaningful evaluation of the proposed Project. The number designations in the responses correlate with the comment letters.

Text changes have been included to clarify or correct information in the Public Review IS/MND as initiated by the Lead Agency staff or due to comments raised during the public review period. Revisions to the Public Review IS/MND are presented below as excerpts, with deleted text indicated as strikethrough (~~example~~) and added/modified text indicated as double underline (example).

~~Deleted IS/MND text~~ Added IS/MND text

It is noted, none of the corrections or clarifications to the IS/MND identified below constitute significant new information pursuant to State CEQA Guidelines §15162. They do not involve substantial changes to the Project or environmental setting, or new information of substantial importance that required major revisions to the IS/MND. They do not show that the Project would have a new significant environmental effect that was not identified in the IS/MND or result in a substantial increase in the severity of a significant effect identified in the IS/MND. Additionally, they do not include any new or considerably different mitigation measures from those specified in the IS/MND.

2.0 RESPONSES TO COMMENTS

RESPONSE TO COMMENT LETTER 1

Robert C Ferrante, Chief Engineer and General Manager
Los Angeles County Sanitation Districts.
November 18, 2022

- 1-1 This comment introduces the Los Angeles County Sanitation District's (LACSD) comments regarding sewerage service. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

- 1-2 This comment notes that rainwater discharge to LACSD sewer system is prohibited without prior approval. To clarify that the Project's drywell would connect to the City's storm drain, and not the LACSD sewer system, the IS/MND is revised as noted below. As such, no LACSD prior approval is necessary.

IS/MND Page 73 is revised as follows:

The drywell would also include a Bio Clean Screening Filter that would pre-treat captured water [stormwater runoff] before its return to the ~~wastewater system~~ City storm drain.

RESPONSE TO COMMENT LETTER 2

Sam Wang, Program Supervisor, CEQA-IGR
South Coast Air Quality Management District
November 23, 2022

- 2-1 This comment introduces the South Coast Air Quality Management District (SCAQMD). This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.
- 2-2 This comment summarizes the Project characteristics as described in IS/MND Section 2. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.
- 2-3 This comment addresses the 2012 IS/MND for the existing data center, which approved up to 14 backup generators. As noted in the comment and depicted on IS/MND Exhibit 2-2, no modifications would occur on any other portions of the existing data center site. Thus, the Project's IS/MND focuses only on the data center's northern portion where modifications to the site are proposed, consisting of the proposed additional generators, drywell, and screening wall.

This comment states that, because the Project is an amendment to Environmental Assessment No. EA-971, the Project's baseline should be consistent with the baseline analyzed in the 2012 ISMND. However, the Project is an independent project from the 2012 ISMND, analyzed in a stand-alone IS/MND (rather than tiering off the 2012 ISMND), and changes within the Project site (e.g., construction and operation of additional backup generators) necessitate a different baseline from the 2012 ISMND. The comment also notes that SCAQMD facility ID and permit numbers for existing generators are not provided in the Project's IS/MND. IS/MND Table 2-2 summarizes existing, proposed, and permitted generators by size. As described on IS/MND page 7-8, the Project's environmental baseline assumes construction and operation of eight diesel backup generators (four existing and four under construction). To further clarify SCAQMD facility ID and permit numbers, the IS/MND is revised as noted below.

IS/MND Page 7 is revised as follows:

As also depicted on **Exhibit 2-3**, the overall data center property (SCAQMD facility ID 194472) is fully developed and occupied by an approximately 116,756-SF data center with 70 surface parking spaces. Three emergency backup diesel generators and a Southern California Edison substation are situated at the property's southeast corner. One additional emergency backup diesel generator is on the roof of the building. These include Permits to Operate, numbered G65311 through G65314 and G65319 through G65322.

IS/MND Page 7 is revised as follows:

As of this writing, four additional generators (SCAQMD Permits to Operate Numbers G65319 through G65322) are currently being installed (resulting in eight in total). Construction of the northerly building expansion (not a part of this Project) is anticipated to occur in late 2022.

Finally, the comment notes that the 2012 IS/MND is not available on the City website to verify facility design information, including the permit conditions and the technical specifications for the emergency engine equipment. The 2012 IS/MND did not contain such detailed information, but technical specifications for proposed generators will be provided to SCAQMD as part of the permitting process.

- 2-4 In this comment, the SCAQMD addresses the operational emissions analysis. As noted by the SCAQMD, the results of emissions calculations shown in Appendix A and Appendix D do not appear to match values presented on IS/MND Table 4.3-5. Please see corrections to IS/MND Table 4.3-5.

IS/MND Page 40 is revised as follows:

Table 4.3-5: Operational Emissions (Maximum Pounds Per Day)						
Source	Emissions (pounds per day) ¹					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO _x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO ₂)	Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})
Unmitigated Scenarios						
Generators ³	7.98	412.86	68.74	0.70	5.74	5.74
Project Trips	0.03	0.03	0.52	>0.01	0.19	0.05
Total	8.01	412.89	69.26	0.70	5.93	5.79
SCAQMD Threshold	55.00	55.00	550.00	150.00	150.00	55.00
SCAQMD Threshold Exceeded?	No	Yes	No	No	No	No
Mitigated Scenario²						
Generators ³	7.98 <u>2.02</u>	412.86 <u>54.66</u>	68.74 <u>10.96</u>	0.70 <u>0.09</u>	5.74 <u>0.72</u>	5.74 <u>0.72</u>
Project Trips	0.03	0.03	0.52	>0.01	0.19	0.05
Total	8.01 <u>2.05</u>	412.89 <u>54.69</u>	69.26 <u>11.48</u>	0.70 <u>0.09</u>	5.93 <u>0.19</u>	5.79 <u>0.77</u>
SCAQMD Threshold	55.00	55.00	550.00	150.00	150.00	55.00
SCAQMD Threshold Exceeded?	No	No	No	No	No	No
Notes:						
<ol style="list-style-type: none"> 1. Emissions were calculated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0, as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported. 2. Mitigated emissions include compliance with Mitigation Measure AQ-1, which requires that generator maintenance and testing be limited on any single day to no more than 440 <u>108</u> minutes for the entire facility (15 generators). 3. Potential to emit (PTE) of an engine is based on the 50 hour per year limit on maintenance and testing operations, in accordance with South Coast AQMD's policy and procedures No. EC-02-09, dated 2/24/2009. 						

2-5 In this comment, the SCAQMD noted that operating the generator model with the maximum nitrogen oxides (NOx) emission rate, the Caterpillar 3516C, 110 minutes would result in maximum potential emissions totaling 55.67 pounds per day (lbs/day) of NOx. Limiting generator maintenance, staff training, and testing on any single day to no more than 108 minutes for the entire facility results in maximum daily emissions of 54.66 lbs/day from the generators, below the applicable SCAQMD significance threshold of 55 lbs/day. Please see corrections to IS/MND as shown below.

IS/MND Page 39 revised as follows:

...SCAQMD requires the facility to monitor and demonstrate compliance, including installing a non-resettable hour meter on each generator and recording the date, duration, and purpose of each generator run. The scheduled maintenance would be dictated in accordance with manufacturers recommendations, which are currently not available until possessions of units occurs...

...Mitigation Measure AQ-1 requires that generator run time associated with maintenance, staff training, and testing be limited to a cumulative total of not more than 108 minutes on any single day to no more than 140 minutes for all generators in the entire facility (up to 15 generators). A non-resettable hour meter capable of tracking to at least one-tenths of an hour, shall be installed and maintained on each generator. In addition, an engine operating log shall be maintained by the Applicant that shall list the daily run time each or any engine was operated for the purpose of maintenance, staff training, and/or testing. The engine operating log shall record each time the engine is manually started including the date of operation, the specific reason for operation, and the totalizing hour meter reading (in hours and tenths of hours) at the beginning and end of operation or operations for the specific date. Engine operating logs shall be retained on-site for a minimum of five calendar years and shall be made available to a City representative upon request. Further, upon request from the City but no more than one time per year, the Applicant shall have the engine manufacturers' service provider download from the engines' CPU the engines' run time for the year including date specific run times and fuel utilization.

- 2-6 In response to the SCAQMD's comment to further validate the LST screening analysis, the City undertook AAQS modeling for nitrogen dioxide (NO₂), carbon monoxide (CO), particulate matter 10 microns or less in diameter (PM₁₀), and particulate matter 2.5 microns or less in diameter (PM_{2.5}) in order to verify the City's less than significant localized impact conclusion. Dispersion modeling was performed using the SCAQMD-preferred model, AERMOD, including building downwash considerations. Emissions were calculated using Project-specific emission data and factors. The maximum off-site concentrations of NO₂ and CO from project operations were added to the appropriate historical background concentrations and compared to the applicable AAQS. If an AAQS is not exceeded, the project is judged to not cause or contribute substantively to an AAQS violation for that pollutant. The SCAQMD has developed alternative significant impact thresholds for fugitive emissions of PM₁₀ and PM_{2.5}, as shown in Table A: Maximum Off-Site Concentrations from Operations. If a source's maximum impacts are below the applicable significant impact thresholds, the project

is judged to not cause or contribute significantly to an AAQS violation or cause an increment violation. Details regarding the refined dispersion modelling are included in **Appendix B: AAQS Supplemental Memo**, attached below.

As shown on Table A, maximum emissions from the Project during routine generator maintenance and testing will not cause or contribute to a violation of an applicable NO₂ or CO NAAQS or CAAQS or cause an increment exceedance of the SCAQMD significant impact levels for the annual and 24-hour averaging periods for PM₁₀ and PM_{2.5}.

Table A: Maximum Off-Site Concentrations from Operations							
Pollutant	Averaging Time	Maximum Modeled Concentration (µg/m ³)	Background Concentration (ppm)	Background Concentration ¹ (µg/m ³)	Total Ground Level Concentration (µg/m ³)	SCAQMD Threshold (µg/m ³) ²	Threshold Exceeded? ³
NO ₂ ⁴	1-hour	140.81	0.0597	112.34	253.15	339 (state)	No
	1-hour ⁵	55.49	0.0509	95.78	151.27	188 (federal)	No
	Annual	0.79	0.0095	17.88	18.67	57 (state)	No
	Annual					100 (federal)	No
CO	1-hour	5.39	1.6	1,832.97	1,838.36	23,000 (state)	No
	1-hour					40,000 (federal)	No
	8-hour	2.83	1.3	1,489.29	1,492.12	10,000 (state/fed)	No
PM ₁₀ ⁶	24-hour	0.13	--	--	0.13	2.5 (SCAQMD)	No
	Annual	0.01	--	--	0.01	1.0 (SCAQMD)	No
PM _{2.5} ⁶	24-hour	0.13	--	--	0.13	2.5 (SCAQMD)	No

Notes:

- Background concentrations are from the Southwest Coastal LA County Station #820 (2020).
- All thresholds are shown in micrograms per cubic meter (µg/m³) for comparison to modeled concentrations.
- Exceedances of the thresholds are indicated in bold.
- NO₂ concentrations were calculated per Tier 2 ARM2 ratios in U.S. EPA's 40 CFR Part 51 Appendix W, Section 4.2.3.4. Conversion of NO_x to NO₂ use U.S. EPA minimum and maximum default values NO₂/NO_x of 0.5 and 0.9, respectively.
- This comparison is to the federal NAAQS, which is a 98th percentile threshold. The background concentration is the average of the 8th highest daily maximum 1-hour concentration.
- The thresholds for PM₁₀ and PM_{2.5} are incremental thresholds; therefore, the incremental concentration without background is compared to the threshold.

The results of the refined AAQS modeling demonstrate that maximum off-site concentrations from operational emissions would not exceed any applicable NAAQS, CAAQS or SCAQMD thresholds and localized impacts are predicted to be less than significant. These results further demonstrate that the basis of the less than significant conclusion stated in the IS/MND was valid and appropriate.

- 2-7 The comment addresses Mitigation Measure MM AQ-1, suggesting that the City should not claim it as a mitigation measure if it is an applicable permit condition on the generators. The comment then suggests the City should consider additional mitigation measures.

The current Permits to Operate, numbered G65311 through G65314 and G65319 through G65322, issued to Nash DC, LLC under SCAQMD Facility ID 194472, contain language similar to or identical to the following condition related to maintenance and testing:

4. This engine shall not be operated more than 200 hours in any one year, which includes no more than 50 hours in any one year [for maintenance and testing purposes] and no more than 4.2 hours in any one month for maintenance and testing purposes.

MM AQ-1, limiting the daily time allowed for maintenance, training, and testing activities of one or multiple engines, is separate and different from the permit condition establishing monthly and annual limits on maintenance and testing for each engine. MM AQ-1 results in daily NOx emissions below the applicable operational CEQA threshold. Thus, consideration of other mitigation measures is not warranted.

- 2-8 In this comment, the SCAQMD suggests the City include a discussion of equipment that will require SCAQMD permits and identify SCAQMD as a Responsible Agency. In IS/MND Table 2-3, the generators included as part of the Project and included in the SCAQMD permits were identified. The Project includes Tier 2 diesel-powered generator sets. Five of the generators are 2,300 kw (3516C or similar) and two generators are 1,250 kw (C-32 or similar). As noted in Appendix A, proposed generators (CAT 3516C or similar) are EPA Tier 2 certified and certified through SCAQMD, and therefore meet the emission limits set under Rule 1470(c) (2)(C) (vii). Emission factors of proposed CAT 3516C are based on Certified Equipment Permits (CEP) Application Number 554732. To clarify the equipment types that would require a permit, the IS/MND is revised as presented below.

IS/MND Page 36 revised as follows:

The Project’s operations were analyzed for impacts concerning the additional seven generators; see Appendix A for model inputs, and see Table 2-2 2-3 for the quantity and engine type of the proposed generators. The Project includes Tier 2 diesel-powered generator sets. Five of the generators are 2,300 kw (3516C or similar) and two generators are 1,250 kw (C-32 or similar). As noted in Appendix A, proposed generators (CAT 3516C or similar) are EPA Tier 2 certified and certified through SCAQMD, and therefore meet the emission limits set under Rule 1470(c) (2)(C)(vii). Emission factors of proposed CAT 3516C are based on Certified Equipment Permits (CEP) Application Number 554732. Cumulative impacts included the existing eight generators plus the additional seven generators, as detailed below.

Additionally, the comment suggested the City to identify which SCAQMD Rules apply to the proposed Projects’ equipment. Corrections will be made in the IS/MND as shown below.

IS/MND Page 47 is revised as follows:

Additionally, adherence to SCAQMD rules and regulations, specifically Rule 431.2, Sulfur Content of Liquid Fuels¹⁵ and Rule 1110.2, Emissions from Gaseous and Liquid-Fueled Engines¹⁶, which would alleviate potential impacts related to cumulative or future conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

¹⁵ South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>

¹⁶ South Coast AQMD. Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. Accessed at: <http://www.aqmd.gov/docs/default-source>.

- 2-9 The comment is general in nature, summarizing the requirement, in accordance with the CEQA guidelines, for the City to consider comments received during the public review process when considering adoption of an IS/MND. The comment further requests that the City give reasons why specific comments and suggestions are not accepted.

The responses provided herein address each of the SCAQMD’s suggestions and comments, as required. The responses, along with the revisions to the IS/MND, provide the evidence needed for the City to consider adoption of the IS/MND.

3.0 ERRATA TO THE IS/MND

Text changes are intended to clarify or correct information in the Public Review IS/MND as initiated by the Lead Agency staff or due to comments raised during the public review period. Revisions to the Public Review IS/MND are presented below as excerpts, with deleted text indicated as strikethrough (~~example~~) and added/modified text indicated as double underline (example).

~~Deleted IS/MND text~~ Added IS/MND text

IS/MND Page 7 is revised as follows:

As also depicted on **Exhibit 2-3**, the overall data center property (SCAQMD Facility ID 194472) is fully developed and occupied by an approximately 116,756-SF data center with 70 surface parking spaces. Three emergency backup diesel generators and a Southern California Edison substation are situated at the property’s southeast corner. One additional emergency backup diesel generator is on the roof of the building. These include Permits to Operate, numbered G65311 through G65314 and G65319 through G65322.

IS/MND Page 7 is revised as follows:

As of this writing, four additional generators (SCAQMD Permits to Operate numbers G65311 through G65314 and G65319 through G65322) are currently being installed (resulting in eight in total). Construction of the northerly building expansion (not a part of this Project) is anticipated to occur in late 2022.

IS/MND Page 36 revised as follows:

The Project's operations were analyzed for impacts concerning the additional seven generators; see Appendix A for model inputs, and see Table 2-2 2-3 for the quantity and engine type of the proposed generators. The Project includes Tier 2 diesel-powered generator sets. Five of the generators are 2,300 kw (3516C or similar) and two generators are 1,250 kw (C-32 or similar). As noted in Appendix A, proposed generators (CAT 3516C or similar) are EPA Tier 2 certified and certified through SCAQMD, and therefore meet the emission limits set under Rule 1470(c) (2)(C) (vii). Emission factors of proposed CAT 3516C are based on Certified Equipment Permits (CEP) Application Number 554732. Cumulative impacts included the existing eight generators plus the additional seven generators, as detailed below.

IS/MND Page 39 revised as follows:

...Mitigation Measure AQ-1 requires that generator run time associated with maintenance, staff training, and testing be limited to a cumulative total of not more than 108 minutes on any single day to no more than 140 minutes for all generators in the entire facility (up to 15 generators). A non-resettable hour meter capable of tracking to at least one-tenths of an hour, shall be installed and maintained on each generator. In addition, an engine operating log shall be maintained by the Applicant that shall list the daily run time each or any engine was operated for the purpose of maintenance, staff training, and/or testing. The engine operating log shall record each time the engine is manually started including the date of operation, the specific reason for operation, and the totalizing hour meter reading (in hours and tenths of hours) at the beginning and end of operation or operations for a specific date. Engine operating logs shall be retained on-site for a minimum of five calendar years and shall be made available to a City representative upon request. Further, upon request from the City but no more than one time per year, the Applicant shall have the engine manufacturers' service provider download from the engines' CPU the engines' run time for the year including date specific run times and fuel utilization.

IS/MND Page 40 is revised as follows:

Table 4.3-5: Operational Emissions (Maximum Pounds Per Day)						
Source	Emissions (pounds per day) ¹					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO _x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO ₂)	Coarse Particulate Matter (PM ₁₀)	Fine Particulate Matter (PM _{2.5})
Unmitigated Scenarios						
Generators ³	7.98	412.86	68.74	0.70	5.74	5.74
Project Trips	0.03	0.03	0.52	>0.01	0.19	0.05
Total	8.01	412.89	69.26	0.70	5.93	5.79
SCAQMD Threshold	55.00	55.00	550.00	150.00	150.00	55.00
SCAQMD Threshold Exceeded?	No	Yes	No	No	No	No
Mitigated Scenario²						
Generators ³	0.41 <u>2.02</u>	25.19 <u>54.66</u>	3.73 <u>10.96</u>	0.04 <u>0.09</u>	0.34 <u>0.72</u>	0.34 <u>0.72</u>
Project Trips	0.03	0.03	0.52	>0.01	0.19	0.05
Total	0.44 <u>2.05</u>	25.22 <u>54.69</u>	4.25 <u>11.48</u>	0.04 <u>0.09</u>	0.53 <u>0.19</u>	0.39 <u>0.77</u>
SCAQMD Threshold	55.00	55.00	550.00	150.00	150.00	55.00
SCAQMD Threshold Exceeded?	No	No	No	No	No	No
Notes:						
<ol style="list-style-type: none"> Emissions were calculated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0, as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported. Mitigated emissions include compliance with Mitigation Measure AQ-1, which requires that generator maintenance and testing be limited on any single day to no more than 440 108 minutes for the entire facility (15 generators). Potential to emit (PTE) of an engine is based on the 50 hour per year limit on maintenance and testing operations, in accordance with South Coast AQMD's policy and procedures No. EC-02-09, dated 2/24/2009. 						

IS/MND Page 42 is revised as follows:

Table 4.3-6: Significance of Localized Emissions				
Source/Activity	Emissions (pounds per day)¹			
	NO_x	CO	PM₁₀	PM_{2.5}
Construction Emissions				
Demolition 2022	16.81	13.19	1.76	0.93
Grading 2022	11.78	6.55	8.73	4.55
Building Construction 2022	14.15	13.90	0.72	0.68
Paving 2022	7.85	9.24	0.39	0.36
SCAQMD Localized Screening Threshold (1 acre of disturbance at 100 meters)	107	1,156	28	9
Exceed SCAQMD Threshold?	No	No	No	No
Operational Emissions				
On-Site Emissions (Generators) ¹	25.31 <u>54.69</u>	4.37 <u>11.48</u>	0.54 <u>0.19</u>	0.95 <u>0.77</u>
SCAQMD Localized Screening Threshold (1 acre of disturbance at 50 meters)	107	1,156	7	3
Exceed SCAQMD Threshold?	No	No	No	No
1. Source: CalEEMod version 2020.4.0. Refer to Appendix A: Air Quality and Greenhouse Gas Technical Memorandum for model data outputs. 2. This includes Mitigation Measure AQ-1 which limits maintenance and testing of the emergency generators.				

IS/MND Page 47 is revised as follows:

Additionally, adherence to SCAQMD rules and regulations, specifically Rule 431.2, Sulfur Content of Liquid Fuels¹⁵ and Rule 1110.2, Emissions from Gaseous and Liquid-Fueled Engines¹⁶, which would alleviate potential impacts related to cumulative or future conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

¹⁵ South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>

¹⁶ South Coast AQMD. Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1110-2.pdf>.

IS/MND Page 47 is revised as follows:

Mitigation Measures

MM AQ-1 Generator run time associated with maintenance, staff training, and testing shall be limited to a cumulative total of not more than 108 minutes on any single day for all generators in the facility. A non-resettable totalizing hour meter capable of tracking to at least one-tenth of an hour shall be installed and maintained on each generator. In addition, an engine operating log shall be maintained by the Applicant that shall list the daily run time that each or any engine was operated for the purposes of maintenance, staff training and/or testing. The engine operating log shall record each time the subject engine is manually started including the date of operation, the specific reason for operation, and the totalizing hour meter reading (in hours and tenths of hours) at the beginning and end of operation or operations for the specific date. Engine operating logs shall be retained on-site for a minimum of five calendar years and shall be made available to a City representative upon request. Further, upon request from the City but no more than one time per year, the Applicant shall have the engine manufacturers' service provider download from the engines' CPU the engines' run time for the year including date specific run times and fuel utilization. ~~Generator maintenance, staff training, and testing shall be limited on any single day to no more than 110 minutes for the entire facility (up to 15 generators).~~

IS/MND Page 73 revised as follows:

The drywell would also include a Bio Clean Screening Filter that would pre-treat captured water [stormwater runoff] before its return to the wastewater system City storm drain.

APPENDIX A: COMMENT LETTERS



November 18, 2022

Ref. DOC 6748179

Mr. Eduardo Schonborn
City of El Segundo
350 Main Street
El Segundo, CA 90245

Dear Mr. Schonborn:

NOI Response to 444 North Nash Street Data Center Project (EA-971, Revision A)

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the subject project on November 3, 2022. The proposed project is located within the jurisdictional boundaries of District No. 5. We offer the following comment:

- **Section 4.10 Hydrology and Water Quality**, *response to item 4.10a*, first paragraph on page 73 of the MND: the response stated that “The drywell would also include a Bio Clean Screening Filter that would pre-treat captured water [stormwater runoff] before its return to the wastewater system.” Please note that any discharge of rainwater to the Districts’ sewerage system is prohibited without prior approval. Controlled discharge of rainwater or stormwater to the sewerage system may be allowed on a case-by-case basis and would require a Districts’ permit for Industrial Wastewater Discharge. Project developers should contact the Districts’ Industrial Waste Section at (562) 908-4288, extension 2900, to reach a determination on this matter. Project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, please visit <https://www.lacsd.org/services/wastewater-programs-permits/industrial-waste-pretreatment-program/industrial-wastewater-discharge-permits>.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2743, or mandyhuffman@lacsd.org.

Very truly yours,

Mandy Huffman

Mandy Huffman
Environmental Planner
Facilities Planning Department

MNH:mnh

cc: J. Chung



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

November 23, 2022

eschonborn@elsegundo.org

Eduardo Schonborn, Planning Manager
City of El Segundo, Community Development Department
350 Main Street,
El Segundo, CA 90245

**Public Review Initial Study/Mitigated Negative Declaration (IS/MND) for the Proposed
444 North Nash Street Data Center Project (Proposed Project)
(State Clearinghouse No. 2022110041)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of El Segundo is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include reviewing the requirements in CEQA Statute & Guidelines, recommended revisions to the CEQA regional and localized operation air quality impacts analysis, air quality mitigation measures, and information about South Coast AQMD rules and permits that the Lead Agency should incorporate in the Revised or Final IS/MND.

South Coast AQMD Staff's Summary of Project Information in the IS/MND

Based on the IS/MND, the Lead Agency proposes to install up to seven additional emergency backup diesel generators on a 0.5-acre portion of an approximately 6.14-acre property,¹ which results in a total of 15 backup diesel generators.² The Proposed Project would have four backup generators installed on platforms on top of existing generators, and three other backup generators would be built on concrete foundations.³ The Proposed Project is located at 444 North Nash Street, El Segundo.⁴ Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., Da Vinci School) is approximately 1,300 feet south-southeast of the Proposed Project. Construction of the Proposed Project is anticipated to last approximately two months, beginning in mid-2022 and ending in late 2022.⁵

South Coast AQMD Staff's Comments

Recommend reviewing the requirements in CEQA Statute & Guidelines, providing background information on the facility, and making determinations on the type of appropriate CEQA document, baseline, and scope to be used for the Proposed Project

¹ IS/MND. Page 7.

² *Ibid.* Page 14.

³ *Ibid.*

⁴ *Ibid.* Page 7.

⁵ *Ibid.* Page 21.

Pursuant to State CEQA Guidelines Article 4 and Article 5, the environmental setting, scope, and baseline of IS/MND prepared and conducted by the Lead Agency for the Proposed Project amend Environmental Assessment No. EA-971 should be consistent with the original IS/MND (2012 discretionary City approval for the existing data center and up to 14 emergency backup diesel generators). However, it appears the IS/MND uses only the northeast portion of the property and includes the seven additional emergency generators when defining the scope and baseline of the Proposed Project for the environmental impact assessment. In addition, South Coast AQMD is the responsible agency for the permitted and proposed emergency engines. However, the background information of the facility (e.g., South Coast AQMD's facility ID and permit numbers of those permitted equipment) is not provided. The original IS/MND is also not available on the website to verify facility design information, including the permit conditions and the technical specifications for the emergency engine equipment. It is unclear what basis was used to evaluate the environmental impacts in the original IS/MND. It is recommended that the Lead Agency review the requirement in CEQA Statute & Guidelines, providing background information on the facility, and making determinations on the type of appropriate CEQA document, baseline, and scope to be used for the Proposed Project.

Recommend Revisions to the CEQA Regional Operation Air Quality Impacts Analysis

Regional Operational Emissions Analysis

In the IS/MND, the Lead Agency discusses and concludes that the Proposed Project's unmitigated operational emissions would exceed the South Coast AQMD CEQA regional air quality significance thresholds for NOx emissions.⁶ Due to the NOx emissions exceedance, the Lead Agency proposes Mitigation Measures (MM) AQ-1 to limit the generator maintenance, staff training, and testing on any single day to no more than 110 minutes for the entire facility of up to 15 generators.⁷ Hence, the Proposed Project's mitigated operational emissions are reduced and less than the South Coast AQMD CEQA regional air quality significance thresholds.⁸ Table 4.3-5: Operational Emissions (Maximum pounds per day) in the IS/MND show unmitigated and mitigated operation emissions, with the emissions calculated using California Emissions Estimator Model (CalEEMod).⁹ However, the operational emissions from CalEEMod output files¹⁰ and the emissions calculations spreadsheet in Appendix D¹¹ do not match the values presented in the IS/MND. For instance, the IS/MND shows the NOx emissions as 412.89 lbs/day (unmitigated) and 25.19 lbs/day (mitigated),¹² but the CalEEMod output files and the emissions calculations spreadsheet in Appendix D show different values. Therefore, South Coast AQMD staff is not able to verify any of the unmitigated and mitigated operational emissions in the IS/MND and its appendices. South Coast AQMD staff recommends that the Lead Agency provide a more detailed explanation of how the operational emissions are calculated with supporting evidence and include them in the Revised or Final IS/MND. Alternatively, if the explanation is not provided in the Revised or Final IS/MND to verify the emissions values, the Lead Agency should review and

⁶ *Ibid.* Page 39.

⁷ *Ibid.* Page 47.

⁸ *Ibid.* Page 39.

⁹ *Ibid.* Page 40.

¹⁰ Appendix A. CalEEMod Output Files.

¹¹ Appendix D. Page 12 of PDF.

¹² IS/MND. Page 40.

revise both IS/MND, CalEEMod output files, and the emissions calculations spreadsheet to ensure that all documents present the emissions consistently to avoid any discrepancies and include the revisions in the Revised or Final IS/MND. If the revisions are not included in the Revised or Final IS/MND, the Lead Agency should provide reasons for not having it supported by substantial evidence in the record.

In addition, the Lead Agency discusses that with the proposed MM AQ-1, the mitigated operation emissions are less than South Coast AQMD CEQA Regional Operational Air Quality Significance Thresholds.¹³ South Coast AQMD staff is not able to verify and replicate the mitigated operation emissions that the Lead Agency includes in the IS/MND due to the lack of supporting evidence. Based on the emissions calculations spreadsheet in Appendix D, the Caterpillar 3516C, rated at 3,643 horsepower (hp), has the highest NOx emission factors out of 15 generators. Therefore, South Coast AQMD staff uses this generator model's emissions factor to re-calculate the mitigated operation emissions by using the proposed limit of 110 minutes as the maximum operating time for more conservative results and finds that the mitigated NOx emission is 55.67 lbs/day, which slightly exceeds the South Coast AQMD CEQA Regional Operational Air Quality Significance Thresholds for NOx. It is recommended that the Lead Agency review the definitions of CEQA Environmental Setting for the project baseline (per CEQA Guidelines Section 15125) for the Proposed Project, determine which emission source would be included and result in an emissions increase, and revise the emission calculations with the most accurate and conservative results and include them in the Revised or Final IS/MND. If the mitigated operational NOx emissions are found to be exceeded the significance thresholds, the Lead Agency should propose and discuss other additional air quality mitigation measures to further reduce the emissions, re-calculate operation emissions with the implementation of new mitigation measures, and include them in the Revised or Final IS/MND. If the revision and/or new air quality mitigation measures are not included in the Revised or Final IS/MND, the Lead Agency should provide reasons for not having it supported by substantial evidence in the record.

Localized Operational Emissions Analysis

In the IS/MND, the Lead Agency discusses the localized construction and operation emissions and shows in Table 4.3-6: Significance of Localized Emissions.¹⁴ The localized emissions are calculated using the Mass Rate LST Lookup Table in the IS/MND.¹⁵ However, based on the aerial maps, the Proposed Project is surrounded by two-stories buildings. Therefore, South Coast AQMD staff suggests the Lead Agency re-evaluate the localized operational emissions by conducting dispersion modeling to include building downwash in order to predict more accurate and conservative results, determine the significance levels, and include the revised localized operation emissions in the Revised or Final IS/MND. If the revision is not included in the Revised or Final IS/MND, the Lead Agency should provide reasons for not having it supported by substantial evidence in the record.

¹³ *Ibid.* Page 47.

¹⁴ *Ibid.* Page 42.

¹⁵ South Coast AQMD LST Mass Rate Lookup Table can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

Recommend Revisions to the Air Quality Mitigation Measures

In the IS/MND, the Lead Agency proposes Mitigation Measure MM AQ-1 as “Generator maintenance, staff training, and testing shall be limited on any single day to no more than 110 minutes for the entire facility (up to 15 generators).¹⁶ However, if this statement is one of the permit conditions for the generators, the Lead Agency should not claim it as a mitigation measure since the Lead Agency needs to have those generators in compliance pursuant to the permit conditions. Additionally, as mentioned in the first comment, if the mitigated operation NOx emissions exceed the South Coast AQMD CEQA Regional Operational Air Quality Significance Thresholds, other additional mitigation measures should be considered and discussed in the Revised or Final IS/MND to further reduce the NOx emissions to be below the significance thresholds. Therefore, South Coast AQMD staff recommends that the Lead Agency proposes and discusses other additional mitigation measures to further reduce the operational emissions of the Proposed Project and includes them in the Revised or Final IS/MND. If the revision is not included in the Revised or Final IS/MND, the Lead Agency should provide reasons for not having it supported by substantial evidence in the record.

Responsible Agency and South Coast AQMD Permits

In the event that the Proposed Project or implementation of the Proposed Project requires modifying the existing or the use of new stationary equipment, permits from South Coast AQMD are required unless a written permit is not required.¹⁷ The Lead Agency should use good-faith effort to include a discussion of equipment that will require South Coast AQMD permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project in the Revised or Final IS/MND. If any activities involve using equipment that either emits or controls air pollution, the Lead Agency should consult with South Coast AQMD staff to determine whether or not permits or plans are required and approved by South Coast AQMD prior to the construction and operation. The Lead Agency should determine which South Coast AQMD Rules apply to the Proposed Projects’ equipment, such as Rule 431.2 – Sulfur Content of Liquid Fuels¹⁸ and Rule 1110.2 – Emissions from Gaseous and Liquid-Fueled Engines,¹⁹ will be applicable and discussed in the Revised or Final IS/MND. Please contact South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385 or visit South Coast AQMD’s web page for more general information on permits: <http://www.aqmd.gov/home/permits>.

Conclusion

According to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the IS/MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Revised or Final IS/MND. When the Lead Agency’s position is at variance with recommendations raised in the comments, the issues raised in the comments should be addressed in detail, giving reasons why specific comments and suggestions

¹⁶ IS/MND. Page 47.

¹⁷ South Coast AQMD. Rule 219. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/Rule-219.pdf>.

¹⁸ South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.

¹⁹ South Coast AQMD. Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1110-2.pdf>.

are not accepted. There should be good faith and reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision-makers and the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA-IGR

Planning, Rule Development, and Implementation

SW:DN

LAC221108-09

Control Number



APPENDIX B: AAQS SUPPLEMENTAL MEMO

MEMORANDUM

To: Mr. Eduardo Schonborn
Planning Manager, City of El Segundo

From: Heidi Rous and Noemi Wyss
Kimley-Horn and Associates, Inc.

Date: January 18, 2023

Subject: 444 Nash Street IS/MND – AAQS Modeling Technical Memorandum

Methodology

This technical memorandum was prepared to summarize the analysis performed to determine whether the project would cause or contribute significantly to an ambient air quality standards (AAQS) from routine testing of emergency generators proposed to be located at 444 Nash Street, in El Segundo, California (Project Site). The methodology implemented is consistent with applicable SCAQMD guidance which largely follows Office of Environmental Health Hazard Assessment (OEHHA) but includes some notable local preferences, as discussed below.

Dispersion Modeling

The air dispersion modeling for the operational risk assessment was performed using United States Environmental Protection Agency (U.S. EPA) AERMOD dispersion model. AERMOD is a steady-state, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources (not a factor in this case). AERMOD requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class, and mixing height. AERMOD regulatory defaults, the “Urban” modeling option for the County, and “Elevated” terrain were used for this analysis. In addition, National Elevation Dataset (NED) terrain data was imported into AERMOD for the project. Surface and upper air meteorological data is provided by CARB. Surface and upper air meteorological data from the Los Angeles International Airport was selected as being the most representative for meteorology based on proximity to the project site.

Emissions of nitrogen dioxide (NO₂), carbon monoxide (CO), particulate matter 10 microns or less in diameter (PM₁₀), and particulate matter 2.5 microns or less in diameter (PM_{2.5}) were calculated based on the largest generator’s emission rates, which is conservative since regular maintenance and testing may involve short-duration operations from multiple generator models, including those with lower

emission rates. The emission sources were entered into AERMOD as point sources with a release height of 20 feet (6.1 meters), which is appropriate for emergency generators

AERMOD was run to obtain the peak 1-hour, 8-hour, 24-hour and annual average (period) concentrations in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) at the nearby receivers at the property line and beyond. According to the SCAQMD, in order “to identify the maximum impacted receptors ... a grid spacing of 100 meters or less must be used” (see page 16 of SCAQMD’s Supplemental Guidelines). Due to the size of the Project site, receptors were modeled with a maximum of 50-meter grid spacing. The receiver grid extended 1,000 feet in every direction from the Project Site boundary. In addition, National Elevation Dataset (NED) terrain data was imported into AERMOD for the Project. The modeling and analysis was prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.¹ To incorporate the building downwash analysis the existing onsite building was digitized with a height of 10.67 meters (35 feet) and a plant boundary was drawn surrounding the Project site. The building profile input program (BPIP) was run to incorporate into the AERMOD program. The outputs from AERMOD include potential downwash effects.

Background of Air Quality Standards

For the purposes of establishing background concentrations of applicable criteria pollutants, this AAQA relied on SCAQMD monitoring values, the raw data for which were collected during the years 2020, 2019, and 2018 at CARB/SCAQMD monitoring stations. Background values were selected from the monitoring station with the closest proximity to the Project site and from the year with the highest NO_2 , CO, PM_{10} . And $\text{PM}_{2.5}$ concentrations.

AAQS Modeling Analysis

Dispersion modeling was performed using the SCAQMD-preferred model, AERMOD, including building downwash considerations. Emissions were calculated using project-specific emission data and factors. The maximum off-site concentrations of NO_2 and CO from Project operations were added to the appropriate historical background concentrations and compared to the applicable AAQS. If an AAQS is not exceeded, the project is judged to not cause or contribute substantively to an AAQS violation for that pollutant. The SCAQMD has developed alternative significant impact thresholds for fugitive emissions of PM_{10} and $\text{PM}_{2.5}$, as shown in Table A: Maximum Off-Site Concentrations from Operations. If a source’s maximum impacts are below the applicable significant impact thresholds,

¹ South Coast Air Quality Management District, *SCAQMD Modeling Guidance for AERMOD*, www.aqmd.gov/home/air-quality/air-quality-data-studies/meteorological-data/modeling-guidance, accessed January 19, 2022.

the project is judged to not cause or contribute significantly to an AAQS violation or cause an increment violation.

As shown on Table A, maximum emissions from the Project during routine generator maintenance and testing will not cause or contribute to a violation of an applicable NO₂ or CO NAAQS or CAAQS or cause an increment exceedance of the SCAQMD significant impact levels for the annual and 24-hour averaging periods for PM₁₀ and PM_{2.5}.

Table A: Maximum Off-Site Concentrations from Operations							
Pollutant	Averaging Time	Maximum Modeled Concentration (µg/m³)	Background Concentration (ppm)	Background Concentration¹ (µg/m³)	Total Ground Level Concentration (µg/m³)	SCAQMD Threshold (µg/m³)²	Threshold Exceeded?³
NO ₂ ⁴	1-hour	140.81	0.0597	112.34	253.15	339 (state)	No
	1-hour ⁵	55.49	0.0509	95.78	151.27	188 (federal)	No
	Annual	0.79	0.0095	17.88	18.67	57 (state)	No
	Annual					100 (federal)	No
CO	1-hour	5.39	1.6	1,832.97	1,838.36	23,000 (state)	No
	1-hour					40,000 (federal)	No
	8-hour	2.83	1.3	1,489.29	1,492.12	10,000 (state/fed)	No
PM ₁₀ ⁶	24-hour	0.13	--	--	0.13	2.5 (SCAQMD)	No
	Annual	0.01	--	--	0.01	1.0 (SCAQMD)	No
PM _{2.5} ⁶	24-hour	0.13	--	--	0.13	2.5 (SCAQMD)	No

Notes:

- Background concentrations are from the Southwest Coastal LA County Station #820 (2020).
- All thresholds are shown in micrograms per cubic meter (µg/m³) for comparison to modeled concentrations.
- Exceedances of the thresholds are indicated in bold.
- NO₂ concentrations were calculated per Tier 2 ARM2 ratios in U.S. EPA's 40 CFR Part 51 Appendix W, Section 4.2.3.4. Conversion of NO_x to NO₂ use U.S. EPA minimum and maximum default values NO₂/NO_x of 0.5 and 0.9, respectively.
- This comparison is to the federal NAAQS, which is a 98th percentile threshold. The background concentration is the average of the 8th highest daily maximum 1-hour concentration.
- The thresholds for PM₁₀ and PM_{2.5} are incremental thresholds; therefore, the incremental concentration without background is compared to the threshold.

Conclusion

The results of the refined AAQS modeling demonstrate that maximum off-site concentrations from operational emissions would not exceed any applicable NAAQS, CAAQS or SCAQMD thresholds and localized impacts are predicted to be less than significant.

Appendix A

Modeling Data

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**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 11.0.1
** Lakes Environmental Software Inc.
** Date: 1/10/2023
** File: C:\Lakes\AERMOD View\Ollie\Ollie__PM10\Ollie__PM10.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE C:\Lakes\AERMOD View\Ollie\Ollie__PM10\Ollie__PM10.isc
  MODELOPT DFAULT CONC
  AVERTIME 24 ANNUAL
  URBANOPT 10040000 LA_County
  POLLUTID PM_10
  RUNORNOT RUN
  ERRORFIL Ollie__PM10.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
  LOCATION STCK1      POINT      371900.716   3754412.638       30.880
** DESCRSRC Generator 1 (3516C)
** Source Parameters **
  SRCPARAM STCK1      0.005047222      5.000      763.850 224.390836796445      0.229

** Building Downwash **
  BUILDHGT STCK1      10.67      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      0.00
  BUILDHGT STCK1      0.00      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      10.67

  BUILDWID STCK1      113.75      124.11      130.70      133.31      131.87      126.43

```

BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	0.00
BUILDWID	STCK1	0.00	124.11	130.70	133.31	131.87	126.43
BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	99.94
BUILDLN	STCK1	104.30	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	0.00
BUILDLN	STCK1	0.00	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	88.29
XBADJ	STCK1	-126.31	-137.87	-145.24	-148.19	-146.65	-140.65
XBADJ	STCK1	-130.37	-116.13	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	5.19	0.00
XBADJ	STCK1	0.00	20.72	18.80	16.32	13.34	9.95
XBADJ	STCK1	6.26	2.38	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	-109.50	-110.91
YBADJ	STCK1	36.07	22.65	8.53	-5.84	-20.03	-33.62
YBADJ	STCK1	-46.18	-57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	-59.26	0.00
YBADJ	STCK1	0.00	-22.65	-8.53	5.84	20.03	33.62
YBADJ	STCK1	46.18	57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	59.26	48.40

URBANSRC ALL

** Variable Emissions Type: "By Hour / Seven Days (HRDOW7)"

** Variable Emission Scenario: "Scenario 1"

EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0

```
EMISFACT STCK1      HRDOW7 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0
EMISFACT STCK1      HRDOW7 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
SRCGROUP ALL
```

SO FINISHED

**

** AERMOD Receptor Pathway

**

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RE STARTING

INCLUDED Ollie__PM10.rou

RE FINISHED

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** AERMOD Meteorology Pathway

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ME STARTING

SURFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.SFC

PROFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.PFL

SURFDATA 23174 2012 LOS_ANGELES/INT'L_ARPT

UAIRDATA 3190 2012

PROFBASE 30.0 METERS

ME FINISHED

**

** AERMOD Output Pathway

**

**

OU STARTING

RECTABLE ALLAVE 1ST

RECTABLE 24 1ST

** Maximum Annual Average POST files for Each Met Year

POSTFILE ANNUAL ALL PLOT OLLIE__PM10.AD\ANNUAL_G001.PLT 31

** Auto-Generated Plotfiles

PLOTFILE 24 ALL 1ST OLLIE__PM10.AD\24H1GALL.PLT 32

PLOTFILE ANNUAL ALL OLLIE__PM10.AD\AN00GALL.PLT 33

SUMMFILE Ollie__PM10.sum

OU FINISHED

**

** Project Parameters

** PROJCTN CoordinateSystemUTM

** DESCPTN UTM: Universal Transverse Mercator

** DATUM World Geodetic System 1984

** DTMRGN Global Definition

```
** UNITS    m
** ZONE     11
** ZONEINX  0
**
```

```

**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 11.0.1
** Lakes Environmental Software Inc.
** Date: 1/10/2023
** File: C:\Lakes\AERMOD View\Ollie\Ollie_CO\Ollie_CO.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE C:\Lakes\AERMOD View\Ollie\Ollie_CO\Ollie_CO.isc
  MODELOPT DFAULT CONC
  AVERTIME 1 8
  URBANOPT 10040000 LA_County
  POLLUTID CO
  RUNORNOT RUN
  ERRORFIL Ollie_CO.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
  LOCATION STCK1      POINT      371900.716   3754412.638       30.880
** DESCRSRC Generator 1 (3516C)
** Source Parameters **
  SRCPARAM STCK1      0.045425      5.000      763.850  224.390836796445      0.229

** Building Downwash **
  BUILDHGT STCK1      10.67      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      0.00
  BUILDHGT STCK1      0.00      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      10.67

  BUILDWID STCK1      113.75      124.11      130.70      133.31      131.87      126.43

```

BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	0.00
BUILDWID	STCK1	0.00	124.11	130.70	133.31	131.87	126.43
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BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	99.94
BUILDLN	STCK1	104.30	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	0.00
BUILDLN	STCK1	0.00	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	88.29
XBADJ	STCK1	-126.31	-137.87	-145.24	-148.19	-146.65	-140.65
XBADJ	STCK1	-130.37	-116.13	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	5.19	0.00
XBADJ	STCK1	0.00	20.72	18.80	16.32	13.34	9.95
XBADJ	STCK1	6.26	2.38	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	-109.50	-110.91
YBADJ	STCK1	36.07	22.65	8.53	-5.84	-20.03	-33.62
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YBADJ	STCK1	0.00	0.00	0.00	0.00	-59.26	0.00
YBADJ	STCK1	0.00	-22.65	-8.53	5.84	20.03	33.62
YBADJ	STCK1	46.18	57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	59.26	48.40

URBANSRC ALL

** Variable Emissions Type: "By Hour / Seven Days (HRDOW7)"

** Variable Emission Scenario: "Scenario 1"

EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0

```
EMISFACT STCK1      HRDOW7 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0
EMISFACT STCK1      HRDOW7 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
SRCGROUP ALL
```

SO FINISHED

**

** AERMOD Receptor Pathway

**

**

RE STARTING

INCLUDED Ollie_CO.rou

RE FINISHED

**

** AERMOD Meteorology Pathway

**

**

ME STARTING

SURFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.SFC

PROFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.PFL

SURFDATA 23174 2012 LOS_ANGELES/INT'L_ARPT

UAIRDATA 3190 2012

PROFBASE 30.0 METERS

ME FINISHED

**

** AERMOD Output Pathway

**

**

OU STARTING

RECTABLE ALLAVE 1ST

RECTABLE 1 1ST

RECTABLE 8 1ST

** Auto-Generated Plotfiles

PLOTFILE 1 ALL 1ST OLLIE_CO.AD\01H1GALL.PLT 31

PLOTFILE 8 ALL 1ST OLLIE_CO.AD\08H1GALL.PLT 32

SUMMFILE Ollie_CO.sum

OU FINISHED

**

** Project Parameters

** PROJCTN CoordinateSystemUTM

** DESCPTN UTM: Universal Transverse Mercator

** DATUM World Geodetic System 1984

** DTMRGN Global Definition

** UNITS m

```
** ZONE    11  
** ZONEINX 0  
**
```

```

**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 11.0.1
** Lakes Environmental Software Inc.
** Date: 1/10/2023
** File: C:\Lakes\AERMOD View\Ollie\Ollie_NOx\Ollie_NOx.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE C:\Lakes\AERMOD View\Ollie\Ollie_NOx\Ollie_NOx.isc
  MODELOPT DFAULT CONC ARM2
  AVERTIME 1 ANNUAL
  URBANOPT 10040000 LA_County
  POLLUTID NO2
  RUNORNOT RUN
** NO2 Conversion Options
  ARMRATIO 0.500 0.900
  ERRORFIL Ollie_NOx.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
  LOCATION STCK1      POINT      371900.716   3754412.638       30.880
** DESCRSRC Generator 1 (3516C)
** Source Parameters **
  SRCPARAM STCK1      0.382579444      5.000      763.850 224.390836796445      0.229

** Building Downwash **
  BUILDHGT STCK1      10.67      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      0.00
  BUILDHGT STCK1      0.00      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      10.67

```

BUILDWID	STCK1	113.75	124.11	130.70	133.31	131.87	126.43
BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	0.00
BUILDWID	STCK1	0.00	124.11	130.70	133.31	131.87	126.43
BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	99.94
BUILDLN	STCK1	104.30	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	0.00
BUILDLN	STCK1	0.00	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	88.29
XBADJ	STCK1	-126.31	-137.87	-145.24	-148.19	-146.65	-140.65
XBADJ	STCK1	-130.37	-116.13	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	5.19	0.00
XBADJ	STCK1	0.00	20.72	18.80	16.32	13.34	9.95
XBADJ	STCK1	6.26	2.38	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	-109.50	-110.91
YBADJ	STCK1	36.07	22.65	8.53	-5.84	-20.03	-33.62
YBADJ	STCK1	-46.18	-57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	-59.26	0.00
YBADJ	STCK1	0.00	-22.65	-8.53	5.84	20.03	33.62
YBADJ	STCK1	46.18	57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	59.26	48.40

URBANSRC ALL

** Variable Emissions Type: "By Hour-of-Day (HROFDY)"

** Variable Emission Scenario: "Scenario 2"

EMISFACT	STCK1	HROFDY	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HROFDY	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HROFDY	1.0	1.0	1.0	0.0	0.0	0.0
EMISFACT	STCK1	HROFDY	0.0	0.0	0.0	0.0	0.0	0.0

SRCGROUP ALL

SO FINISHED

**

** AERMOD Receptor Pathway

**

**

RE STARTING

INCLUDED Ollie_NOx.rou

RE FINISHED

**

```

** AERMOD Meteorology Pathway
*****
**
**
ME STARTING
  SURFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.SFC
  PROFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.PFL
  SURFDATA 23174 2012 LOS_ANGELES/INT'L_ARPT
  UAIRDATA 3190 2012
  PROFBASE 30.0 METERS
ME FINISHED
**
*****
** AERMOD Output Pathway
*****
**
**
OU STARTING
  RECTABLE ALLAVE 1ST 8TH
  RECTABLE 1 1ST 8TH
** Maximum Annual Average POST files for Each Met Year
  POSTFILE ANNUAL ALL PLOT OLLIE_NOX.AD\ANNUAL_G001.PLT 31
** Auto-Generated Plotfiles
  PLOTFILE 1 ALL 1ST OLLIE_NOX.AD\01H1GALL.PLT 32
  PLOTFILE 1 ALL 8TH OLLIE_NOX.AD\01H8GALL.PLT 33
  PLOTFILE ANNUAL ALL OLLIE_NOX.AD\AN00GALL.PLT 34
  MXDYBYR ALL OLLIE_NOX.AD\MXDYBYR_ALL_NO2.DAT 35
  MAXDAILY ALL OLLIE_NOX.AD\MAXDAILY_ALL_NO2.DAT 36
  SUMMFILE Ollie_NOx.sum
OU FINISHED
**
*****
** Project Parameters
*****
** PROJCTN  CoordinateSystemUTM
** DESCPTN  UTM: Universal Transverse Mercator
** DATUM    World Geodetic System 1984
** DTMRGN   Global Definition
** UNITS    m
** ZONE     11
** ZONEINX  0
**

```

```

**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 11.0.1
** Lakes Environmental Software Inc.
** Date: 1/10/2023
** File: C:\Lakes\AERMOD View\Ollie\Ollie_NOx_1hr\Ollie_NOx_1hr.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE C:\Lakes\AERMOD View\Ollie\Ollie_NOx_1hr\Ollie_NOx_1hr.isc
  MODELOPT DFAULT CONC ARM2
  AVERTIME 1
  URBANOPT 10040000 LA_County
  POLLUTID NO2
  RUNORNOT RUN
** NO2 Conversion Options
  ARMRATIO 0.500 0.900
  ERRORFIL Ollie_NOx_1hr.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
  LOCATION STCK1      POINT      371900.716   3754412.638       30.880
** DESCRSRC Generator 1 (3516C)
** Source Parameters **
  SRCPARAM STCK1      3.825794      5.000      763.850 224.390836796445      0.229

** Building Downwash **
  BUILDHGT STCK1      10.67      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      0.00
  BUILDHGT STCK1      0.00      10.67      10.67      10.67      10.67      10.67
  BUILDHGT STCK1      10.67      10.67      0.00      0.00      0.00      0.00
  BUILDHGT STCK1      0.00      0.00      0.00      0.00      10.67      10.67

```

BUILDWID	STCK1	113.75	124.11	130.70	133.31	131.87	126.43
BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	0.00
BUILDWID	STCK1	0.00	124.11	130.70	133.31	131.87	126.43
BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	99.94
BUILDLN	STCK1	104.30	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	0.00
BUILDLN	STCK1	0.00	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	88.29
XBADJ	STCK1	-126.31	-137.87	-145.24	-148.19	-146.65	-140.65
XBADJ	STCK1	-130.37	-116.13	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	5.19	0.00
XBADJ	STCK1	0.00	20.72	18.80	16.32	13.34	9.95
XBADJ	STCK1	6.26	2.38	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	-109.50	-110.91
YBADJ	STCK1	36.07	22.65	8.53	-5.84	-20.03	-33.62
YBADJ	STCK1	-46.18	-57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	-59.26	0.00
YBADJ	STCK1	0.00	-22.65	-8.53	5.84	20.03	33.62
YBADJ	STCK1	46.18	57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	59.26	48.40

URBANSRC ALL

** Variable Emissions Type: "By Hour-of-Day (HROFDY)"

** Variable Emission Scenario: "Scenario 2"

EMISFACT	STCK1	HROFDY	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HROFDY	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HROFDY	1.0	0.8	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HROFDY	0.0	0.0	0.0	0.0	0.0	0.0

SRCGROUP ALL

SO FINISHED

**

** AERMOD Receptor Pathway

**

**

RE STARTING

INCLUDED Ollie_NOx_1hr.rou

RE FINISHED

**

```

** AERMOD Meteorology Pathway
*****
**
**
ME STARTING
  SURFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.SFC
  PROFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.PFL
  SURFDATA 23174 2012 LOS_ANGELES/INT'L_ARPT
  UAIRDATA 3190 2012
  PROFBASE 30.0 METERS
ME FINISHED
**
*****
** AERMOD Output Pathway
*****
**
**
OU STARTING
  RECTABLE ALLAVE 1ST 8TH
  RECTABLE 1 1ST 8TH
** Auto-Generated Plotfiles
  PLOTFILE 1 ALL 1ST OLLIE_NOX_1HR.AD\01H1GALL.PLT 31
  PLOTFILE 1 ALL 8TH OLLIE_NOX_1HR.AD\01H8GALL.PLT 32
  MXDYBYR ALL OLLIE_NOX_1HR.AD\MXDYBYR_ALL_NO2.DAT 33
  MAXDAILY ALL OLLIE_NOX_1HR.AD\MAXDAILY_ALL_NO2.DAT 34
  SUMMFILE Ollie_NOx_1hr.sum
OU FINISHED
**
*****
** Project Parameters
*****
** PROJCTN  CoordinateSystemUTM
** DESCPTN  UTM: Universal Transverse Mercator
** DATUM    World Geodetic System 1984
** DTMRGN   Global Definition
** UNITS    m
** ZONE     11
** ZONEINX  0
**

```

```

**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 11.0.1
** Lakes Environmental Software Inc.
** Date: 1/10/2023
** File: C:\Lakes\AERMOD View\Ollie\Ollie_PM2\Ollie_PM2.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE C:\Lakes\AERMOD View\Ollie\Ollie_PM2\Ollie_PM2.isc
  MODELOPT DFAULT CONC
  AVERTIME 24 PERIOD
  URBANOPT 10040000 LA_County
  POLLUTID PM_2.5
  RUNORNOT RUN
  ERRORFIL Ollie_PM2.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
  LOCATION STCK1      POINT      371900.716   3754412.638       30.880
** DESCRSRC Generator 1 (3516C)
** Source Parameters **
  SRCPARAM STCK1      0.005047222    5.000    763.850  224.390836796445    0.229

** Building Downwash **
  BUILDHGT STCK1      10.67    10.67    10.67    10.67    10.67    10.67
  BUILDHGT STCK1      10.67    10.67    0.00    0.00    0.00    0.00
  BUILDHGT STCK1      0.00    0.00    0.00    0.00    10.67    0.00
  BUILDHGT STCK1      0.00    10.67    10.67    10.67    10.67    10.67
  BUILDHGT STCK1      10.67    10.67    0.00    0.00    0.00    0.00
  BUILDHGT STCK1      0.00    0.00    0.00    0.00    10.67    10.67

  BUILDWID STCK1      113.75   124.11   130.70   133.31   131.87   126.43

```

BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	0.00
BUILDWID	STCK1	0.00	124.11	130.70	133.31	131.87	126.43
BUILDWID	STCK1	117.15	104.30	0.00	0.00	0.00	0.00
BUILDWID	STCK1	0.00	0.00	0.00	0.00	113.75	99.94
BUILDLN	STCK1	104.30	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	0.00
BUILDLN	STCK1	0.00	117.15	126.43	131.87	133.31	130.70
BUILDLN	STCK1	124.11	113.75	0.00	0.00	0.00	0.00
BUILDLN	STCK1	0.00	0.00	0.00	0.00	104.30	88.29
XBADJ	STCK1	-126.31	-137.87	-145.24	-148.19	-146.65	-140.65
XBADJ	STCK1	-130.37	-116.13	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	5.19	0.00
XBADJ	STCK1	0.00	20.72	18.80	16.32	13.34	9.95
XBADJ	STCK1	6.26	2.38	0.00	0.00	0.00	0.00
XBADJ	STCK1	0.00	0.00	0.00	0.00	-109.50	-110.91
YBADJ	STCK1	36.07	22.65	8.53	-5.84	-20.03	-33.62
YBADJ	STCK1	-46.18	-57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	-59.26	0.00
YBADJ	STCK1	0.00	-22.65	-8.53	5.84	20.03	33.62
YBADJ	STCK1	46.18	57.35	0.00	0.00	0.00	0.00
YBADJ	STCK1	0.00	0.00	0.00	0.00	59.26	48.40

URBANSRC ALL

** Variable Emissions Type: "By Hour / Seven Days (HRDOW7)"

** Variable Emission Scenario: "Scenario 1"

EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EMISFACT	STCK1	HRDOW7	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0

```
EMISFACT STCK1      HRDOW7 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0
EMISFACT STCK1      HRDOW7 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
SRCGROUP ALL
```

SO FINISHED

**

** AERMOD Receptor Pathway

**

**

RE STARTING

INCLUDED Ollie_PM2.rou

RE FINISHED

**

** AERMOD Meteorology Pathway

**

**

ME STARTING

SURFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.SFC

PROFFILE LosAngelesInt'lAirportADJU\KLAX_V9_ADJU\KLAX_v9.PFL

SURFDATA 23174 2012 LOS_ANGELES/INT'L_ARPT

UAIRDATA 3190 2012

PROFBASE 30.0 METERS

ME FINISHED

**

** AERMOD Output Pathway

**

**

OU STARTING

RECTABLE ALLAVE 1ST

RECTABLE 24 1ST

** Auto-Generated Plotfiles

PLOTFILE 24 ALL 1ST OLLIE_PM2.AD\24H1GALL.PLT 31

PLOTFILE PERIOD ALL OLLIE_PM2.AD\PE00GALL.PLT 32

SUMMFILE Ollie_PM2.sum

OU FINISHED

**

** Project Parameters

** PROJCTN CoordinateSystemUTM

** DESCPTN UTM: Universal Transverse Mercator

** DATUM World Geodetic System 1984

** DTMRGN Global Definition

** UNITS m

** ZONE 11

** ZONEINX 0
**

**PLANNING COMMISSION RESOLUTION 2728
FROM JANUARY 24, 2013**

RESOLUTION NO. 2728

A RESOLUTION APPROVING A 63,666 SQUARE-FOOT EXPANSION TO AN EXISTING 116,756 SQUARE-FOOT DATA CENTER BUILDING LOCATED AT 444 NORTH NASH STREET.

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On April 12, 2012, T5@Los Angeles, LLC (T5 Partners) filed an application for Environmental Assessment No. 971 to expand a previously approved 116,756 gross square-foot multi-tenant data center by 63,666 gross square-feet. The project consists of 75,435 gross square-feet of new construction and 11,769 gross square-feet of demolition. A 38,861 gross square-foot building addition will be added to the north side of the existing building. Demolition of 11,769 gross square-feet will occur on the west side of the existing building to allow the construction of a new 36,573 gross square-foot addition. An existing loading dock will be demolished and reconstructed. The data center is located at 444 North Nash Street;
- B. The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");
- C. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. An Initial Study of Environmental Impacts was prepared pursuant to CEQA Guidelines § 15063. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines § 15070. The Draft Initial Study and Mitigated Declaration were circulated for public review and comment from December 3, 2012 to January 2, 2013;
- E. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for January 24, 2013;

- F. On January 24, 2013, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by City staff, public testimony, and representatives of T5 Partners; and
- G. The Commission considered the information provided by City Staff, public testimony and the representatives of T5 Partners. This resolution, and its findings are made based upon the evidence presented to the Commission at its January 24, 2013 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: Factual Findings and Conclusions. The Commission finds that the following facts exist:

- A. The subject site is located in the Urban Mixed Use North (MU-N) Zone at 444 North Nash Street;
- B. The subject site is a through-lot and rectangular in shape with approximately 468 feet of street frontage on Nash Street and on Duley Road. The property is approximately 6.14 acres in size;
- C. The surrounding land uses consist primarily of light industrial uses with a public recreational use located to the west;
- D. The Planning Commission previously approved the development of a 116,756 square-foot Data Center on the site (EA-786);
- E. The Planning Commission previously approved modifications to the approved data center including: demolition and replacement of a 71,202 square-foot portion of the existing data center building and an increase in the maximum building height from 24'-8" to 36 feet, reconfiguration of parking and landscape areas on the site, and relocation of mechanical equipment from ground-mounted to roof-mounted locations (EA-930);
- F. The proposed project involves a 63,666 square-foot expansion to the existing 116,756 square-foot data center. An 11,769 square-foot portion of the existing building and existing loading dock will be demolished on the west side of the existing building. A 38,861 square-foot two-story building addition will be added to the north side of the existing building. A 36,573 square-foot two-story building addition will be added to the west side of the building. A new loading dock will be built on the west side of the building. The total size of the data center after completion of the project is 180,422 square-feet;

- G. The overall building height to top of building parapet will be increased from 36 feet tall to 60 feet tall. The maximum height of the structure to top of the roof-mounted mechanical equipment is 80 feet tall;
- H. The number of parking will remain 70 spaces. Parking access from North Nash Street will remain unchanged. An additional vehicle access point will be added from Duley Road;
- I. No changes to the existing 20 MVA 66/12 kV Southern California Edison customer-dedicated substation are proposed as part of the data center expansion project; and
- J. Existing on-site landscaped areas will be maintained and some additional building perimeter landscaping will be added around the north building addition. A new ornamental iron fence with vines will be added on the northwest property line to screen vehicle parking and the entrance to the loading dock.

SECTION 3: Environmental Assessment. The Planning Commission makes the following environmental findings:

- A. Because of the facts identified in Section 2 of this Resolution, the proposed project was analyzed for its environmental impacts and an Initial Study was prepared pursuant to CEQA Guidelines §15063. The Initial Study demonstrated that the project would not have a significant effect on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and the Initial Study/Mitigated Negative Declaration was available for public comment from December 3, 2012 to January 2, 2013.
- B. The mitigation measures identified in the mitigated negative declaration are sufficient to reduce all identified environmental impacts to less than significant levels.
- C. In accordance with CEQA Guidelines § 15074, the record on which the City Council's findings are based is located at the Planning and Building Safety Department, City of El Segundo, 350 Main Street, El Segundo, California 90245. The custodian of records is the Director of Planning and Building Safety.

- D. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare an environmental impact report for the proposed project.

SECTION 4: General Plan and Zoning. The proposed revised project conforms with the General Plan and the zoning regulations in the ESMC as follows:

- A. The General Plan Land Use Designation of the project site is Urban Mixed Use North. This designation is intended for a mixture of office, research and development, retail, hotel and light industrial uses. The proposed Data Center use is compatible with the General Plan land use designation.
- B. The proposed Data Center is consistent with General Plan Land Use Designation of Urban Mixed Use North and with the Goals, Objectives, and Policies of the General Plan. Specifically, Land Use Element Goal LU4-4.5 and Objectives LU5-1 and LU7-1, which provides for the development of a Transportation Management Plan and the development of uses that are economically beneficial, and Circulation Element Objectives C2-5 and C2-5.1 dealing with Transportation Demand Management (TDM):
 1. The proposed data center will incorporate certain requirements of the Developer Transportation Demand Management (TDM) that will encourage the use of alternatives to single-occupant vehicle trips.
 2. The data center addition will expand and allow for further utilization of this existing commercial property. The building will be improved and the upgrades will increase the value of the property. Because of the nature of the proposed use, the expanded building will generate additional City revenue in the form of utility tax payments from electricity and natural gas usage. The proposed project will also contain certain mitigation measures to ensure that environmental impacts are at a level of less than significant. The mitigation measures refer to the environmental factors in the area of Aesthetics, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise.
 3. The proposed project will be required to meet the requirements of ESMC Chapter 15-16 Developer Transportation Demand Management (TDM). Although the proposed project will have

minimal employees compared to the size of the building, the proposed project will still be required to incorporate certain measures and requirements to the satisfaction of the Director of Planning and Building Safety to assist in the reduction of traffic congestion.

4. The plans for the proposed data center project were submitted to the City. Planning and Building Safety Department staff reviewed the plans for consistency with all aspects of ESMC Title 15 (Zoning Regulations) and the requirements of the MU-N Zone District.

SECTION 5: Approvals.

- A. The Planning Commission adopts the attached Findings of Fact as set forth in Exhibit "B," which are incorporated into this Resolution by reference.
- B. The Planning Commission, in accordance with the requirements of Public Resources Code §§ 21081(a) and 21081.6, adopts a Mitigation Monitoring and Reporting Program (MMRP) as set forth in attached Exhibit "C," which is incorporated into this Resolution by reference. The Planning Commission adopts each of the mitigation measures expressly set forth in the MMRP as conditions of approval of the project. The other project conditions of approval and compliance with applicable codes, policies, and regulations will further ensure that the environmental impacts of the proposed project will not be greater than set forth in the Mitigated Negative Declaration and these findings.
- C. The Planning Commission certifies the IS/MND prepared for Environmental Assessment No. EA-971; and
- D. Subject to the conditions and mitigation measures listed in the attached Exhibits "A" and "C" respectively, which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. EA-971. The conditions of approval in Exhibit "A" and the mitigation measures in Exhibit "C" for EA-971 supersede the conditions and mitigation measures adopted in Resolution No. 2709 for EA-930.

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the

Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: *Summaries of Information.* All summaries of information in the findings which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding, is not based in part on that fact.

SECTION 9: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution shall be mailed to the T5@Los Angeles, LLC and to any other person requesting a copy.

SECTION 11: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 12: Except as provided in Section 11, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this 24th day of January, 2013.



David Wagner, Chairperson
City of El Segundo Planning Commission

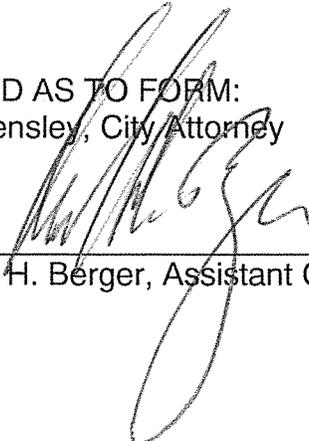
ATTEST:



Sam Lee, Secretary

- Wagner - Aye
- Baldino - Aye
- Newman - Aye
- Nicol - Aye
- Nisley - Aye

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney



By: _____
Karl H. Berger, Assistant City Attorney

PLANNING COMMISSION RESOLUTION NO. 2728

Exhibit A

CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), T5@Los Angeles, LLC agrees that it will comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. EA-971 ("Project Conditions").

Planning and Building Safety Department

1. Before building permits are issued, the applicant must develop plans, demonstrating that the facility conforms with the conditions of the approval and the approved plans on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved, including the site plan, floor plan, elevations, landscaping and materials, must be referred to the Director of the Planning and Building Safety Department for a determination regarding the need for Planning Commission review of the proposed modification.
2. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City of El Segundo.
3. The applicant must comply with all mitigation measures identified in the Mitigated Negative Declaration prepared for the Project. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review for the project and is attached as Exhibit "B" to this Resolution. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.
4. All proposed colors and finish materials on the exterior of the building must be consistent and made to match the existing building. Any changes to the colors and materials must be approved to the satisfaction of the Director of Planning and Building Safety.
5. An updated storm water urban mitigation plan must be provided before issuance of building permits.
6. Mechanical equipment installed on rooftops must be painted to match the building and screened from public view. All aboveground equipment, including,

without limitation, existing and proposed generators, must be fully screened from public view or must be located in a fully enclosed structure.

7. The on-site Southern California Edison sub-station is required to be screened by a solid wall a minimum of 10 feet in height. All ground mounted mechanical equipment located on the eastern portion of the property is required to be screened by a solid wall a minimum of 8 feet in height.
8. Before building permits are issued, plans must conform with the 2010 California Building Code (including, without limitation, accessibility requirements), 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Electrical Code, 2010 California Green Building Code and 2010 California Energy Code, all as amended by the ESMC.
9. Before building permits are issued, the applicant must submit a plan to comply with ESMC Chapter 15-16, entitled "Developer Transportation Demand Management (TDM)." The applicant must provide a kiosk or display rack displaying transportation information which include current maps, routes and schedules for public transit routes serving the site. The applicant must also provide a sufficient number of bicycle racks to accommodate the storage of at least 6 bicycles.
10. Before building permits are issued, the applicant must submit final landscaping and irrigation plans to the Planning and Building Safety Department and the Parks and Recreation Department for review and approval to comply with the City's Water Conservation in Landscaping regulations (ESMC Chapter 10-2).
11. Pedestrian grade separation, elevators, stairways, turnstiles, doors and gates must comply with accessibility requirements of Chapter 11-B of the California Building Code, as adopted by the ESMC.
12. Pedestrian grade separation must comply with Chapter 31 and Chapter 32 of the California Building Code, as adopted by the ESMC.
13. A trash and recycling enclosure must be provided as shown on the site plan. The trash enclosure must be sufficiently large enough to store the necessary bins required for the regular collection of commercial solid waste and recyclable materials. All outdoor storage areas shall be appropriately screened from public view as determined by the Director of Planning and Building Safety.
14. The use of the 14-back up emergency generators will be subject to SCAQMD Regulation XII. Before the City issues a building permit the applicant must provide proof that the generators are inspected and approved by SCAQMD

pursuant to SCAQMD Rule 1303(a)(1) – Requirements; and Rule 1470 – Requirements for Stationary diesel-fueled internal combustion and other compression ignition engines.

15. Separate permit applications with their own valuations must be provide for the building addition, free-standing fences, equipment foundation and supports and the grading work.

Police Department

16. The addressing, the driving surfaces, and open parking lots will be illuminated with a maintained minimum of one footcandle of light on the ground surface during hours of darkness.
17. Wall packs will be placed over shipping/receiving doors and trash dumpsters and must be illuminated with a maintained minimum of one footcandle of light on the ground surface during hours of darkness.
18. Aisles, passageways, and recesses related to and within all sides of the building will be illuminated with a maintained minimum of .25 foot-candles on the ground surface during hours of darkness.
19. Lighting devices will be enclosed and protected by weather and vandal resistant covers.
20. A site plan must be provided showing buildings, parking area, walkways, landscaping and a point-by-point photometric calculation of the required light levels, Foot-candles shall be measured on a horizontal plane and conform to a uniformity ration of four to one (4:1 maximum/minimum). The photometric study shall be provided for approval prior to issuing the Building Permit.

Fire Department

21. The applicant must comply with the applicable requirements of the 2010 California Building and Fire Codes and the 2009 International Fire Code as adopted by the City of El Segundo and El Segundo Fire Department Regulations.
22. The applicant must submit and have approved by the Fire Department a Fire/Life Safety Plan, identifying fire safety precautions during demolition and construction, emergency site access during construction, permanent fire department access, fire hydrant locations and any existing or proposed fire sprinkler systems and fire alarm systems before issuance of the building permit.

23. All excavations must be coordinated with dig-alert (811) before investigation or development.
24. The Applicant must comply with Title 23 of the California Code of Regulations for underground tank requirements. Specifically, tank systems must have vacuum, pressure or hydrostatic detection to continuously monitor for losses in the system. In addition, chemical inventory must be provided to include any refrigerant or additives used for chilled water production.
25. Methane gas must be measured, monitored and mitigated to standards approved by the El Segundo Fire Department, Environmental Safety Division during construction and after construction.
26. The applicant must provide all hazardous materials information to the El Segundo Fire Department before the City issues building permits.
27. The applicant must comply with existing hazardous materials regulation and construction subject to but limited to Chapter 6.5 for Hazardous Wastes, Chapter 6.67 for Aboveground Tanks, Chapter 6.7 for underground tanks, and Chapter 6.11 for Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.
28. The applicant must ensure that the clarifier at the site will meet ASTM standards for removal. Any removal, investigation, or remediation at the site must be coordinated through the El Segundo Fire Department, Environmental Safety Division.
29. A chemical inventory and emergency plan must be prepared for diesel fuel spills that may occur during handling or storage. An electronic submission of the inventory and plan is due within 30 days of operation. The inventory must include chemicals stored in drums or tanks that exceed 55-gallons or 500 pounds, including batteries, water treatment chemicals and lubricants. Southern California Edison will be required to produce a separate chemical inventory for the substation.
30. A Spill Prevention Control and Counter-Measure (SPCC) plan needs to be developed for aboveground storage of diesel fuel at time of operation. All documents and forms must be submitted electronically to the Fire Department at time of operation.
31. Any demolition must ensure that no asbestos or lead is involved.

Public Works Department

32. The project must comply with ESMC §5-7-5 and, if necessary, implement measures to prevent any increased discharge to the City's storm drain system.
33. Before the City issues a Certificate of Occupancy or the building permit is finalized, the applicant must provide an irrevocable offer to dedication, in a form approved by the Director of Public Works, to dedicate 10'-0" for future street widening and road improvements along Duley Road to ensure that a minimum right-of-way roadway width of 60'-64' (Local Street Commercial) is secured in conformance with the El Segundo General Plan Circulation Element.
34. Any and all damaged or off-grade or off-grade curb, sidewalk and pavement must be removed and replaced as required by the Public Works Department by an appropriately licensed contractor. Contractor must ensure that City standards for sidewalk construction are met. Sidewalks must be a minimum of five (5) feet per the El Segundo General Plan Circulation Element.
35. The Applicant must ensure that encroachment permits if required and/or deemed to be required by the City are secured from the Public Works Department before commencing any and all work in the public right-of-way. During construction, the Applicant must maintain pedestrian access on at least one side of the street.
36. The project must comply with the latest NPDES Phase II requirements as mandated by the RWQCB and provide Best Management Practices (BMPs) for sediment, construction material control, and erosion control.
37. The Applicant is responsible for the full cost of any utility relocations required for the construction project. The applicant must submit a plot plan identifying all existing sub-grade structures and utilities (water, sewer, gas, etc.) around the construction project.
38. All construction related parking must be accommodated on-site.
39. The project must comply with any County Sanitation District Requirements resulting from increased wastewater generation. Contact the County of Los Angeles Sanitation District for any applicable fees.

Construction Conditions

40. The perimeter of the property must be fenced with a minimum 6-foot high fence or equivalent before any construction occurs. The fence must be covered with a material approved by the Planning and Building Safety Department to prevent dust from leaving the site.

41. All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.
42. NOx emissions during construction must be reduced by limiting the operation of heavy-duty construction equipment to no more than 5 pieces of equipment at any one time.
43. Staging of construction vehicles and vehicle entry and egress to the site must occur on Nash Street or Duley Road.
44. Construction vehicles cannot use any route except the City's designated Truck Routes.
45. The applicant must develop and implement a construction management plan, as approved by the Public Works Department, which includes the following measures recommended by the SCAQMD:
 - A. Configure construction parking to minimize traffic interference.
 - B. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - C. Re-route construction trucks away from congested streets.
 - D. Maintain equipment and vehicles engines in good condition and in proper tune as per manufacturer's specifications and per SCAQMD rules, to minimize dust emissions.
 - E. Suspend use of all construction equipment during second stage smog alerts. Contact SCAQMD at (800) 242-4022 for daily forecasts.
 - F. Use electricity from temporary power poles rather than temporary diesel or gasoline-powered generators.
 - G. Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible.
 - H. Catalytic converters must be installed, if feasible.
 - I. Equipment must be equipped with two-to-four-degree engine time retard or pre-combustion chamber engines.
 - J. Use methanol or natural gas powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
 - K. Use propane or butane powered on-site mobile equipment instead of gasoline if readily available at competitive prices.
46. During construction and operations, all waste must be disposed in accordance with all applicable laws and regulations. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.

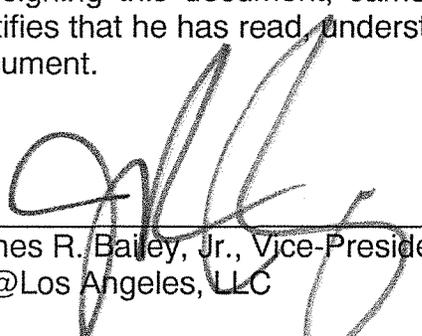
47. All leaks, drips and spills occurring during construction must be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
48. If materials spills occur, they must be cleaned up in a way that will not affect the storm drain system.
49. The project must comply with ESMC Chapter 5-4, which establishes storm water and urban pollution controls.
50. Before anticipated rainfall, construction dumpsters must be covered with tarps or plastic sheeting.
51. Inspections of the project site before and after storm events must be conducted to determine whether Best Management Practices have been implemented to reduce pollutant loadings identified in the Storm Water Prevention Plan.
52. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system.
53. The storm drain system must be safeguarded at all times during construction.
54. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.
55. Electrical power must be used to run air compressors and similar power tools.
56. The applicant must provide a telephone number for local residents to call to submit complaints associated with the construction noise. The number must be posted on the project site and must be easily viewed from adjacent public areas.
57. During construction, the contractor must store and maintain equipment as far as possible from the adjacent daycare property location southwest of the site.
58. As stated in ESMC Chapter 7-2, construction related noise is restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, and prohibited at anytime on Sunday or a Federal holiday.

Miscellaneous

59. T5@Los Angeles, LLC (T5 Partners) agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without

limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-930. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-930, agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, consultants, and employees.

By signing this document, James R. Bailey, Jr. on behalf of T5@Los Angeles, LLC certifies that he has read, understood, and agrees to the Project Conditions listed in this document.



James R. Bailey, Jr., Vice-President
T5@Los Angeles, LLC

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}

DEVELOPMENT PLANS DATED MARCH 30, 2022

LAX 1
444 N. NASH STREET, EL SEGUNDO, CA 90245**SERVERFARM**

OWNER
444 NORTH NASH STREET
EL SEGUNDO, CA 90245

ARCHITECT

HKS INC.
1919 MCKINNEY AVENUE
DALLAS, TX 75201

SYSKA HENNESSY

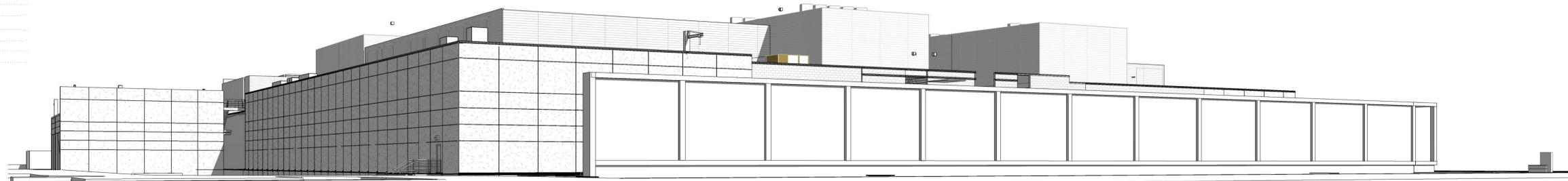
MEP ENGINEER
800 CORPORATE POINT #200
CULVER CITY, CA 90230

PARADIGM

STRUCTURAL ENGINEER
639 FRONT STREET, 4TH FLOOR
SAN FRANCISCO, CA 94111

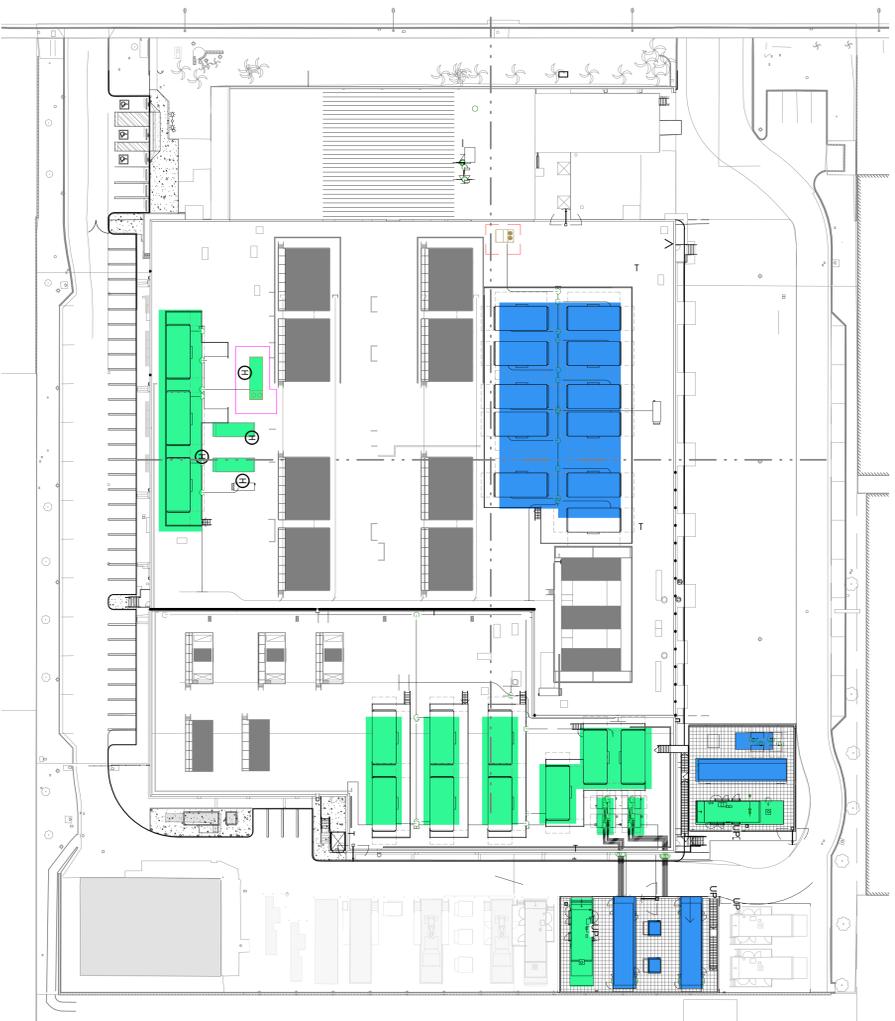
KIMLEY-HORN

CIVIL ENGINEER
660 SOUTH FIGUEROA STREET, SUITE 2050
LOS ANGELES, CA 90017

**PLAN CHECK REVISIONS #6**



1 PHASING PLAN - LEVEL 01
1" = 40'-0"



2 PHASING PLAN - ROOF / PLATFORM LEVEL
1" = 40'-0"

(X) KEYNOTE: NOTE: NOT ALL SHEET FOOTNOTES BELOW MAY BE REFERRED TO ON THIS SHEET!

PROJECT PHASING LEGEND

- NIC / EXISTING TO REMAIN
- PHASE 1A - ENABLING
- PHASE 1B
- PHASE 2
- PHASE 3

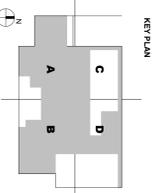


OWNER
SERVER FARM
SERVER FARM COAST HIGHWAY, SUITE 600
EL SEGUNDO, CA 90245

MEP ENGINEER
SYSKA HENNESSY GROUP
330 N. WASHINGTON AVE #1250
CHICAGO, IL 60611

PARADIGM
STRUCTURAL ENGINEERS
PARADIGM STRUCTURAL ENGINEERS
638 FRONT STREET, 4TH FLOOR
SAN FRANCISCO, CA 94111

Kimley»Horn
CIVIL ENGINEER
KIMLEY-HORN
4637 CHABOT DR. #800
PLEASANTON, CA 94588



NO.	REVISION	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	09/17/2021	
2	ISSUE FOR PERMIT	09/24/2021	
3	ISSUE FOR PERMIT	10/01/2021	
4	ISSUE FOR PERMIT	10/01/2021	
5	ISSUE FOR PERMIT	10/01/2021	
6	ISSUE FOR PERMIT	10/01/2021	
7	ISSUE FOR PERMIT	10/01/2021	
8	ISSUE FOR PERMIT	10/01/2021	
9	ISSUE FOR PERMIT	10/01/2021	
10	ISSUE FOR PERMIT	10/01/2021	
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18	ISSUE FOR PERMIT	10/01/2021	
19	ISSUE FOR PERMIT	10/01/2021	
20	ISSUE FOR PERMIT	10/01/2021	

HKS PROJECT NUMBER
24655.000

DATE
09/17/2021

ISSUE FOR PERMIT



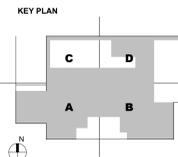
OWNER
 SERVER FARM
 999 N. PACIFIC COAST HIGHWAY, SUITE 600
 EL SEGUNDO, CA 90245



MEP ENGINEER
 SYSKA HENNESSY
 330 N WABASH AVE #1505
 CHICAGO, IL 60611

PARADIGM
STRUCTURAL ENGINEER
 PARADIGM STRUCTURAL ENGINEERS
 639 FRONT STREET, 4TH FLOOR
 SAN FRANCISCO, CA 94111

Kimley-Horn
CIVIL ENGINEER
 KIMLEY-HORN
 4637 CHABOT DR. #300
 PLEASANTON, CA 94588



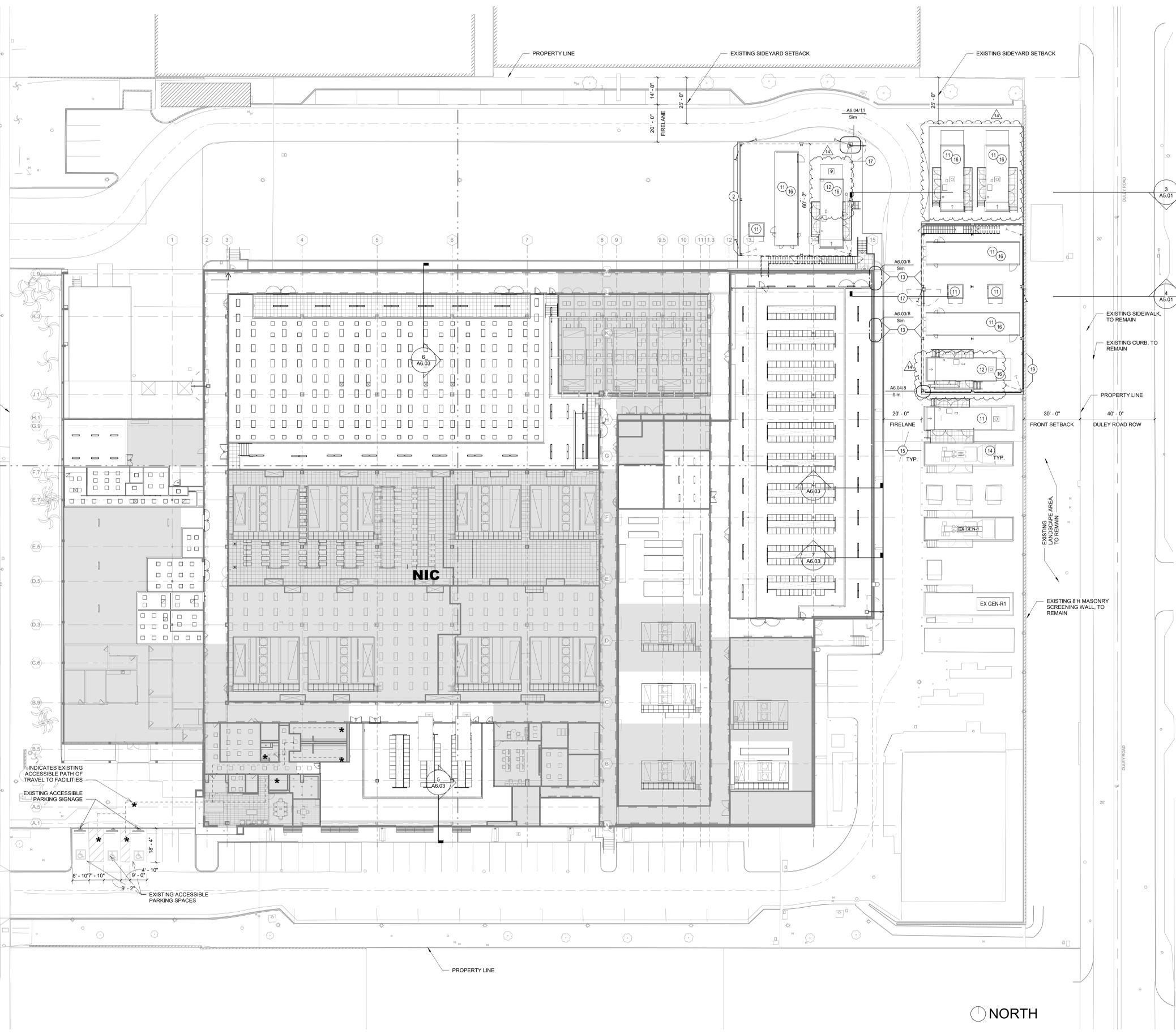
NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	09/17/2021
2	ADDENDUM #2	10/01/2021
3	PLAN CHECK REVISIONS	11/04/2021
6	ADDENDUM #4	11/22/2021
8	ISSUE FOR CONSTRUCTION	12/01/2021
13	PLAN CHECK REVISIONS #5	09/02/2022
14	PLAN CHECK REVISIONS #6	11/09/2022

HKS PROJECT NUMBER
24655.000
 DATE
09/17/2021
 ISSUE
ISSUE FOR PERMIT

SHEET TITLE
SITE PLAN

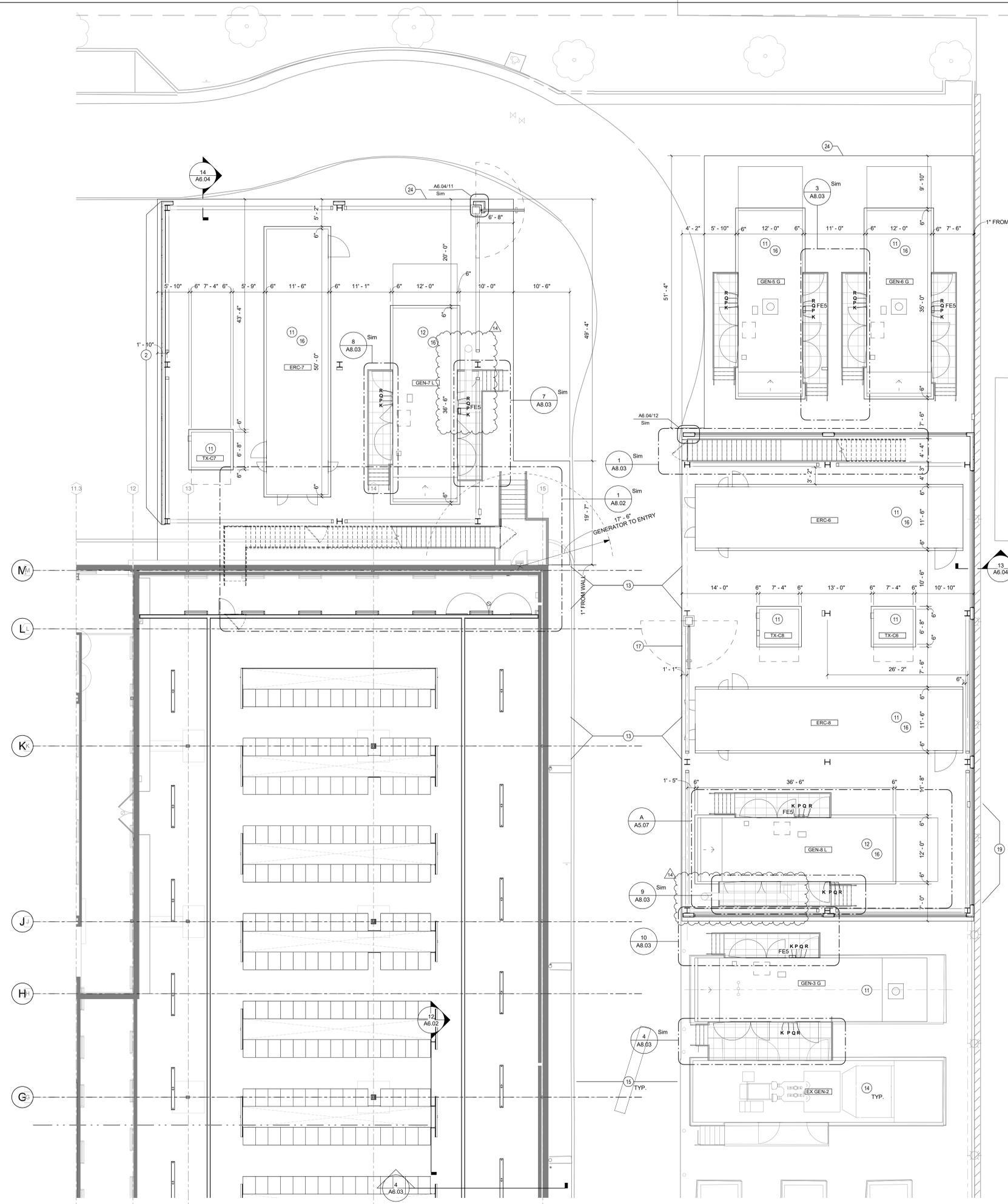
SHEET NO.
A1.00

- KEYNOTE:** NOTE: NOT ALL SHEET KEYNOTES BELOW MAY BE USED ON THIS SHEET
- 1 NEW JOB CRANE.
 - 2 NEW MECHANICAL EQUIPMENT SCREENING. MINIMUM HEIGHT TO ALIGN WITH EQUIPMENT. SCREENING TO BE PAINTED TO MATCH EXISTING.
 - 3 PROVIDE CONTINUOUS METAL GUARDRAIL AT PLATFORM EDGE.
 - 4 GALVANIZED METAL GRATING. COORDINATE OPENINGS PER MECHANICAL EQUIPMENT AND STRUCTURAL DRAWINGS.
 - 5 MECHANICAL PIPING CONTRACTOR TO COORDINATE ROUTE AND OPENINGS AT SCREEN WALL.
 - 6 EXISTING MECHANICAL ROOF UNITS AND SCREENING TO REMAIN. PROTECT DURING CONSTRUCTION.
 - 7 EXISTING ROOF TO REMAIN. PROTECT DURING CONSTRUCTION.
 - 8 INDICATES APPROXIMATE EXTENTS OF EXISTING ROOF WALK OFF MAT. CONTRACTOR TO FIELD VERIFY EXISTING WALK OFF MAT AND COORDINATE AREAS TO BE REMOVED, AS NEEDED.
 - 9 INDICATES APPROXIMATE LOCATION OF NEW ROOF WALK OFF MAT. CONTRACTOR TO FIELD VERIFY, MATCH AND TIE INTO EXISTING ROUTES, AS POSSIBLE.
 - 10 MECHANICAL EQUIPMENT. REFER TO MECHANICAL DRAWINGS.
 - 11 ELECTRICAL EQUIPMENT. REFER TO ELECTRICAL DRAWINGS.
 - 12 FUTURE EQUIPMENT.
 - 13 CABLE BUS OVER FIRE LANE. REFER TO ELECTRICAL AND STRUCTURAL DRAWINGS.
 - 14 EXISTING ELECTRICAL EQUIPMENT TO REMAIN.
 - 15 EXISTING TO REMAIN FIRE LANE. REFER TO CIVIL DRAWINGS.
 - 16 PROVIDE NEW EQUIPMENT PAD. REFER TO CIVIL DRAWINGS.
 - 17 EXTENTS OF PLATFORM ABOVE. REFER TO STRUCTURAL DRAWINGS.
 - 18 NEW EXTERIOR WALL OPENING FOR CABLE BUS. REFER TO ELECTRICAL AND STRUCTURAL DRAWINGS.
 - 19 PROVIDE CMU KNOCK OUT PANEL. INFILL TO MATCH EXISTING CMU MAKE UP. REFER TO STRUCTURAL DRAWINGS.
 - 20 INDICATES APPROXIMATE LOCATION OF EXISTING TO REMAIN MASONRY SCREEN WALL. CONTRACTOR TO VERIFY AND CONFIRM IN FIELD.
 - 21 EIFS SCREEN WALL TO SHIELD EQUIPMENT BEYOND. COLOR AND FINISH TO MATCH EXISTING ADJACENT BUILDING COLOR AND DETAIL. CONTRACTOR TO FIELD VERIFY AND MATCH EXISTING REVEAL PATTERN.
 - 22 EIFS SCREEN WALL TO SHIELD HANDRAIL AND PLATFORM INFRASTRUCTURE. COLOR AND FINISH TO MATCH EXISTING ADJACENT BUILDING COLOR AND DETAIL. CONTRACTOR TO FIELD VERIFY AND MATCH EXISTING REVEAL PATTERN.
 - 23 REMOVE EXISTING SCREENINGS AT NEW PLATFORM LOCATION. CONTRACTOR TO FIELD VERIFY AND COORDINATE PER EXISTING CONDITIONS.
 - 24 EXTENTS OF NEW MAT SLAB. REFER TO STRUCTURAL DRAWINGS.
 - 25 MATCH EXISTING EQUIPMENT CURB FOR NEW ROOFTOP CONDENSERS. CURB TO BE MINIMUM 30" IN LENGTH.



1 SITE PLAN
 3/64" = 1'-0"

CCD - 100'-0" = 106.42'



- (X) KEYNOTE:** NOTE: NOT ALL SHEET KEYNOTES BELOW MAY BE USED ON THIS SHEET)
- 1 NEW JIB CRANE.
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YARD EQUIPMENT SCHEDULE

TAG	LEVEL / LOCATION	TANK SIZE	NOTES
ERC-4	EQUIPMENT PLATFORM	-	DAY 2
ERC-6	GRADE - EAST YARD	-	DAY 1
ERC-7	GRADE - NORTH YARD	-	DAY 1
ERC-8	GRADE - EAST YARD	-	DAY 1
ERC-9	GRADE - EAST YARD	-	DAY 1
ERC-10	GRADE - EAST YARD	-	DAY 1
EX GEN-2	GRADE - EAST YARD	EXISTING	
GEN-R2-U	EQUIPMENT PLATFORM	4 HOURS / 15" H	DAY 2
GEN-3-G	GRADE - EAST YARD	24 HOURS / 25" H	DAY 1
GEN-4-U	EQUIPMENT PLATFORM	4 HOURS / 15" H	DAY 2
GEN-5-G	GRADE - EAST YARD	24 HOURS / 25" H	DAY 1
GEN-6-G	GRADE - EAST YARD	24 HOURS / 25" H	DAY 1
GEN-7-L	GRADE - NORTH YARD	48 HOURS / 45" H	DAY 1
GEN-8-L	GRADE - EAST YARD	48 HOURS / 45" H	DAY 1
TX-C4	EQUIPMENT PLATFORM	-	DAY 2
TX-C5	EQUIPMENT PLATFORM	-	DAY 2
TX-C6	GRADE - EAST YARD	-	DAY 1
TX-C7	GRADE - NORTH YARD	-	DAY 1
TX-C8	GRADE - EAST YARD	-	DAY 1
TX-CR2	EQUIPMENT PLATFORM	-	DAY 2



REVISION

NO.	DESCRIPTION	DATE
6	ADDENDUM #4	11/22/2021
8	ISSUE FOR CONSTRUCTION	12/01/2021
13	PLAN CHECK REVISIONS #6	08/03/2022
14	PLAN CHECK REVISIONS #6	11/09/2022



YARD EQUIPMENT SCHEDULE

TAG	LEVEL / LOCATION	TANK SIZE	NOTES
ERC-4	EQUIPMENT PLATFORM	-	DAY 2
ERC-6	GRADE - EAST YARD	-	DAY 1
ERC-7	GRADE - NORTH YARD	-	DAY 1
ERC-8	GRADE - EAST YARD	-	DAY 1
ERC-9	GRADE - EAST YARD	-	DAY 1
ERC-10	GRADE - EAST YARD	-	DAY 1
EX GEN-2	GRADE - EAST YARD	EXISTING	
GEN-R2-U	EQUIPMENT PLATFORM	4 HOURS / 15" H	DAY 2
GEN-3-G	GRADE - EAST YARD	24 HOURS / 25" H	DAY 1
GEN-4-U	EQUIPMENT PLATFORM	4 HOURS / 15" H	DAY 2
GEN-5-G	GRADE - EAST YARD	24 HOURS / 25" H	DAY 1
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TX-C4	EQUIPMENT PLATFORM	-	DAY 2
TX-C5	EQUIPMENT PLATFORM	-	DAY 2
TX-C6	GRADE - EAST YARD	-	DAY 1
TX-C7	GRADE - NORTH YARD	-	DAY 1
TX-C8	GRADE - EAST YARD	-	DAY 1
TX-CR2	EQUIPMENT PLATFORM	-	DAY 2

REVISION

NO.	DESCRIPTION	DATE
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HKS PROJECT NUMBER
24655.000
 DATE
11/22/2021
 ISSUE
ADDENDUM #4

SHEET TITLE
ENLARGED SITE PLAN

SHEET NO.
A1.01

CCD - 100'-0" = 106.42'

1 ENLARGED SITE PLAN
 1/8" = 1'-0"

HKS
 ARCHITECT
 HKS-D-N, INC.
 350 N SAINT PAUL ST, SUITE 100
 DALLAS, TX 75201-4240

serverfarm™
 444 NORTH NASH STREET
 EL SEGUNDO, CA 90245

OWNER
 SERVER FARM
 999 N. PACIFIC COAST HIGHWAY, SUITE 600
 EL SEGUNDO, CA 90245

MEP ENGINEER
 SYSKA HENNESSY GROUP
 330 N WABASH AVE #1505
 CHICAGO, IL 60611

STRUCTURAL ENGINEER
 PARADIGM STRUCTURAL ENGINEERS
 639 FRONT STREET, 4TH FLOOR
 SAN FRANCISCO, CA 94111

CIVIL ENGINEER
 KIMLEY-HORN
 4637 CHABOT DR. #300
 PLEASANTON, CA 94588

PROFESSIONAL ARCHITECT
 ARCHITECT EUGENE HORN
 C-29461
 REN. 11/30/23
 STATE OF CALIFORNIA

KEY PLAN

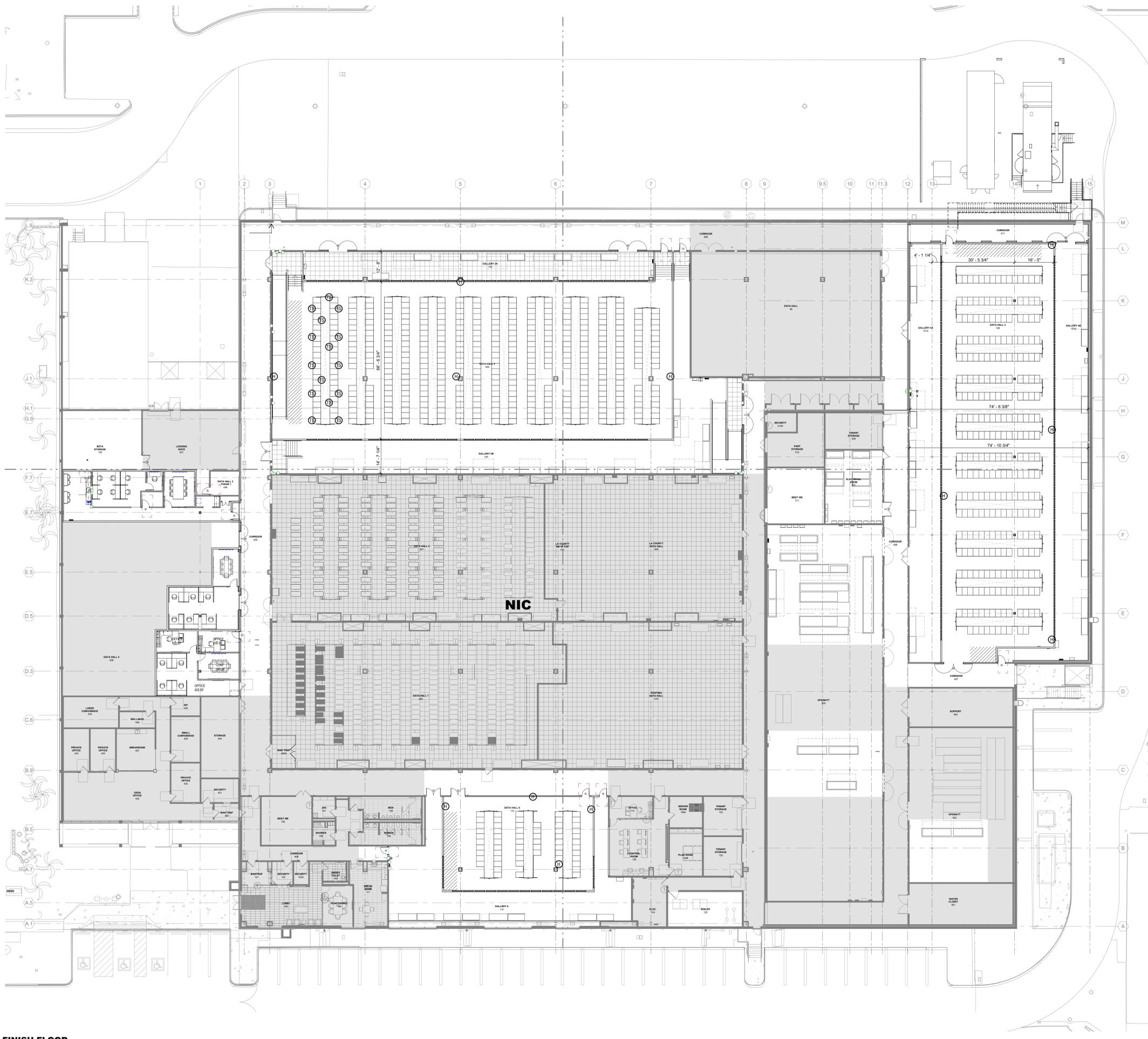
HKS PROJECT NUMBER
24655.000
 DATE
11/22/2021
 ISSUE
ADDENDUM #4

SHEET TITLE
ENLARGED SITE PLAN

SHEET NO.
A1.01

© 2021 HKS, INC.

PLOT DATE:
 11/10/2022 8:03:22 AM TEMPLATE VERSION



1 FINISH FLOOR
1/16" = 1'-0"

(X) KEYNOTE: NOTE: NOT ALL SHEET KEYNOTES BELOW MAY BE USED ON THIS SHEET

GENERAL NOTES - FLOOR PLAN

1. REFER TO SHEET A3.01 FOR PARTITION TYPES, GRAPHIC AND SYMBOLIC DESIGNATIONS, NOTES, AND DETAILS. REFER TO SHEET A3.30 FOR DOOR INFORMATION, SCHEDULES AND DETAILS.
2. REFER TO SHEET A3.40 FOR FINISH INFORMATION AND SCHEDULES.
3. ALL EXTERIOR DIMENSIONS ARE FROM FACE OF EXTERIOR FINISH, U.N.O.

CONSTRUCTION SYMBOLS

- ITEMS SHOWN SCREENED ARE TO REMAIN
- ITEMS SHOWN SOLID ARE NEW CONSTRUCTION
- RAISED ACCESS FLOOR SYSTEM
- EXISTING DOOR TO REMAIN, REFER TO HARDWARE
- NEW DOOR
- CONSTRUCTION KEYNOTE
- 1 HOUR FIRE RATED PARTITION
- 2 HOUR FIRE RATED PARTITION

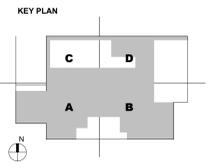


OWNER
SERVER FARM
999 N. PACIFIC COAST HIGHWAY, SUITE 600
EL SEGUNDO, CA 90245

SYSKA HENNESSY GROUP
SYSKA HENNESSY
MEP ENGINEER
330 N WABASH AVE #1505
CHICAGO, IL 60611

PARADIGM STRUCTURAL ENGINEERS
PARADIGM STRUCTURAL ENGINEERS
639 FRONT STREET, 4TH FLOOR
SAN FRANCISCO, CA 94111

Kimley-Horn
CIVIL ENGINEER
KIMLEY-HORN
4637 CHABOT DR. #300
PLEASANTON, CA 94588



NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	09/17/2021
2	ISSUE FOR PRICING	09/24/2021
3	PLAN CHECK REVISIONS #1	11/04/2021
8	ISSUE FOR CONSTRUCTION	12/01/2021
9	BULLETIN #1	01/07/2022
11	PLAN CHECK REVISIONS #4	04/26/2022
13	PLAN CHECK REVISIONS #5	09/02/2022

HKS PROJECT NUMBER
24655.000
DATE
09/17/2021
ISSUE
ISSUE FOR PERMIT

SHEET TITLE
PROPOSED PLAN

SHEET NO.
A2.00

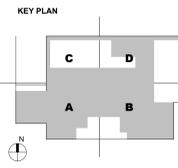


OWNER
 SERVER FARM
 999 N. PACIFIC COAST HIGHWAY, SUITE 600
 EL SEGUNDO, CA 90245

MEP ENGINEER
 SYSKA HENNESSY GROUP
 330 N WABASH AVE #1505
 CHICAGO, IL 60611

PARADIGM
 STRUCTURAL ENGINEER
 PARADIGM STRUCTURAL ENGINEERS
 639 FRONT STREET, 4TH FLOOR
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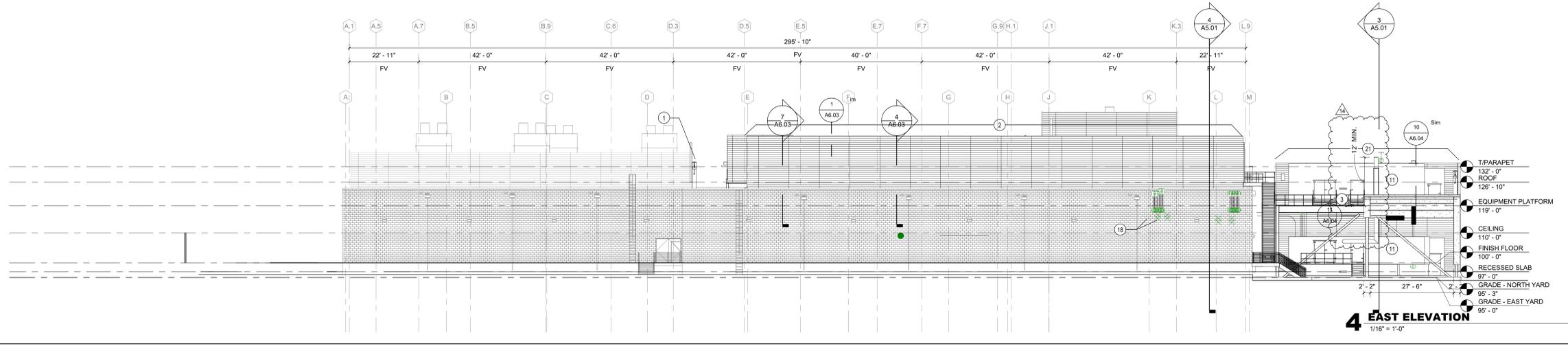
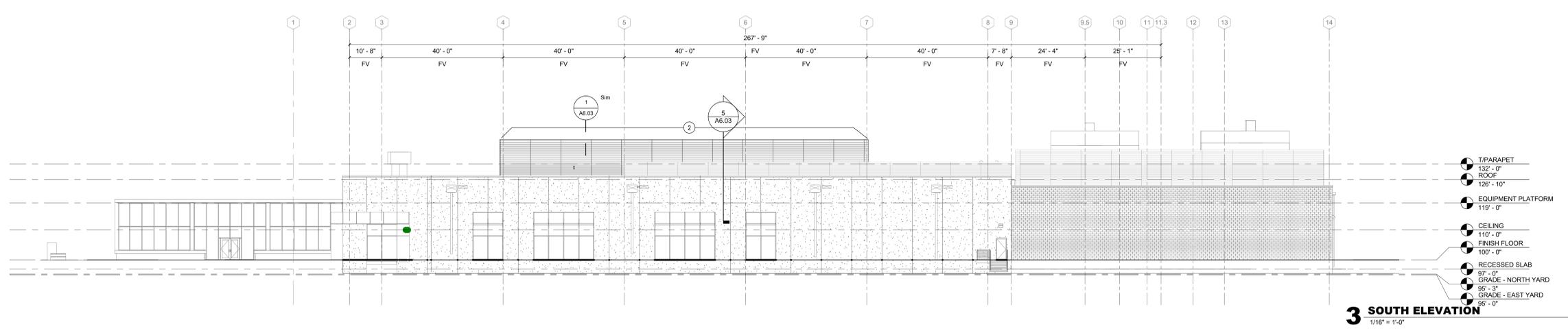
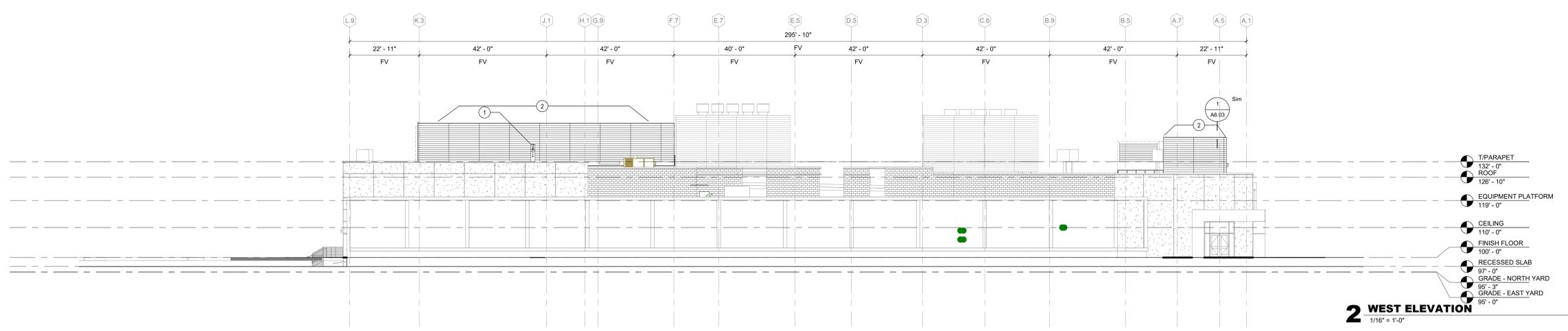
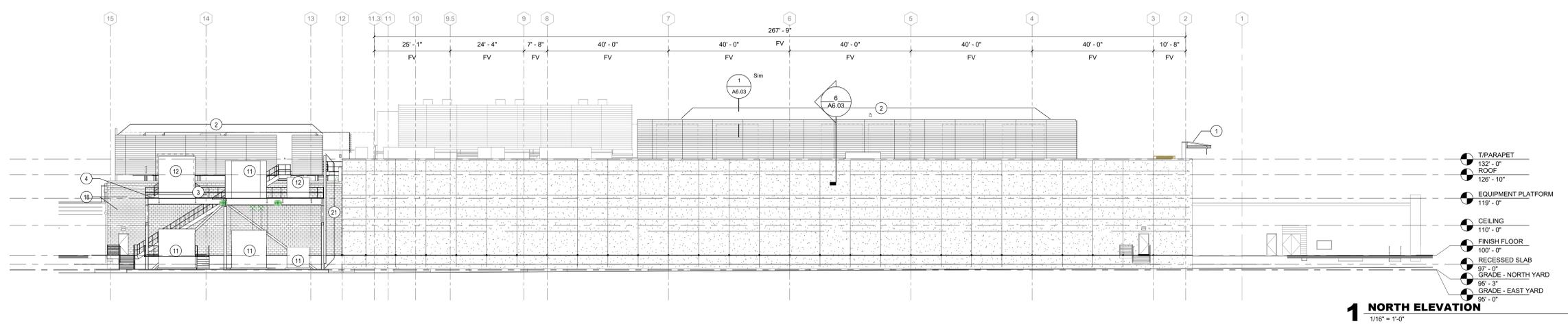
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13	PLAN CHECK REVISIONS #5	08/02/2022
14	PLAN CHECK REVISIONS #6	11/06/2022

HKS PROJECT NUMBER
24655.000
 DATE
09/17/2021
 ISSUE
ISSUE FOR PERMIT

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NO.
A5.00

- (X) KEYNOTE:** NOTE: NOT ALL SHEET KEYNOTES BELOW MAY BE USED ON THIS SHEET)
- NEW JIB CRANE.
 - NEW MECHANICAL EQUIPMENT SCREENING. MINIMUM HEIGHT TO ALIGN WITH EQUIPMENT. SCREENING TO BE PAINTED TO MATCH EXISTING.
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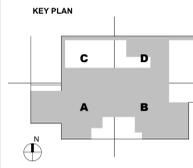


OWNER
 SERVER FARM
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MEP ENGINEER
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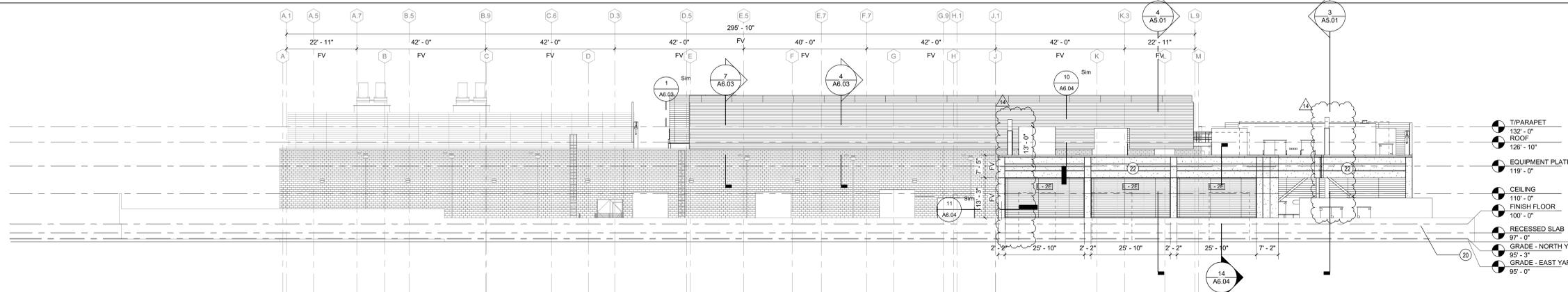
REVISION NO.	DESCRIPTION	DATE
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13	PLAN CHECK REVISIONS #5	09/02/2022
14	PLAN CHECK REVISIONS #6	11/09/2022

HKS PROJECT NUMBER
24655.000
 DATE
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 ISSUE
ISSUE FOR PERMIT

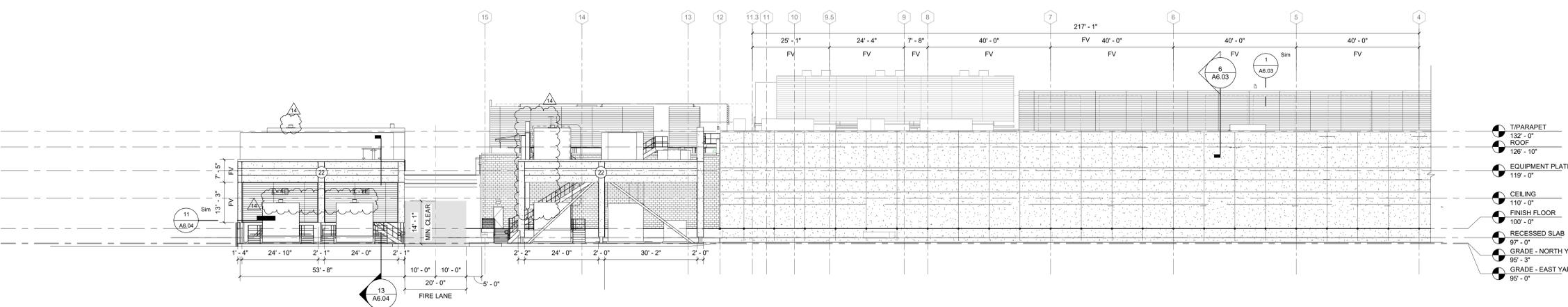
SHEET TITLE
**EXTERIOR
 ELEVATIONS - YARD**

SHEET NO.
A5.01

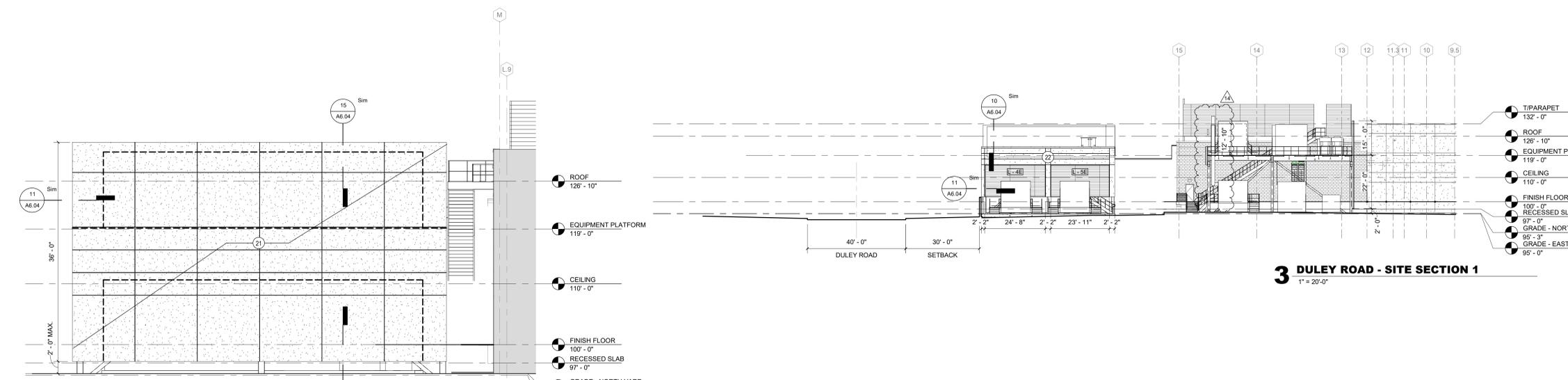
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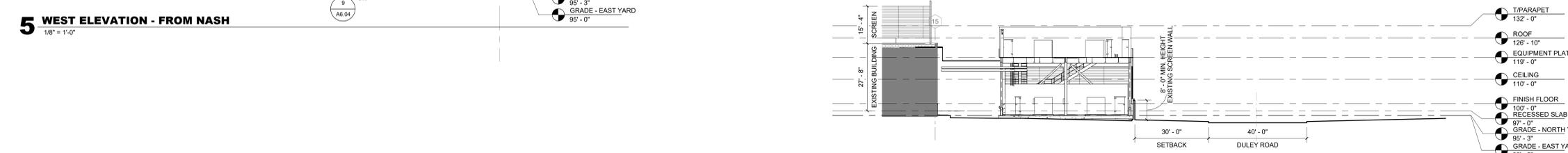
1 EAST ELEVATION - DULEY ST
 1/16" = 1'-0"



2 NORTH ELEVATION - FIRE LANE
 1/16" = 1'-0"



3 DULEY ROAD - SITE SECTION 1
 1" = 20'-0"



4 DULEY ROAD - SITE SECTION 2
 1" = 20'-0"

5 WEST ELEVATION - FROM NASH
 1/8" = 1'-0"



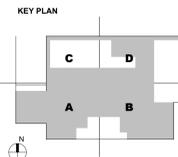
OWNER
 SERVER FARM
 999 N. PACIFIC COAST HIGHWAY, SUITE 600
 EL SEGUNDO, CA 90245



MEP ENGINEER
 SYSKA HENNESSY GROUP
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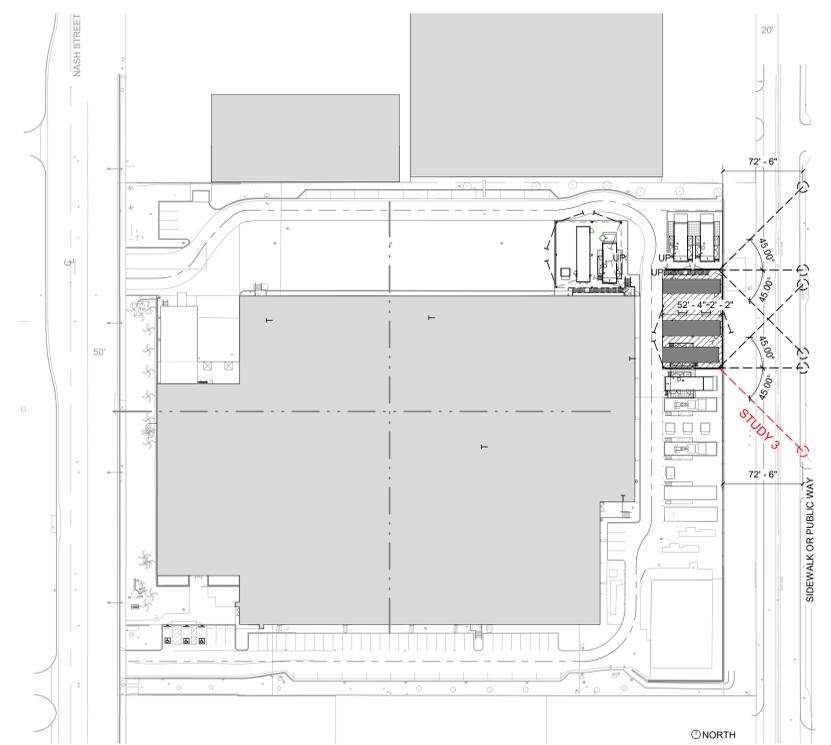
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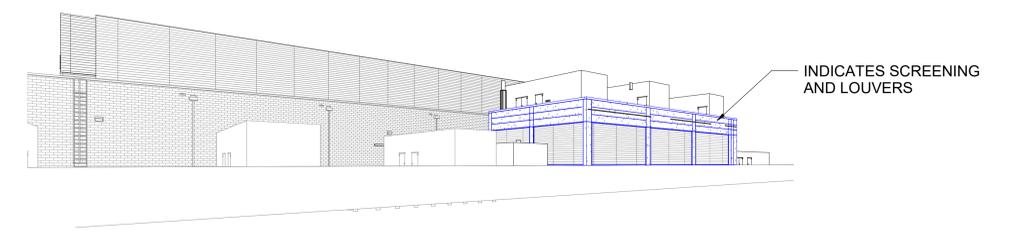


REVISION NO.	DESCRIPTION	DATE
3	PLAN CHECK REVISIONS	11/04/2021
8	ISSUE FOR CONSTRUCTION	12/01/2021
13	PLAN CHECK REVISIONS #6	09/02/2022

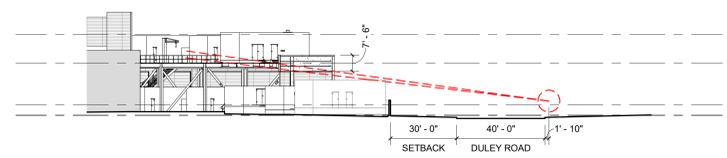
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11/04/2021
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PLAN CHECK REVISIONS
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LINE OF SIGHT STUDY



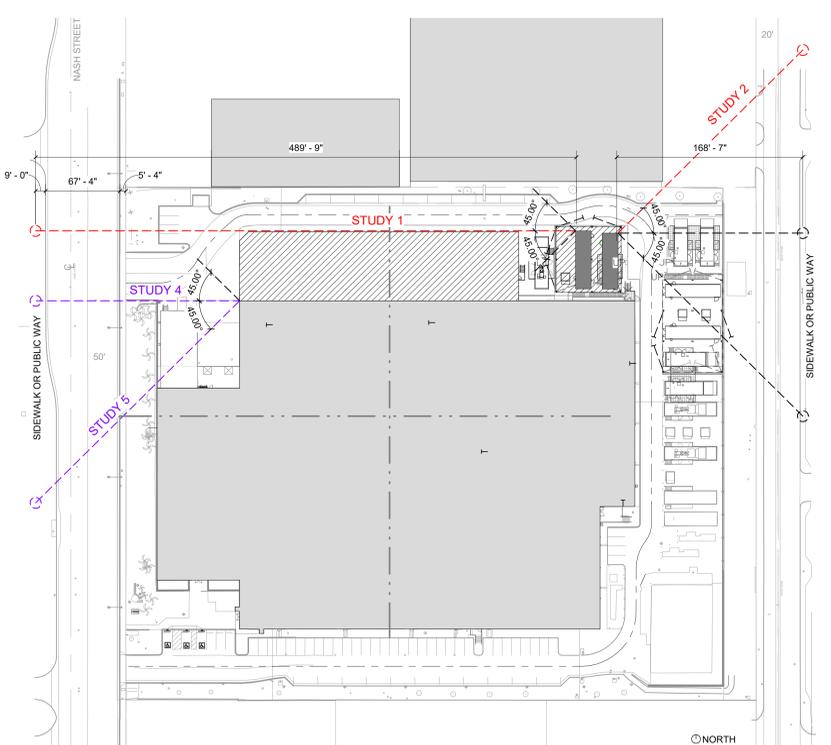
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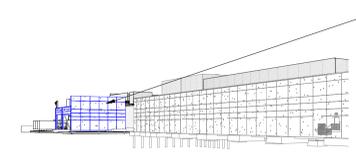
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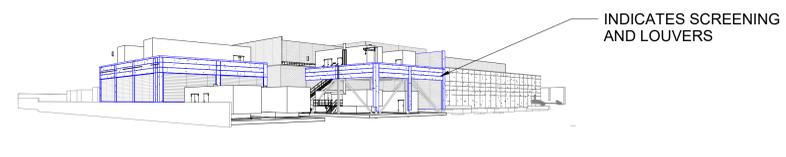
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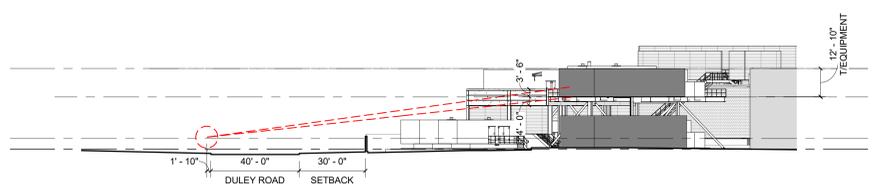
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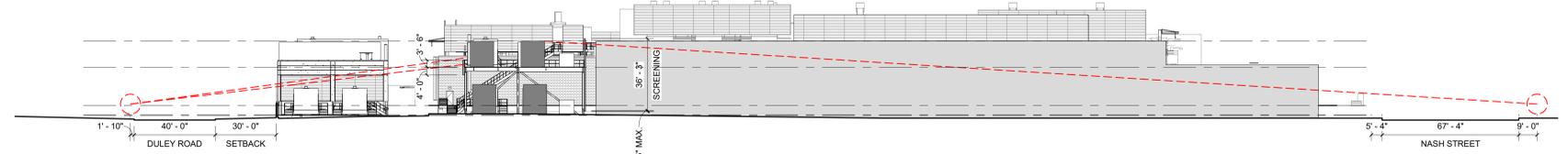
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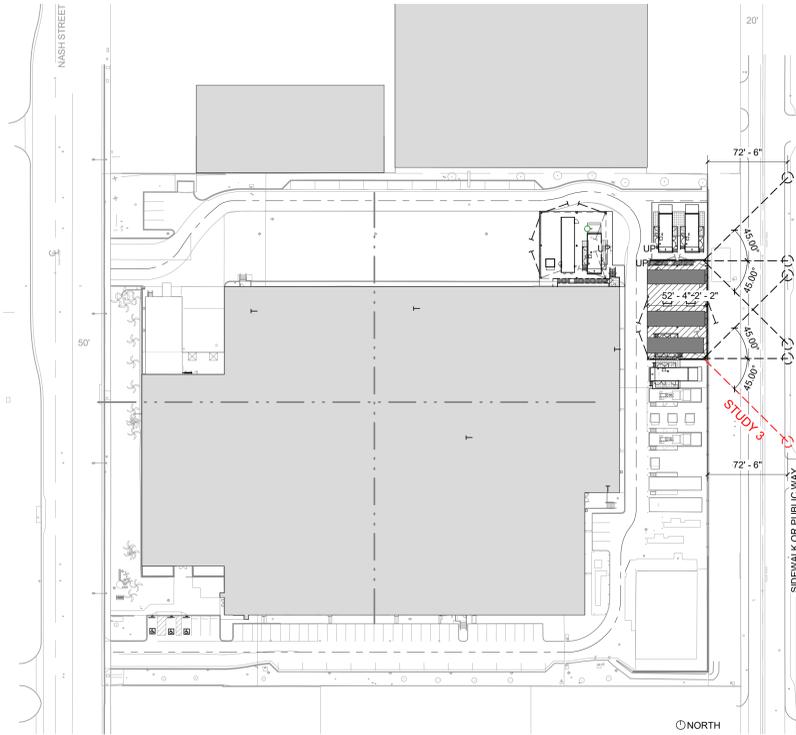
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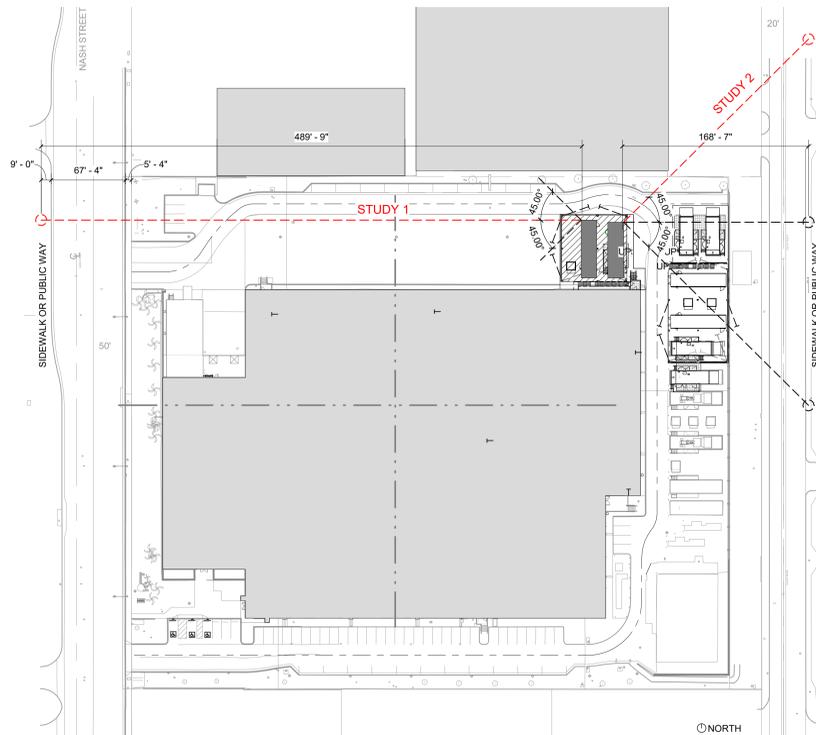
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3 NORTH PLATFORM - STUDY 1
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1 NORTH PLATFORM - SIGHT STUDIES 1
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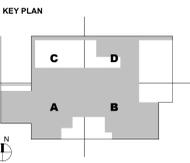
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NORTH PLATFORM - STUDY 2



NORTH PLATFORM - STUDY 1



REVISION NO.	DESCRIPTION	DATE
3	PLAN CHECK REVISIONS	11/04/2021
8	ISSUE FOR CONSTRUCTION	12/01/2021
13	PLAN CHECK REVISIONS #9	09/02/2022

HKS PROJECT NUMBER
24655.000
DATE
11/04/2021
ISSUE
PLAN CHECK REVISIONS
SHEET TITLE
LINE OF SIGHT VIEWS



Planning Commission Agenda Statement

Meeting Date: February 9, 2023

Agenda Heading: Public Hearings

Item Number: H.4

TITLE:

An Ordinance Streamlining Permitted Uses and Development Standards in All Zones and Overlay Districts.

Case numbers: Environmental Assessment No. EA-1230 and Zone Text Amendment No. ZTA 18-04

RECOMMENDATION:

1. Adopt Resolution No. 2934, recommending that the City Council approve the proposed ESMC amendments.

INTRODUCTION:

The proposed amendments are part of staff's efforts to continuously improve the City's development review process, consistent with the City Council's strategic goal No. 1 to enhance customer service. The proposed ordinance (Exhibit No. 2) takes a significant step by streamlining the permitted uses and development standards in various zones and making miscellaneous improvements.

BACKGROUND:

The Zoning Code was comprehensively updated in 1993. Since 1993, amendments were approved to address specific issues or to update specific chapters, such as an update to the City's off-street parking regulations in 2011, updates to the R-1 zone regulations, and ADU regulations. In 2017, the City adopted a "clean-up" ordinance that affected multiple chapters of the Zoning Code. In 2021, the City adopted an ordinance to streamline the discretionary permit process. The 2021 ordinance scope was substantial and made changes to several chapters in the zoning code to simplify and make discretionary processes more predictable for the public and staff. The proposed ordinance does not make changes to the permit process; rather, it is a broad clean-up akin to the 2017 clean-up ordinance.

DISCUSSION:

The discussion below summarizes and explains the proposed amendments. The amendments fall into the following chapters of the Zoning Code:

- Chapter 2 - General Provisions
- Chapter 4 - Residential zones
- Chapter 5 - Commercial zones

- Chapters 6-10 - Industrial zones, Overlay Districts, Open Space, Parking, and public Facilities zones
- Chapter 15 - Off Street Parking Requirements
- Chapters 1, 2, 18, 30, 31, and 32 - Definitions, General Provisions, Signs, Enforcement; Penalty, Right-of-Way Dedications and Improvements, and Development Impact Fees (Miscellaneous clarifications and corrections)

Chapter 2 - General Provisions

Amendments to the wall and fence height regulations (ESMC section 15-2-4) including the following:

- a. Currently, the ESMC has no specific requirements regarding nonresidential walls and fences, and their height is subject only to the Director's discretion. The draft ordinance sets a maximum height of eight feet for open-work fences anywhere on a property, a maximum height of six feet for solid fences or walls anywhere behind the front or streetside setback, and 42 inches for solid fences or walls in the front or streetside yard setback.
- b. Add a height limit of three feet for retaining walls that protect a cut slope in a required front or streetside setback for residential and nonresidential properties. Currently, the ESMC has no cut slope retaining wall height limitation, which can result in excessively tall walls and fences along front and streetside setbacks.
- c. Add requirements for temporary construction fencing.
- d. Update diagrams to reflect the changes to fence and wall height restrictions.

Amendments to the permitted setback encroachments (ESMC Section 15-2-7) including the following:

- a. Minor formatting edits.
- b. Add a provision allowing built-in barbeques to have a zero-foot setback on interior side and rear setbacks, subject to certain restrictions.

An amendment to the screening requirements (ESMC section 15-2-8) regarding solar energy systems. The draft ordinance requires screening for solar energy system equipment to the extent feasible and clarifies that actual solar panels are exempt from screening.

Chapter 4 - Residential Zones

A significant amendment to this chapter is the consolidation of permitted uses in each Residential zone, into one table. The draft ordinance creates a new ESMC section 15-4A-1 with a table for the permitted uses, accessory uses, and uses subject to a conditional use permit in residential zones. The table shortens and standardizes the permitted use types and provides a comprehensive list in an easy-to-use format for all users. A substantive change in the permitted uses is to add large family daycare homes to the permitted uses list in the R-1, R-2, and R-3 zones. This ensures compliance with State Law, which treats these uses as residential uses and prohibits discretionary permits and restrictions.

Amendments to the R-1 zone development standards include the following:

- a. Front and rear yard setback. Currently, the ESMC requires a combined setback of 30 feet with a minimum of 22 feet in the front and five feet in the rear. The draft ordinance eliminates the combined setback requirement and sets the front setback to 22 feet and the rear to five feet.
- b. Front yard setback encroachments. The draft ordinance simplifies and clarifies the permitted front yard encroachments for patios, decks, covers, and other architectural features that are currently allowed. It also consolidates eight types of encroachments into five.
- c. Simplify the lot width requirement for newly created lots. The draft ordinance eliminates an exception to the minimum lot width of 50 feet, which permits an alternative standard using the average width of other parcels on the same block.
- d. Clarify that decks under 30 inches in height are not included in FAR measurement.
- e. For lots 25 feet-wide or less, allow the same front yard setback encroachments that are permitted for wider lots.
- f. For lots 25 feet-wide or less, add the same minimum distance requirement between buildings.
- g. Permit artificial turf or synthetic grass for landscaping purposes subject to restrictions. The draft ordinance moves an existing code provision from ESMC chapter 15-2 (General Provisions) to individual residential zones.
- h. Vehicular access from alley. Currently, the ESMC requires lots abutting an alley to take vehicular access from the alley but allows an exception when 80 percent or more of the properties on the block have existing vehicular access from the street. The draft ordinance eliminates the exception and requires lots abutting an alley to take vehicular access exclusively from the alley.

Amendments to the R-2 zone development standards include the following:

- a. Front and rear yard setback. Currently, the ESMC requires a combined setback of 30 feet with a minimum of 20 feet in the front and five feet in the rear. The draft ordinance eliminates the combined setback requirement and sets the front setback to 20 feet and the rear to five feet.
- b. Front yard setback encroachments. The draft ordinance proposes the same encroachments that are provided for the R-1 zone.
- c. Simplify the lot width requirement for newly created lots. Consistent with the R-1 zone, the draft ordinance eliminates an exception to the minimum lot width of 50 feet, which permits using the average width of other parcels on the same block.
- d. Add the same minimum distance requirement between buildings required for the R-1 zone.
- e. Permit artificial turf or synthetic grass for landscaping purposes subject to restrictions. The draft ordinance moves an existing code provision from ESMC chapter 15-2 (General Provisions) to individual residential zones.
- f. Vehicular access from alley. Currently, the ESMC requires lots abutting an alley to take vehicular access from the alley but allows an exception when 80 percent or more of the properties on the block have existing vehicular access from the street. The draft ordinance eliminates the exception and requires lots abutting an alley to take vehicular access exclusively from the alley.

Amendments to the R-3 zone development standards include the following:

- a. Front yard setback encroachments. The draft ordinance proposes the same encroachments that are provided for the R-1 and R-2 zones.
- b. Simplifies the lot width requirement. Consistent with the R-1 and R-2 zones, the draft ordinance eliminates an exception to the minimum lot width of 50 feet, which permits using the average width of other parcels on the same block.
- c. Adds the same minimum distance requirement between buildings for the R-3 zone that is required for the R-1 and R-2 zones.
- d. Eliminates accessory dwelling unit (ADU) density language. The draft ordinance deletes ADU density requirements, because they repeat existing language in ESMC Article 15-4E regarding ADUs.

- e. Permits artificial turf or synthetic grass for landscaping purposes subject to restrictions. The draft ordinance moves an existing code provision from ESMC chapter 15-2 on general provisions to individual residential zones.

Amendments to the Accessory Dwelling Unit (ADU) development standards. The draft ordinance clarifies ADU development standards and ensures consistency with State Law.

- a. Clarifies the permitted density for ADUs in single-family and multi-family developments.
- b. Clarifies parking requirement exemption for ADUs within a ½ mile walking distance from qualifying transit stops.
- c. Clarifies the permit streamlining provisions for ADUs.

Chapter 5 - Commercial Zones

A significant amendment to this chapter is the consolidation of permitted uses in each Commercial zone, into one table. The draft ordinance creates a new ESMC section 15-5A-1 with a table for the permitted uses, accessory uses, and uses subject to a conditional use permit in commercial (CR-S, C-2, C-3, C-4, MU-N, and MU-S) zones. The table shortens and standardizes the permitted use types and provides a comprehensive list in an easy-to-use format for all users. The substantive changes in the permitted uses include:

- a. Add Micro-breweries with tasting rooms and/or dining to the uses permitted with a CUP in the MU-N and MU-S zones. These zones currently permit both light industrial and commercial uses. Thus, Micro-breweries, which combine the manufacturing with the sale and service of beer, are a compatible use with other permitted uses.
- b. Add outdoor dining to the permitted accessory uses in all commercial zones. Currently, the ESMC requires a CUP for all outdoor dining areas exceeding 200 square feet. Eliminating the CUP requirement will facilitate the use of outdoor dining which promotes a more pedestrian-friendly environment in the City's commercial zones.
- c. Prohibit service stations in the CR-S and C-2 zones. Currently, the ESMC requires a CUP for service stations in these zones, provided they are located at least 500 feet from residentially zoned properties. Since there are no CR-S or C-2 zoned properties that meet this distance requirement today, it is practically infeasible to have new service stations in the CR-S and C-2 zones.
- d. Prohibit freight forwarding uses in the C-3 and MU-S zones. Existing freight forwarding facilities in these zones would become legal-nonconforming uses.

- e. Clarifications to the permitted accessory uses in commercial zones. The draft ordinance clarifies that employee recreational areas, parking lots or structures, and parking for bicycles, scooters, etc. are permitted accessory uses.

Amendments to the CR-S zone development standards include the following:

- a. Simplify the side and rear yard setback requirement. Currently, the ESMC requires no side or rear yard setback unless the property abuts a public right-of-way or a property with a different zone classification. In this case the code requires the average of the setback in the two zones with a minimum of 10 feet. The draft ordinance eliminates the average setback requirement and sets 10 feet as the required setback.
- b. Clarify the density for residential uses in the CR-S. Currently, the ESMC has two different standards for lots created prior to 1993 and lots created after 1993. The draft ordinance establishes a single density standard for all CR-S zoned lots consistent with the density permitted today (one unit per 4,356 square feet).

Amendments to the C-2 zone development standards include the following:

- a. Simplify the front yard setback requirement. Currently, the ESMC requires a minimum setback of 15 feet, but if the C-2 property abuts a residentially zoned property the required setback is the average of the two zones. The draft ordinance eliminates the average setback requirement and sets 15 feet as the required setback.
- b. Simplify the side and rear yard setback requirement. Consistent with the CR-S zone, the draft ordinance eliminates the average setback requirement and sets 10 feet as the required setback.
- c. Clarify the density for residential uses in the CR-S. Consistent with the CR-S zone, the draft ordinance establishes a single density standard for all CR-S zoned lots consistent with the density permitted today (one unit per 4,356 square feet).

Amendments to the C-3 zone development standards include the following:

- a. Reduce the front yard setback requirement from 25 feet to 10 feet.
- b. Reduce and simplify the side and rear yard setback requirement.
 - i. Currently, the ESMC requires a minimum side and rear setback of 15 feet. The draft ordinance reduces the setback to zero feet.
 - ii. If the property abuts a public right-of-way, the ESMC requires a setback of 25 feet. The draft ordinance reduces the setback to 10 feet.

- iii. If the property abuts a property with a different zone classification, the ESMC requires the average setback in the two zones with a minimum of 10 feet. The draft ordinance eliminates the average and sets the required setback to 10 feet.
- c. Modify setback measurement. The draft ordinance adds language to:
 - i. Clarify that setbacks must be measured from the edge of the future public right-of-way as identified in the General Plan; and
 - ii. Clarify that setbacks must not be measured from legal easements other than public right-of-way easements.

Amendments to the CO zone development standards include the following:

- a. Simplify the side yard setback requirement. Currently, the ESMC requires a setback of 10 feet, unless the property abuts a property with a different zone classification. In this case, the code requires the average of the setback in the two zones with a minimum of 10 feet. The draft ordinance eliminates the average setback requirement and sets 10 feet as the required setback.

Amendments to the MU-N zone development standards include the following:

- a. Simplify the side yard setback requirement. Consistent with the CO zone, the draft ordinance eliminates the average setback requirement and sets 10 feet as the required setback.

Amendments to the MU-S zone development standards include the following:

- a. Simplify the side yard setback requirement. Consistent with the CO and MU-N zones, the draft ordinance eliminates the average setback requirement and sets 10 feet as the required setback for a property abutting a property in a different zone.
- b. Reduce the rear yard setback requirement. Currently, the ESMC requires a setback of 5 feet, unless the property abuts a public right-of-way. In this case, the code requires a minimum of 30 feet. The draft ordinance reduces the setback requirement in this case to 20 feet.

Amendments to the C-4 zone development standards include the following:

- a. Simplify the side and rear yard setback requirement. Consistent with the CO, MU-N, and MU-S zones, the draft ordinance eliminates the average setback requirement and sets 10 feet as the required setback for a property abutting a property in a different zone.

Chapters 6-10 - Industrial Zones, Overlay Districts, Open Space, and Public Facilities Zones

A significant amendment to this chapter is the consolidation of permitted uses in each Industrial zone, into one table. The draft ordinance creates a new ESMC section 15-6A-1 with a table for the permitted uses, accessory uses, and uses subject to a conditional use permit in industrial (M-1 and M-2) zones. The table shortens and standardizes the permitted use types and provides a comprehensive list in an easy-to-use format for all users. The substantive changes in the permitted uses include: The substantive only change in the permitted uses is the addition of solar energy systems to the permitted uses.

Amendments to the M-1 zone development standards include the following:

- a. Simplify the side yard setback requirement. Currently, the ESMC requires a setback of 15 feet, unless the property abuts a property with a different zone classification. In this case, the code requires the largest of the setbacks in the two zones. The draft ordinance eliminates the largest setback requirement and sets 15 feet as the required setback.
- b. Simplify the rear yard setback requirement. Currently, the ESMC requires a setback of 10 feet, unless the property abuts a property with a different zone classification. In this case, the code requires the largest of the setbacks in the two zones. The draft ordinance eliminates the largest setback requirement and sets 10 feet as the required setback.

Amendments to the M-2 zone development standards include the following:

- a. Simplify the side yard setback requirement. Consistent with the M-1 zone, the draft ordinance eliminates the largest setback requirement and sets 15 feet as the required setback.
- b. Simplify the rear yard setback requirement. Consistent with the M-1 zone, the draft ordinance eliminates the largest setback requirement and sets 10 feet as the required setback.

Amendments to the MDR Overlay development standards include the following:

- a. Add development standards for live/work uses. Currently, the ESMC contains development standards for live/work uses in the definitions section of the Zoning Code. The draft ordinance moves the standards to ESMC Article 15-7A (Medium Density Residential (MDR) Overlay Zone).

Amendments to the MMO Overlay permitted accessory uses include the following:

- a. Add outdoor dining areas to the permitted accessory uses. Currently, the ESMC does not list outdoor dining to the permitted or conditionally permitted uses in the MMO overlay. The draft ordinance adds outdoor dining areas to the permitted accessory uses in the MMO overlay.

Amendments to the O-S zone permitted accessory uses include the following:

- a. Add solar energy systems to the permitted accessory uses. Currently, the ESMC does not list solar energy systems to the permitted or conditionally permitted uses in the MMO overlay. The draft ordinance adds solar energy systems to the permitted accessory uses in the MMO overlay.

Chapter 15 - Off street parking requirements

Amendments to the Parking area development standards include the following:

- a. Delete the tire stop requirements in parking areas, which are considered obsolete and unnecessary.
- b. Revise the minimum dimensions for vehicle lifts. Currently, the ESMC requires dimensions of 11 feet by 21 feet. The draft ordinance reduces the dimensions to the standard space dimensions of 8.5 feet by 18 feet to reflect changes to vehicle lift technology.
- c. Clarify that parking spaces in excess of the minimum number required may be provided in tandem configuration.
- d. Amend the parking clearance and obstruction standards to allow electric vehicle charging stations to encroach into existing parking spaces by up to two feet.
- e. Amend vehicle lift provisions to streamline the permit process in residential zones, to permit them in nonresidential zones as tandem spaces, and restrict them to a maximum storage of up to two vehicles.

Amendments to the required parking spaces include the following:

- a. Establish a parking standard for motion picture studios/sound stages that would require one space for each 500 square feet for the first 25,000 square feet and one space for each 1,000 square feet in excess of 25,000 square feet.

- b. Change the daycare facility parking requirement to match that of pre-schools and schools. Currently, the ESMC has two separate parking requirements for daycare facilities and pre-schools, which has led to confusion regarding the required parking for daycare facilities, which often care for children of pre-school age.
- c. Simplify the bicycle parking requirements and bring them into alignment with Building Code requirements.

Chapters 1, 2, 4, 7, 18, 30, 31, and 32 - Miscellaneous clarifications and corrections

The draft ordinance contains miscellaneous amendments mostly in chapters of the Zoning Code, but a few in other ESMC titles. The amendments improve clarity and overall usability of existing code provisions, and include the following:

- a. Update the Community Development Department name throughout the Zoning Code.
- b. Clarify the Building Official or designee is responsible for assigning addresses (ESMC Chapter 13-13).
- c. Update and add definitions of terms (Section 15-1-6).
- d. Delete height restrictions for buildings on through lots (ESMC section 15-2-5). These restrictions conflict with the recently adopted building height definition and method of measurement.
- e. Formatting and language edits in the corner and alley clearance provisions (ESMC section 15-2-6).
- f. Formatting and language edits to the general landscaping provisions (ESMC Section 15-2-14).
- g. Delete video arcade provisions (ESMC section 15-2-15), which are obsolete and unnecessary.
- h. Edit references in the Urban Lot Split chapter (ESMC Article 15-4G).
- i. Move live-work development standards from the definitions section to the Medium Density Residential (MDR) Overlay (ESMC Article 15-7A).
- j. Add solar energy systems to the permitted uses in various zones.
- k. Clarify that Master Sign Program Director reviews and approvals are ministerial (ESMC Section 15-18-5).

- l. Make formatting changes to the enforcement and penalties chapter (ESMC Chapter 15-30).
- m. Make formatting changes and clarify the notification requirements regarding public right-of-way dedications and waivers (ESMC Chapter 15-31).
- n. Clarify that development impact mitigation fee refunds are subject to review and approval by the Community Development and Public Works Directors (ESMC Section 15-32-9).

GENERAL PLAN CONSISTENCY:

Zoning Code Section 15-1-1 (Purpose, Title) states that the Zoning Code is the primary tool for implementation of the goals, objectives, and policies of the El Segundo General Plan. Accordingly, the Planning Commission must find that the proposed Zone Text Amendment is consistent with those goals, objectives, and policies. Planning staff finds the amendment is consistent with:

- Objective LU3-2 of the General Plan Land Use Element in that it would simplify and standardize the development standards in the city's residential zones.
- Objective LU4-3 in that it reduces setbacks for commercial zones, permits outdoor dining without discretionary permits, and continues to require landscaping in all new office and mixed-use developments.
- Goal LU5 in that it simplifies and standardizes development standards and continues to require landscaping for commercial and industrial zones.
- Goal ED2-2 of the General Plan Economic Development Element in that it would simplify and standardize development standards for businesses and residential uses and thereby helping streamline the development process for the business and the residential community.
- Program 3 of the General Plan Housing Element in that it would clarify the development standards and permit process for accessory dwelling units and thereby assist in the production of affordable housing.

ENVIRONMENTAL CONSIDERATION:

The proposed zone text amendment is exempt from review under the California Environmental Quality Act (California Public Resources Code §§21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§15000, et seq., the “State CEQA Guidelines”) because it consists only of minor revisions and clarifications to existing zoning regulations and related procedures. It does not have the effect of deleting or substantially changing any regulatory standards or findings required thereof. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment. In addition, any environmental impacts associated with this ordinance are adequately addressed in the General Plan FEIR. Accordingly, this ordinance is consistent with the General Plan FEIR and is exempt from further environmental review requirements under the California Environmental Quality Act. Furthermore, this ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the FEIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to 14 Cal. Code Regs. §15168(c)(2).

CONCLUSION

The proposed ordinance streamlines and simplifies the permitted use and development standards in the ESMC. Further, the ordinance adds new definitions of terms, clarifies existing provisions that are difficult to interpret, and makes miscellaneous edits to the format and language used in the ESMC. These changes improve the ESMC readability, expedite the preparation and review of plans, and, thus, facilitate the development process and improve customer service, consistent with the City Council’s strategic goals.

The proposed ordinance is consistent with the General Plan and the purpose of the Zoning Code. The proposed ordinance is exempt from environmental review under CEQA. Therefore, staff recommends that the Planning Commission adopt Resolution No. 2934, recommending that the City Council adopt the proposed Ordinance.

PREPARED BY: Paul Samaras, AICP, Principal Planner 
REVIEWED BY: Eduardo Schonborn, AICP, Planning Manager 
APPROVED BY: Michael Allen, AICP, Director of Community Development 

ATTACHED SUPPORTING DOCUMENTS:

- 1. Planning Commission Resolution No. 2934
- 2. Draft ordinance

RESOLUTION NO. 2934

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL SEGUNDO RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 15 OF THE EL SEGUNDO MUNICIPAL CODE TO STREAMLINE THE PERMITTED USES AND DEVELOPMENT STANDARDS IN ALL ZONES AND IMPLEMENT SEVERAL CLEANUP, CLARIFYING, AND CONFORMING PROVISIONS.

**(Environmental Assessment No. 1230 and
Zone Text Amendment No. 18-04)**

The Planning Commission of the City of El Segundo ("City") does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On August 14, 2018, the City initiated the process to streamline the permitted uses and development standards in various zones and make several improvements and clarifications in El Segundo Municipal Code ("ESMC") Title 15 ("Zoning Code");
- B. The City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines");
- C. The Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 9, 2023;
- D. The Planning Commission of the City of El Segundo held a noticed public hearing on February 9, 2023, to review and consider the staff report prepared for the Ordinance, receive public testimony, and review all correspondence received on the Ordinance; and,
- E. This Resolution, and its findings, are made, in part, based upon the evidence presented to the Commission at its February 9, 2023, public hearing including, the staff report submitted by the Community Development Department.

SECTION 2: *Factual Findings and Conclusions.* The Planning Commission finds that adopting the proposed Ordinance would result in the following:

- A. Amend ESMC Chapter 7-2 regarding noise and vibration to designate the Planning Commission as the appeal body regarding decisions of the Noise Control Officer;

- B. Amend ESMC § 13-13-2 regarding numbering entrances to buildings to clarify the Building Official or designee is responsible for assigning addresses for buildings;
- C. Amend ESMC § 15-1-6 to update and add definitions of terms;
- D. Amend ESMC § 15-2-4 to update the fencing regulations for nonresidential properties;
- E. Delete ESMC § 15-2-5 regarding Height restrictions for buildings on through lots;
- F. Amend ESMC § 15-2-7 regarding encroachments;
- G. Amend ESMC § 15-2-8 regarding screening;
- H. Amend ESMC § 15-2-14 regarding landscaping;
- I. Delete ESMC § 15-2-15 regarding video arcades;
- J. Amend ESMC Chapter 15-4 regarding residential zones to update the permitted uses and development standards for residential properties;
- K. Amend ESMC Chapter 15-5 regarding commercial zones to update the permitted uses and development standards for commercial properties;
- L. Amend ESMC Chapter 15-6 regarding industrial zones to update the permitted uses and development standards for industrial properties;
- M. Amend ESMC Chapter 15-7 to update the permitted uses and development standards in the Medium-Density Residential (“MDR”) and Multi-Media Overlay (“MMO”) overlay districts;
- N. Amend ESMC Chapters 15-8 and 15-10 to update the permitted uses in the Open Space (“O-S”) and Public Facilities (“P-F”) zones;
- O. Amend ESMC Chapter 15-15 to update the parking area development standards and the required number of automobile and bicycle spaces for various uses;
- P. Amend ESMC § 15-18-5 to clarify the Master Sign Program approval process;
- Q. Amend ESMC §§ 15-31-3 through 15-31-6 (Right-of-way Dedications and Improvements) to make formatting changes and minor corrections; and
- R. Amend ESMC § 15-32-9 regarding Development Impact Fee Refunds to clarify process for issuing refunds.

SECTION 3: General Plan Findings. As required under Government Code § 65860 the ESMC amendments proposed by the Ordinance are consistent with the City's General Plan as follows:

- A. The proposed Ordinance is consistent with Objectives LU3-2 of the General Plan Land Use Element in that it would simplify and standardize the development standards in the city's residential zones
- B. The proposed Ordinance is consistent with Objective LU4-3 in that it reduces setbacks for commercial zones, permits outdoor dining without discretionary permits, and continues to require landscaping in all new office and mixed-use developments.
- D. The proposed Ordinance is consistent with Goal LU5 in that it simplifies and standardizes development standards and continues to require landscaping for commercial and industrial zones
- E. The proposed Ordinance is consistent with Goal ED2-2 of the General Plan Economic Development Element in that would simplify and standardize development standards for businesses and residential uses and thereby helping streamline the development process for the business and the residential community.
- E. The proposed Ordinance is consistent with Program 3 of the General Plan Housing Element in that it would clarify the development standards and permit process for accessory dwelling units and thereby assist in the production of affordable housing.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC § 15-27-3 and based on the findings set forth above, the proposed amendments are consistent with the goals, policies, and objectives of the ESMC as follows:

- A. The Ordinance is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.
- B. The ordinance is necessary to serve the public health, safety, and general welfare by facilitating the development process and ensure the orderly development of buildings, parking areas, landscaping, and the location of uses in the City. The intent of the Ordinance is to clarify and simplify definitions of terms, the permitted uses, and the development standards in various zones. It will facilitate and expedite the development process and provide economic and social benefits resulting from the orderly planned use

of land resources, all in furtherance of the public health, safety, and general welfare.

SECTION 5: *Environmental Assessment.* Pursuant to the provisions of the CEQA and the CEQA Guidelines, the proposed Ordinance is exempt from further review. Specifically, it is exempt under CEQA Guidelines § 15060(c)(3) (the activity is not a project as defined in § 15378) because it has no potential for resulting in a physical change to the environment, directly or indirectly and CEQA Guidelines § 15601(b)(3) because the Ordinance includes minor changes to the zoning code; no development is authorized with this action, and it can be seen that there is no possibility of significant environmental impacts. In addition, any environmental impacts associated with this Ordinance are adequately addressed in the General Plan final EIR. Accordingly, this Ordinance is consistent with the General Plan final EIR and is exempt from further CEQA review. Furthermore, this Ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the final EIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to CEQA Regulations. § 15168(c)(2).

SECTION 6: *Recommendation.* The Planning Commission recommends that the City Council adopt the Ordinance attached as Exhibit "A," which is incorporated into this Resolution by reference.

SECTION 7: *Reliance on Record.* Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects; and

SECTION 8: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on information available at the time of the decision. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. In all instances, best efforts have been made to form accurate assumptions.

SECTION 9: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy and forward a copy to the City Clerk for the City Council's consideration of the proposed Ordinance at a duly noticed City Council meeting.

SECTION 10: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2023.

Michelle Keldorf, Chairperson
City of El Segundo Planning Commission

ATTEST:

Michael Allen, Secretary

Keldorf -
Hoeschler -
Newman -
Maggay -

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Joaquin Vazquez, Assistant City Attorney

EXHIBIT "A"
ORDINANCE
ZONE TEXT AMENDMENT NO. 18-04

ORDINANCE NO. ____

AN ORDINANCE AMENDING TITLE 15 OF THE EL SEGUNDO MUNICIPAL CODE TO STREAMLINE THE PERMITTED USES AND DEVELOPMENT STANDARDS IN ALL ZONES AND IMPLEMENT SEVERAL CLEANUP, CLARIFYING, AND CONFORMING PROVISIONS.

(ENVIRONMENTAL ASSESSMENT NO. 1230 AND ZONE TEXT AMENDMENT NO. 18-04)

The City Council of the city of El Segundo does ordain as follows:

SECTION 1: The Council finds and declares as follows:

- A. On August 14, 2018, the City initiated the process to amend various sections of El Segundo Municipal Code (“ESMC”) Title 15, i.e., the City’s Zoning Code.
- B. The City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”);
- C. The Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for February 9, 2023;
- D. On February 9, 2023, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the Ordinance including, without limitation, information provided to the Planning Commission by city staff; and, adopted Resolution No. 2867 recommending that the City Council approve this Ordinance;
- E. On _____ XX, 2023, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and
- F. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its _____ XX, 2023 hearing and the staff report submitted by the Community Development Department.

SECTION 2: *Factual Findings and Conclusions.* The City Council finds that adopting the proposed Ordinance would result in the following:

- A. Amend ESMC Chapter 7-2 regarding noise and vibration to designate the Planning Commission as the appeal body regarding decisions of the Noise Control Officer;
- B. Amend ESMC § 13-13-2 regarding numbering entrances to buildings to clarify the Building Official or designee is responsible for assigning addresses for buildings;
- C. Amend ESMC § 15-1-6 to update and add definitions of terms;
- D. Amend ESMC § 15-2-4 to update the fencing regulations for nonresidential properties;
- E. Delete ESMC § 15-2-5 regarding Height restrictions for buildings on through lots;
- F. Amend ESMC § 15-2-7 regarding encroachments;
- G. Amend ESMC § 15-2-8 regarding screening;
- H. Amend ESMC § 15-2-14 regarding landscaping;
- I. Delete ESMC § 15-2-15 regarding video arcades;
- J. Amend ESMC Chapter 15-4 regarding residential zones to update the permitted uses and development standards for residential properties;
- K. Amend ESMC Chapter 15-5 regarding commercial zones to update the permitted uses and development standards for commercial properties;
- L. Amend ESMC Chapter 15-6 regarding industrial zones to update the permitted uses and development standards for industrial properties;
- M. Amend ESMC Chapter 15-7 to update the permitted uses and development standards in the Medium-Density Residential (“MDR”) and Multi-Media Overlay (“MMO”) overlay districts;
- N. Amend ESMC Chapters 15-8 and 15-10 to update the permitted uses in the Open Space (“O-S”) and Public Facilities (“P-F”) zones;
- O. Amend ESMC Chapter 15-15 to update the parking area development standards and the required number of automobile and bicycle spaces for various uses;
- P. Amend ESMC § 15-18-5 to clarify the Master Sign Program approval process;
- Q. Amend ESMC Chapter 15-30 (Enforcement; Penalty) to make formatting changes and minor corrections;

- R. Amend ESMC §§ 15-31-3 through 15-31-6 (Right-of-way Dedications and Improvements) to make formatting changes and minor corrections; and
- S. Amend ESMC § 15-32-9 regarding Development Impact Fee Refunds to clarify the process for issuing refunds.

SECTION 3: General Plan Findings. As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

- A. The proposed Ordinance is consistent with Objective LU3-2 of the General Plan Land Use Element in that it would simplify and standardize the development standards in the city's residential zones
- B. The proposed Ordinance is consistent with Objective LU4-3 in that it reduces setbacks for commercial zones, permits outdoor dining without discretionary permits, and continues to require landscaping in all new office and mixed-use developments.
- D. The proposed Ordinance is consistent with Goal LU5 in that it simplifies and standardizes development standards and continues to require landscaping for commercial and industrial zones
- E. The proposed Ordinance is consistent with Goal ED2-2 of the General Plan Economic Development Element in that would simplify and standardize development standards for businesses and residential uses and thereby helping streamline the development process for the business and the residential community.
- E. The proposed Ordinance is consistent with Program 3 of the General Plan Housing Element in that it would clarify the development standards and permit process for accessory dwelling units and thereby assist in the production of affordable housing.

SECTION 4: Zone Text Amendment Findings. In accordance with ESMC Chapter 15-27 (Amendments), and based on the findings set forth above, the proposed Ordinance is consistent with and necessary to carry out the purpose of the ESMC as follows:

- A. The Ordinance is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources.
- B. The Ordinance is necessary to serve the public health, safety, and general welfare by facilitating the development process and ensure the orderly development of buildings, parking areas, landscaping, and the location of

uses in the City. The intent of the Ordinance is to clarify and simplify definitions of terms, the permitted uses, and the development standards in various zones. It will facilitate and expedite the development process and provide economic and social benefits resulting from the orderly planned use of land resources, all in furtherance of the public health, safety, and general welfare.

SECTION 5: Environmental Assessment. Pursuant to the provisions of CEQA, and the CEQA Guidelines, the proposed Ordinance is exempt from further review. Specifically, it is exempt under CEQA Guidelines § 15060(c)(3) (the activity is not a project as defined in § 15378) because it has no potential for resulting in a physical change to the environment, directly or indirectly and CEQA Guidelines § 15601(b)(3) because the Ordinance includes minor changes to the zoning code; no development is authorized with this action, and it can be seen that there is no possibility of significant environmental impacts. In addition, any environmental impacts associated with this Ordinance are adequately addressed in the General Plan final EIR. Accordingly, this Ordinance is consistent with the General Plan final EIR and is exempt from further CEQA review. Furthermore, this Ordinance constitutes a component of the El Segundo Municipal Code which the Planning Commission determined to be consistent with the final EIR for the City of El Segundo General Plan on December 1, 1992. Accordingly, no further environmental review is required pursuant to CEQA Regulations. § 15168(c)(2).

SECTION 6: ESMC Section 7-2-2 regarding Noise and Vibration Definitions is amended as follows:

7-2-2: DEFINITIONS:

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases used are defined as follows:

* * *

NOISE CONTROL OFFICER: The Director of ~~Community, Economic and Development Services~~ **Community Development**.

* * *

SECTION 7: ESMC § 13-13-2 is amended as follows:

13-13-2: NUMBERING ENTRANCES TO BUILDINGS:

- A. Placement: All entrances from the public streets of the City to buildings or structures within the City shall be numbered as hereinafter provided. The number of each and every such entrance shall be placed in a conspicuous place upon or immediately adjacent to the door or gate closing such entrance. Each figure of the number shall be at least two inches (2") in height and of corresponding width. The appropriate number of any entrance to any building or structure shall be placed

thereon as herein provided within five (5) days after the receipt by the owner, occupant, lessee, tenant or subtenant of such building of a notice from the Building Inspector Official or designee of the number designated for such building or structure, and all numbers, other than the numbers provided for in this Chapter for the respective entrances, shall be removed from every building by the owners, occupants, lessees, tenants or subtenants thereof within five (5) days from the service of the notice designating the appropriate numbers to be placed thereon.

- B. Designation: It shall be the duty of the Building Inspector Official or designee to designate the respective numbers for buildings or structures fronting on streets heretofore laid out, or hereafter to be laid out or extended, and which may at this time, or at any future time, be included within the present or future boundaries of the City.

SECTION 8: ESMC § 15-1-4 is amended as follows:

15-1-4: ENFORCEMENT:

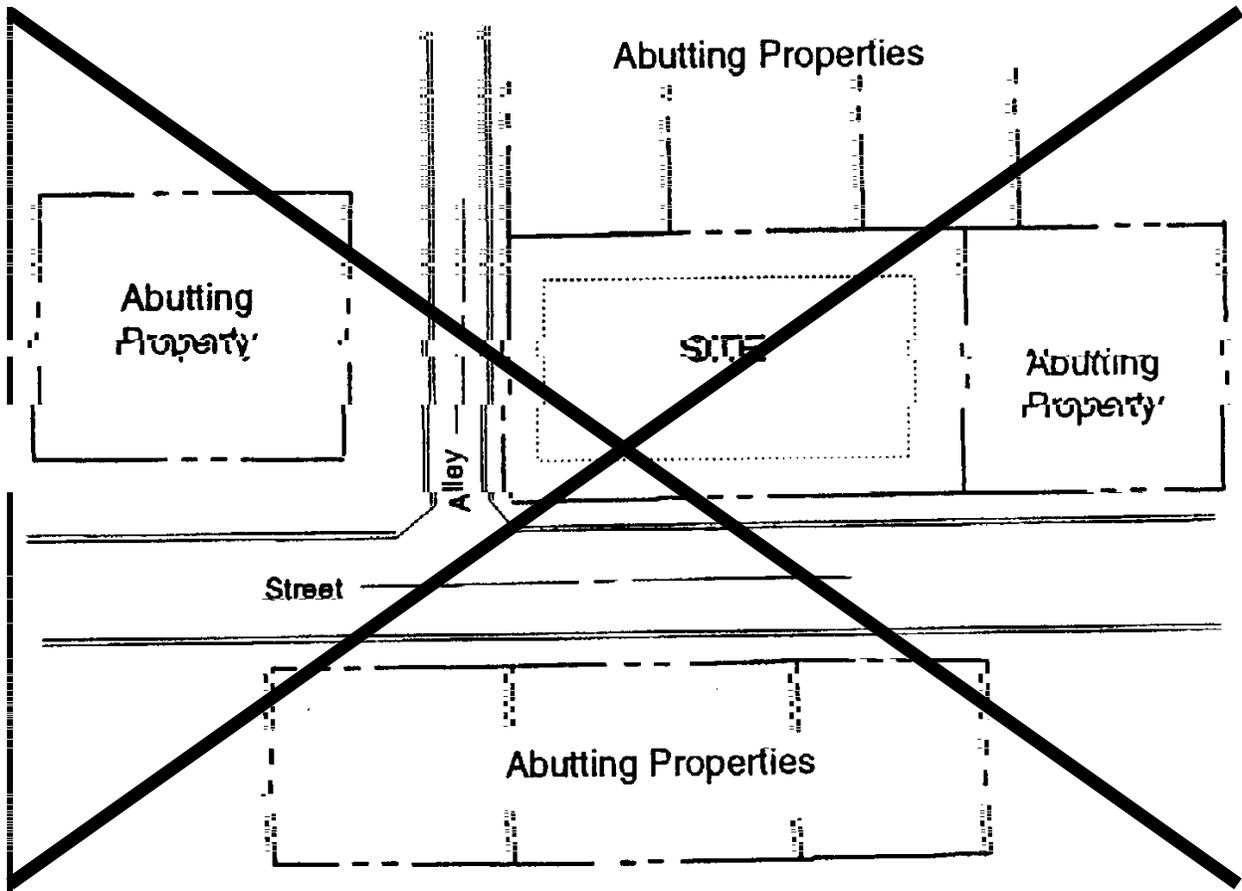
The ~~Director of Community, Economic and Development Services~~ Community Development Director or his/her duly designated representative is hereby designated as the enforcing agent of this title and any amendments thereto. The Director or his/her designated representative has the authority to require recordation of restrictive covenants on a property and/or to deny permits to prevent unpermitted changes of use and to fulfill the purpose of this Title.

SECTION 9: ESMC § 15-1-6 is amended as follows:

ESMC 15-1-6: DEFINITIONS:

The following words and phrases, when used in this title, shall have the meanings respectively ascribed to them in this chapter:

ABUTTING/ABUTTING PROPERTY: Two (2) or more parcels sharing a common boundary of at least one (1) point. ~~However, as used in chapter 24 of this title, this definition shall also include property that is separated only by a street or alley.~~



* * *

FENCE, TEMPORARY CONSTRUCTION: "Temporary construction fence" means a fence not exceeding six feet in height, as measured from the adjacent existing grade, which is erected around a portion of a lot or parcel, or around the perimeter of a lot or parcel, to secure said lot or parcel during construction activity.

* * *

FLOOR AREA (NET): The area of all floors or levels included within the exterior surrounding walls of a building or structure. The total space devoted to high or medium bay labs, in the M-1 zone only, may be multiplied by a factor of 0.5 to determine the net floor area. Space devoted to the following shall not be included when determining the total net floor area within a building or structure:

- A. Elevator shafts.
- B. Stairwells.
- C. Courts or atriums uncovered and open to the sky.

D. Rooms exclusively holding building operating equipment.

E. Parking spaces and parking structures.

F. That portion of any structure that is devoted exclusively to parking.

~~G. Restrooms in common areas of nonresidential buildings.~~

G. In the M-1 Zone only, the total space devoted to high or medium bay labs may be multiplied by a factor of 0.5 to determine the net floor area

* * *

GOVERNMENT BUILDINGS/PUBLIC USES: Government buildings/public uses include, but are not limited to, City offices, police and fire stations, parking, post offices, libraries, and related buildings.

* * *

LIVE/WORK: The partial use of a dwelling unit for the following commercial uses: artists' studios and workspace for artists and artisans, illustrators, painters, sculptors, photographers, or other activities related to fine arts (except musicians); and architectural, engineering, industrial design and drafting and other construction design activities. ~~Live/work uses are in addition to residential purposes and must comply with all the following:~~

~~A. Live/work uses may only be located in the medium density residential (MDR) zone of the Smoky Hollow specific plan area;~~

~~B. Live/work uses cannot be open to walk-in trade or client visits other than by appointment;~~

~~C. Only one employee, other than the resident, may be employed on-site;~~

~~D. Work activity must be conducted entirely within the individual unit;~~

~~E. Outdoor storage is not permitted;~~

~~F. Live/work uses cannot generate hazardous materials or employ hazardous processes;~~

~~G. The live/work use cannot be publicly observed;~~

~~H. Live/work activities, such as noise, vibration, dust, odors, fumes, smoke, heat, electrical interference or other similar nuisances, cannot be perceptible beyond the individual unit;~~

I. ~~Live/work activities cannot increase pedestrian or vehicle traffic beyond that ordinarily associated with residential occupancy nor can it reduce the number of required off street parking spaces available for residential use;~~

J. ~~One wall sign is permitted at the entrance of each individual unit. The wall sign cannot exceed six (6) square feet and cannot extend above or out from the wall. Signs cannot emit sounds, odor, or visible matter, such as smoke or steam. Signage may be lighted from another source such as gooseneck lamps. Internally illuminated and neon signs are not allowed. Rooftop signage is not allowed within the zone. Signs cannot contain any revolving, fluttering, flashing or spinning elements. All signage is subject to city requirements for sign permits.~~

* * *

SHARED MOBILITY DEVICE (SMD): Any transportation device by which a person can be propelled, moved or drawn, that is displayed, offered or placed for rent in any Public Area, Public Right-of-Way, or Private Property. This includes Shared Bicycles, Shared Electric Assist Bicycles (Shared E-Assist Bikes), Shared Electric Scooters, and similar devices as determined by the City. This definition excludes car share vehicles, taxicabs, and similar motor vehicles.

* * *

SOLAR ACCESS: The access of a solar energy system to direct sunlight.

SOLAR COLLECTOR: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

SOLAR ENERGY: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

SOLAR ENERGY SYSTEM: A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

SOLAR ENERGY SYSTEM, ACTIVE: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

SOLAR ENERGY SYSTEM, GRID-INTERTIE: A photovoltaic system that is connected to an electric circuit served by an electric utility.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED: An Active Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale).

SOLAR ENERGY SYSTEM, LARGE-SCALE: An Active Solar Energy System that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

SOLAR ENERGY SYSTEM, MEDIUM-SCALE: An Active Solar Energy System that occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 - 250 kW DC).

SOLAR ENERGY SYSTEM, OFF-GRID: A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility.

SOLAR ENERGY SYSTEM, PASSIVE: A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

SOLAR ENERGY SYSTEM, ROOF-MOUNTED: An Active Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale).

SOLAR ENERGY SYSTEM, SMALL-SCALE: An Active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

SOLAR THERMAL SYSTEM: An Active Solar Energy System that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

* * *

~~VIDEO ARCADE: An establishment having coin operated, slug operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices that show images to one or more persons per machine at any one time.~~

SECTION 10: ESMC § 15-2-4 (Height restrictions for walls and fences) is amended as follows:

15-2-4: HEIGHT RESTRICTIONS FOR WALLS AND FENCES

A. Generally: **Residential zones.** In any R-Zone, a ~~42~~ **42** inches (42") in height may be located and maintained on any part of a lot. On an interior or corner lot, a wall or fence ~~not more than~~ **up to** six feet (6') in height may be located anywhere on the lot ~~to the rear of the rear line of~~ **behind** the required front yard. On a reversed corner lot, a wall or fence ~~not more than~~ **up to** six feet (6') in height may be maintained anywhere on the lot ~~to the rear of the rear line of~~ **behind** the required front yard except within the required triangular open area at the rear constituting a part of the required side yard of

the street side. The provisions of sections 15-2-6 and 15-2-11 of this chapter shall apply to walls and fences adjacent to corners and driveways. ~~Wall and fence heights in nonresidential zones shall be subject to the approval of the Director.~~

~~B. Retaining Walls:~~

~~1. Where a retaining wall protects a cut slope below the natural grade, as depicted in subsection E, figure 1 of this section, the retaining wall may be topped by a fence or wall of a height equal to that which would otherwise be permitted at that location. This does not apply to retaining walls which protect a fill slope.~~

~~2. Where a retaining wall contains a fill and is not located in any required setback, as depicted in subsection E, figure 2 of this section, the height of the retaining wall built to retain the fill is considered as contributing to the permissible height of a fence or wall. If required by the California Residential Code, an open work fence or guardrail, not more than forty two inches (42") in height, may be erected on top of a retaining wall. An "open work fence" means a fence in which the component solid portions are evenly distributed, vertically oriented, and constitute not more than twenty five percent (25%) of the total surface area of the fence.~~

~~3. A retaining wall located in any required setback, as depicted in subsection E, figures 3A and 3B of this section, may retain a maximum of three feet (3') of fill. The height of the retaining wall built to retain the fill is considered as contributing to the permissible height of _____ a _____ fence _____ or _____ wall.~~

~~In a required side or rear setback, if required by the California Residential Code, an open work fence or guardrail, not more than forty two inches (42") in height, may be erected on top of a retaining wall. However, the maximum height of the fence and/or wall including a required openwork fence or guardrail is limited to six feet six inches (6'6").~~

~~In a required front setback, a six inch (6") wall or fence may be erected on top of a wall which retains a maximum of three feet (3'). No open work fence, above the maximum forty two inch (42") total height, is allowed in the front setback.~~

~~C. Exceptions: The provisions of this section shall not apply to fences required by State law to surround and enclose public utility installations or to chainlink fences enclosing school grounds and public playgrounds.~~

~~D. Adjustments: A wall or fence up to eight feet (8') in height may be allowed in residential zones subject to the approval of an adjustment, pursuant to chapter 24 of this title. A variance is required for a wall or fence in a residential zone which exceeds eight feet (8') in height.~~

~~E. _____ Figures _____ And _____ Diagrams:~~

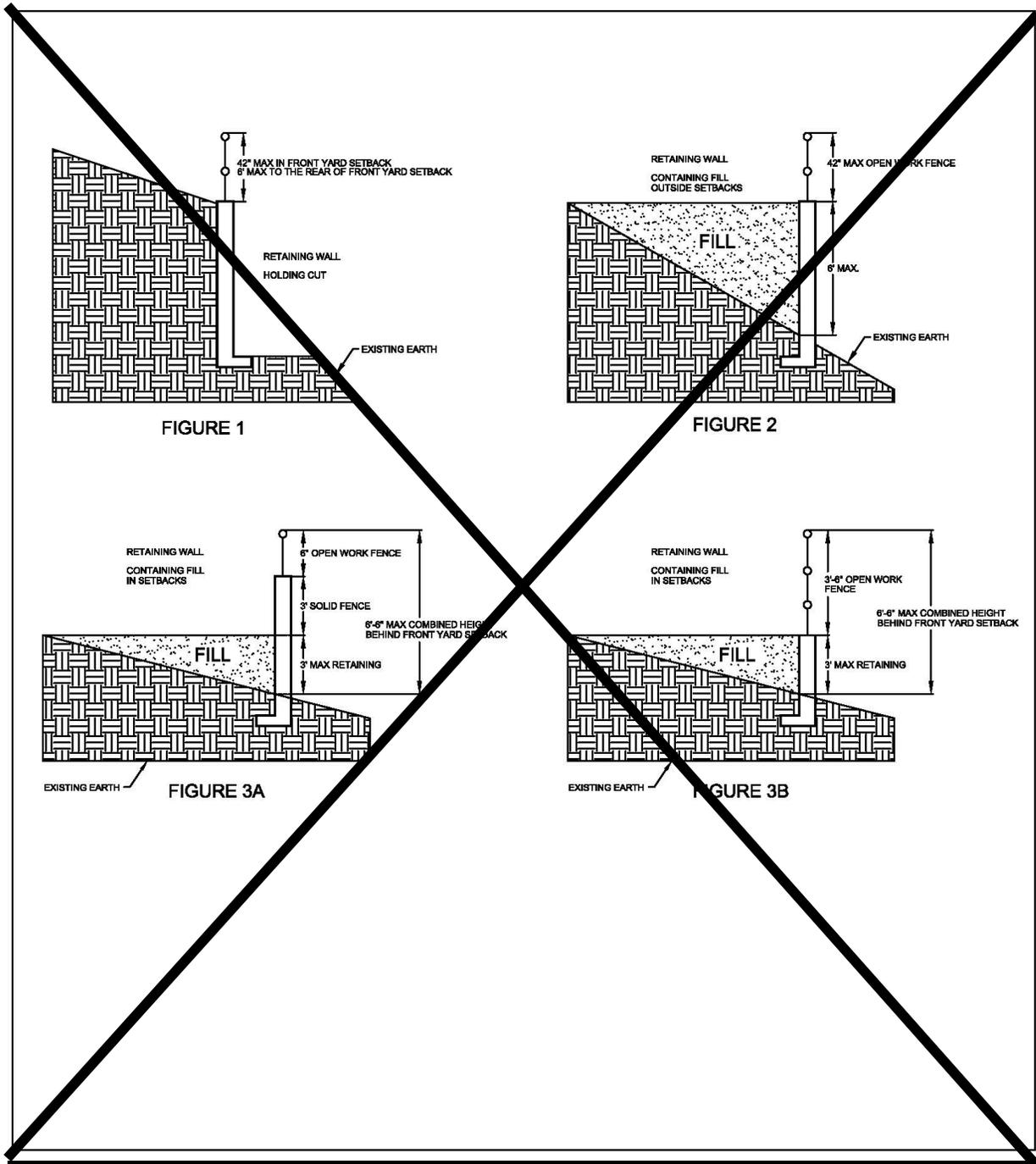
1. Retaining Walls:

- a. Where a retaining wall protects a cut slope below the natural grade, as depicted in subsection 15-2-4A-4, figure 1 of this section, the retaining wall may be topped by a fence or wall of a height equal to that which would otherwise be permitted at that location This does not apply to retaining walls which protect a fill slope.
- b. A retaining wall that protects a cut slope located in a required front or streetside setback is limited to three feet in height.
- c. Where a retaining wall contains a fill and is not located in any required setback, as depicted in subsection 15-2-4A-4, figure 2 of this section, the height of the wall retaining the fill is considered as contributing to the permissible height of a fence or wall. If required by the California Residential Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. An "open work fence" means a fence in which the component solid portions are evenly distributed, vertically oriented, and constitute not more than 25 percent of the total surface area of the fence.
- d. A retaining wall located in any required setback, as depicted in subsection 15-2-4A-4, figures 3A and 3B of this section, may retain a maximum of three feet of fill. The height of the retaining wall built to retain the fill is considered as contributing to the permissible height of a fence or wall.

In a required side or rear setback, if required by the California Residential Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. However, the maximum height of the fence and/or wall including a required openwork fence or guardrail is limited to six feet six inches.

In a required front setback, a six-inch wall or fence may be erected on top of a wall which retains a maximum of three feet. No open work fence, above the maximum 42-inch total height, is allowed in the front setback.

2. Exceptions: The provisions of this section shall not apply to fences required by State law to surround and enclose public utility installations or to chainlink fences enclosing school grounds and public playgrounds.
3. Adjustments: A wall or fence up to eight feet in height may be allowed in residential zones subject to the approval of an adjustment, pursuant to chapters 22 and 23 of this title. A variance is required for a wall or fence in a residential zone which exceeds eight feet in height.
4. Figures And Diagrams:



B. Non-residential zones. Open work fences up to eight feet in height may be located on any part of a lot. Solid fences or walls up to six feet in height may be located and maintained on any part of a lot behind the required front and street side setbacks. Solid fences or walls up to 42 inches in height may be located in a required front or street side setback.

Required walls. When abutting properties with a different zoning designation, a six-foot high masonry wall shall be provided along the common property lines.

1. Retaining walls

- a. Where a retaining wall protects a cut slope below the natural grade, as depicted in subsection 15-2-4B-4, figure 1 of this section, the retaining wall may be topped by a fence or wall of a height equal to that which would otherwise be permitted at that location. This does not apply to retaining walls which protect a fill slope.
- b. A retaining wall that protects a cut slope located in a required front or streetside setback is limited to three feet in height.
- c. Where a retaining wall contains a fill and is not located in any required setback, as depicted in subsection 15-2-4B-4, figure 2, the height of the wall retaining the fill is considered as contributing to the permissible height of a fence or wall. If required by the California Building Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. An "open work fence" means a fence in which the component solid portions are evenly distributed, vertically oriented, and constitute not more than 25 percent of the total surface area of the fence.
- d. A retaining wall located in any required setback, as depicted in subsection 15-2-4B-4, figures 3A and 3B of this section, may retain a maximum of three feet of fill. The height of the retaining wall built to retain the fill is considered as contributing to the permissible height of a fence or wall.

In a required side or rear setback, if required by the California Building Code, an open work fence or guardrail, not more than 42 inches in height, may be erected on top of a retaining wall. However, the maximum height of the fence and/or wall including a required openwork fence or guardrail is limited to eight feet six inches.

2. Exceptions: The provisions of this section shall not apply to fences required by state law to surround and enclose public utility installations or to chainlink fences enclosing school grounds and public playgrounds.
3. Adjustments: A wall or fence may exceed the maximum permitted height by up to two feet subject to the approval of an adjustment, pursuant to chapters 22 and 23 of this title. A variance is required for a wall or fence in a nonresidential zone which exceeds the permitted height by more than two feet.

4. Figures And Diagrams:

[NEW DIAGRAM TO BE INSERTED HERE]

C. Temporary Construction Fencing. Construction projects that are accessible from a street right-of-way or an abutting property and which remain in operation or expect to remain in operation for over 30 calendar days shall provide temporary construction fencing, as defined in Section 15-1-6 (Fence, Temporary Construction) of this code. Unless required to protect against a safety hazard, temporary construction fencing shall not be erected sooner than 15 days prior to commencement of construction. Once erected, temporary construction fencing shall be subject to the following standards and conditions:

1. The temporary construction fencing shall surround all safety hazards, as required by the building official, and shall prevent unauthorized entry to the subject parcel;

2. The temporary construction fencing shall adequately screen outdoor storage of construction equipment and materials as determined by the Director. Chain linked fencing with a mesh screen in addition to the material identified in ESMC Section 15-2-8 may be used as temporary construction fencing;

3. During construction, the subject temporary fencing shall be maintained in a satisfactory condition as determined by the Director; and

4. Temporary construction fencing shall be maintained in a satisfactory condition as determined by the Director, and shall be removed, unless such removal would create a safety hazard, as determined by the director or the city's building official, within 30 days of the following occurrences:

- a. The expiration or withdrawal of the building/grading permit for development of the fenced parcel; or**
- b. Issuance of the final building/grading permit approval or certificate of occupancy for the development of the fenced parcel.**

5. If temporary construction fencing is determined by the director or the city's building official to be necessary to protect against a safety hazard or attractive nuisance, the temporary fencing may be erected for a period of 180 days or for a longer period, as permitted by the building official until the hazard or nuisance is abated, after which the property owner shall either remove the temporary fencing or replace the temporary fencing with permanent fencing.

SECTION 11: ESMC § 15-2-5 (Height restrictions for buildings on through lots) is deleted in its entirety.

15-2-5: HEIGHT RESTRICTIONS FOR BUILDINGS ON THROUGH LOTS: _____

On through lots one hundred fifty feet (150') or less in depth, the height of a building on the lot may be measured from the elevation of the sidewalk of the street on which the

~~building fronts. On through lots more than one hundred fifty feet (150') in depth, the height regulations shall apply to a depth of not more than one hundred fifty feet (150') from that street which permits the greater height.~~

SECTION 12: ESMC § 15-2-6 is amended as follows:

15-2-6: CORNER AND ALLEY CLEARANCE:

For the purpose of safe visibility, all corner lots, and reversed corner lots must maintain a triangular area, described as follows: one ~~(1)~~ angle must be formed by the front and side property lines, and the sides of this angle must be ~~fifteen (15)~~ **fifteen¹⁵** feet ~~(15')~~ in length, measured along the front and side property lines; the third side of this triangle must be a straight line connecting the two ~~(2)~~ other lines at their endpoints.

Lots located at the intersection of a public street and an alley must maintain a triangular area, described as follows: one ~~(1)~~ angle must be formed by the property lines abutting the street and the alley, and the sides of this angle must be five feet ~~(5')~~ in length. The third side of this triangle must be a straight line connecting the two ~~(2)~~ other lines at their endpoints. Along alleys that are more than ~~fifteen (15)~~ **fifteen¹⁵** feet ~~(15')~~ wide, this triangle must be located only on the lot to the right of the alley as seen from a vehicle exiting the alley to enter the adjacent street.

Within the area comprising these triangles, no trees, fences, shrubs, retaining walls, buildings and structures, or other physical obstructions may exceed ~~thirty (30)~~ **thirty³⁰** inches ~~(30")~~ in height from street grade, unless it is a tree which is trimmed to provide a minimum of ~~twelve (12)~~ **twelve¹²** feet ~~(12')~~ of visibility from street grade under the canopy created by the branches.

SECTION 13: ESMC § 15-2-7 is amended as follows:

15-2-7: ENCROACHMENTS:

Encroachments are subject to the following provisions in the indicated zones:

A. All Zones: ~~"Architectural landscape features" as defined in section 15-1-6 of this title may encroach into setbacks as specified in section 15-2-14 of this chapter. In all zones, every~~ **Every** required yard must be open and unobstructed from the ground up, except the following intrusions may project two feet ~~(2')~~ into required yards, provided the required yard cannot be reduced to less than three feet ~~(3')~~ in width:

1. Bay and greenhouse windows, on the first floor in any setback and on the second floor only in the front yard setback, provided that said window is not wider than eight feet ~~(8')~~ measured in the general direction of the wall of which it is a part;

2. Cornices, corbels, columns, belt courses, sills, eaves or other similar architectural building features as defined in section 15-1-6 of this title. Eaves may project six inches ~~(6")~~ into any nonconforming side or rear yard which is three feet ~~(3')~~ in width;

3. Fireplace structures not wider than eight feet (8') measured in the general direction of the wall of which it is a part;

4. Planting boxes or masonry planters not exceeding ~~forty-two~~42 inches (42") in height; ~~and~~

5. Uncovered porches, platforms and landings which do not extend above the floor level of the first floor. Ramps, stairs, and safety guardrails leading to said porches, platforms and landings may encroach further into a required setback but must maintain at least a three-foot (3') distance to a property line; and

6. "Architectural landscape features" as defined in section 15-1-6 of this title may encroach into setbacks as specified in section 15-2-14 of this chapter.

B. Residential Zones: In Residential Zoning Districts:

1. A porte-cochere (open carport) may be placed over a driveway in the front ~~twenty~~20 feet (20') of one side yard setback, outside of the front yard setback, or attached to the front ~~twenty~~20 feet (20') of one dwelling unit closest to the front lot line, provided the structure is not more than one story in height; is unenclosed on three (3) sides; and is entirely open except for the necessary supporting columns and architectural features.

2. Mechanical equipment, such as pool heaters, water heaters, air conditioners, and solar energy system appurtenances not wider than eight feet (8') measured in the general direction of the wall of which it is a part, and adequately soundproofed, may project two feet (2') into required side and rear yards, provided the required yard cannot be reduced to less than three feet (3').

3. Detached arbors, pergolas, or trellises that partially cover a walkway and do not exceed eight feet (8') in overall height, six feet (6') in width, and five feet (5') in length may have a zero setback in the front and street-side yards. However, the structures must comply with the requirements of sections [15-2-6](#), "Corner And Alley Clearance", and [15-2-11](#), "Driveway Visibility", of this chapter.

4. Uncovered porches, platforms and landings which do not exceed ~~twelve~~12 inches (12") in height above finished grade may have a zero setback in non-street fronting side and rear yards.

5. Built-in barbeques may have a zero setback in non-street fronting side and rear yards provided that the structures:

a. have no trellis or similar cover;

b. are placed adjacent to an existing solid wall;

c. do not exceed the maximum height of the adjacent solid wall, up to a maximum of six feet;

d. are less than 120 square feet in size;

- e. are located a minimum of three feet from an adjacent structure; and**
- f. are consistent with the California Fire Code.**

C. Nonresidential Zones: In nonresidential zoning districts, mechanical equipment and accessory structures that do not contain occupied space, as defined by the California Building Code adopted by this Code, or that do not contain net floor area, as defined in section [15-1-6](#) of this title, may be located within a required interior side or rear setback area.

1. Mechanical equipment includes emergency generators; air conditioning and heating units; transformers; solar energy system appurtenances; and other equipment that is accessory to the principal permitted use. Mechanical equipment does not include electrical substations.

2. Accessory structures include trash and recycling enclosures; ground-mounted and covered parking solar energy systems; and structures that exclusively house building operating equipment that is accessory to the principal permitted use.

3. Mechanical equipment and non-occupied accessory structures within a required setback are subject to the following requirements:

- a. The mechanical equipment or accessory structure may not be higher than ~~eighteen~~**18** feet (~~18'~~).
- b. The mechanical equipment or accessory structure may not be longer than ~~sixty~~**60** feet (~~60'~~) parallel to the line of the property to which it is situated or longer than ~~thirty-five~~**35** percent (~~35%~~) of the length of such property line to which it is situated, whichever is less.
- c. The mechanical equipment or accessory structure may not be located within a required interior side or rear setback area if the interior side or rear property line abuts a ~~Residentially~~**residentially** zoned property or abuts a public street.
- d. Operation of the mechanical equipment must not exceed the noise standards for commercial and industrial property as identified in this Code.
- e. The mechanical equipment or accessory structure must be set back from any interior side or rear property line to meet all access, safety, and screening requirements as specified in title 13 of this Code and this title, including, but not limited to, adequate ingress and egress for public safety employees.

D. Urban Mixed Use North (MU-N), Urban Mixed Use South (MU-S), Corporate Office (CO) And Light Industrial (M-1) Zones: In addition to the encroachments permitted in nonresidential zoning districts generally, patios, decks, and similar outdoor areas used as gathering spaces; and outdoor dining areas, may be located within setback areas as follows:

1. Stairs, pedestrian ramps, and related safety guardrails must maintain at least a ~~three-foot~~ **3-foot** (~~3'~~) distance to a lot line.

2. Patios, decks, and similar outdoor areas used as gathering spaces, and outdoor dining areas must be enclosed by walls, fences, and/or hedges. These may be up to ~~forty-two~~**42** inches (~~42"~~) in height and maintain at least a ~~five-foot~~ **5-foot** (~~5'~~) distance to a property

line. Walls, fences, and/or hedges may exceed ~~forty-two~~42 inches (42") in height, provided that the portion exceeding ~~forty-two~~42 inches (42") in height is of a transparent or translucent material, subject to the review and approval of the Director. These areas may be covered by a nonsolid trellis or pergola; or by a retractable awning, large umbrella or other similar nonpermanent cover which provides protection from rain, subject to the approval by the Director.

SECTION 14: ESMC § 15-2-8 is amended as follows:

15-2-8: SCREENING:

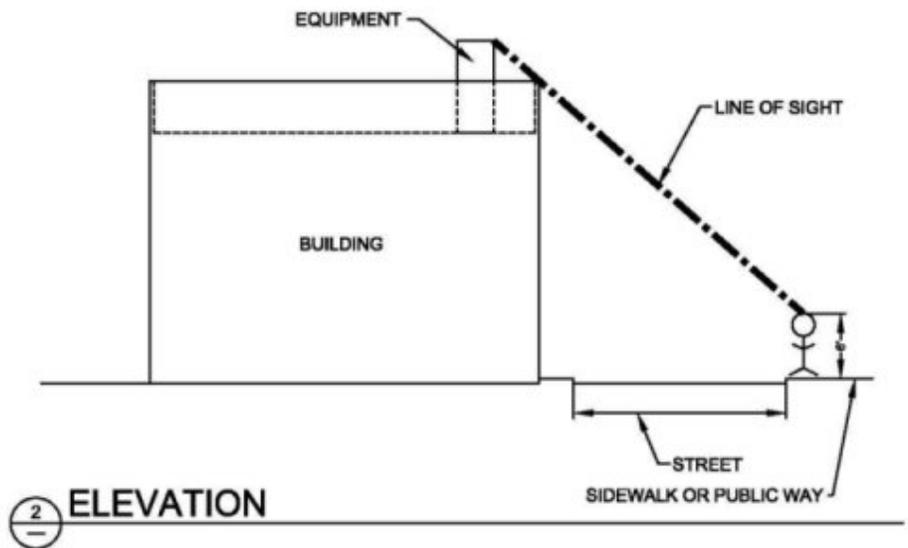
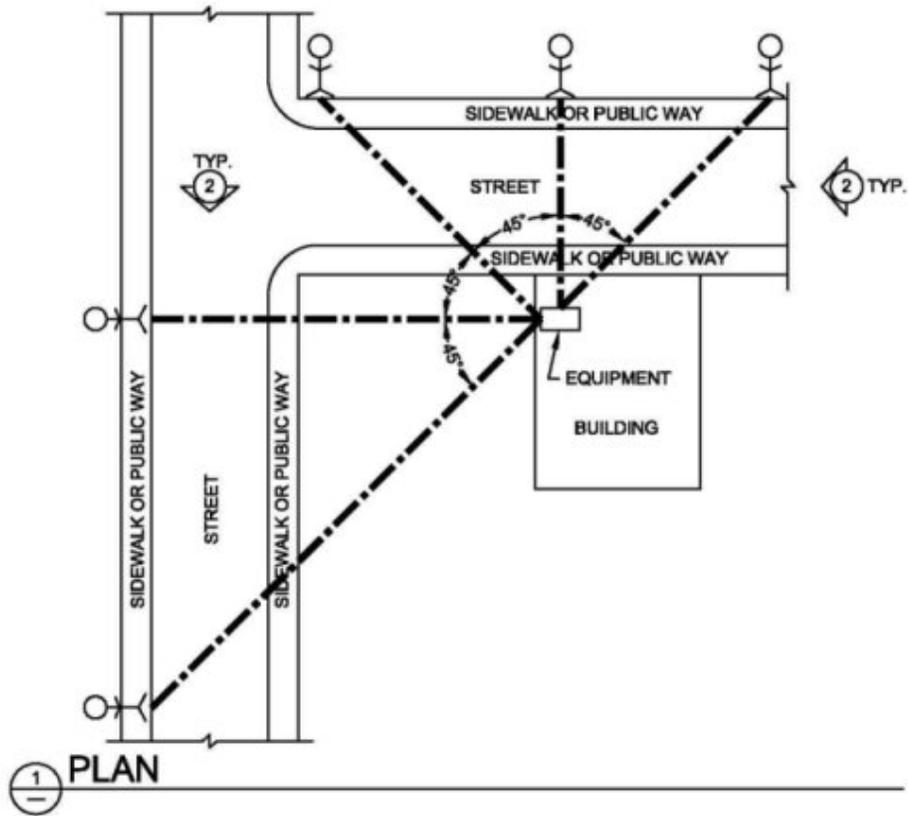
Equipment must be screened in the following manner:

- A. Electrical Lines; Cables: All electrical, telephone, cable television and similar service wires and cables which provide direct service to the property being developed, within the exterior boundary lines of such property, must be installed underground. Risers on poles and buildings are permitted and must be provided by the developer or owner onto the pole which provides service to said property. Utility service poles may be placed on the rear of the property to be developed only for the purpose of terminating underground facilities. The developer or owner is responsible for complying with the requirements of this section and must make the necessary arrangements with the utility companies for the installation of such facilities.
- B. Equipment; Appurtenances: Equipment and appurtenances such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, sprinkler manifolds and concealed ducts in an underground system may be placed above ground, provided that they are located in a fully enclosed structure or are screened from public view to the satisfaction of the Director. Screening must sufficiently obstruct view of said equipment from public rights-of-way surrounding the equipment location. Screening material may include masonry, metal, wood, vinyl or similar durable material. Screening may be up to ~~thirty~~30 percent (~~30%~~) open on the vertical surface, for example, perforated, lattice, louvered, and stacked. Chain link fencing may not be used for screening equipment. All vent pipes and similar devices which are attached to a building must be painted to match the building.
- C. Rooftop Installation: Mechanical equipment installed on rooftops must be screened from public view to the satisfaction of the Director. Screening must sufficiently obstruct the view of said equipment from public rights-of-way surrounding the equipment location. Screening material may include masonry, metal, wood, vinyl or similar durable material. Screening material and colors must be compatible with the building on which the equipment is located. Screening may be up to ~~thirty~~30 percent (~~30%~~) open on the vertical surface, for example, perforated, lattice, louvered, and stacked. Chain link fencing may not be used for screening equipment.
- D. Storage Areas: All outdoor storage areas, including those for cartons, containers and trash, must be screened from public view to the satisfaction of the Director. Screening

must sufficiently obstruct view of said equipment from public rights-of-way surrounding the storage area location. Screening material may include masonry, metal, wood, vinyl or similar durable material. Chain link fencing may not be used for screening of storage areas.

E. Solar energy systems: All solar energy system appurtenances including, but not limited to, electrical conduit, junction boxes, water tanks, supports, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors, and shall be painted a color similar to the color of the surface upon which they are mounted. Solar collectors (modules, inverters and rails) are exempt from the screening and color provisions of this subsection.

FIGURE 1- SCREENING



SECTION 15: ESMC § 15-2-14 is amended as follows:

15-2-14: LANDSCAPING:

- A. Requirement; Purpose: The goal of this section is to ensure that adequate landscape areas and permanent water efficient irrigation systems are provided for all nonresidential development. The area extending between a building(s) and property lines must contain both softscape and hardscape landscape materials, except for those portions devoted to vehicular parking and loading. All softscape area provided for each project site in nonresidential zoning districts must be natural plant material, preferably native to the area and not include artificial turf or synthetic grass except as otherwise provided in this title. ~~Lots in residential zoning districts are allowed to contain artificial turf or synthetic grass provided that the Director of Planning and Building Safety will review the use of artificial turf or synthetic grass to require that the type and quality of material used is not harmful to the environment (such as containing lead based or other hazardous materials); to require a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and to require that the artificial turf or synthetic grass is incorporated into a comprehensive landscaping design and site planning.~~ All nonresidential landscape projects must comply with chapter 15A of this title relating to water conservation in landscaping.
- B. Components: To achieve these purposes, the landscape criteria is divided into the following components:
1. Vehicular Use Areas: All surface vehicular use areas (VUA) shall provide landscape areas including shade trees and permanent irrigation systems, to cover five percent (5%) of the VUA. Landscaping shall be distributed uniformly throughout the VUA, and shall be in addition to the required property perimeter and building perimeter landscaping. There shall be one (1) tree for every ~~three thousand (3,000)~~ square feet of VUA. These trees shall be evenly distributed throughout the automobile parking area to provide shade and provided around the perimeter of truck loading/waiting areas to provide screening. Individual tree and planter areas shall not be less than three feet (3') in width, excluding curbs.
 2. Building Perimeter: In those instances where setbacks are provided, all buildings, including parking structures, shall have landscape areas and permanent irrigation systems around their perimeter. A minimum horizontal depth of five feet (5') of landscape materials, excluding curbs, shall be provided around the buildings, except additions to buildings in the rear one-third ($\frac{1}{3}$) of a lot, which do not abut residential property, where landscaping would not be visible from the public right-of-way need not provide building perimeter landscaping in the rear. A combination of soft and hard landscape materials may be installed, provided the use of such materials form a cohesive, attractive and functional design.
 3. Property Perimeter: All required setback areas must be landscaped as required by chapter 15A of this title. In addition, the landscaping must incorporate the theme utilized for the public rights-of-way and one (1) shade tree must be provided for every ~~twenty five feet (25')~~ **25 feet** of street frontage. The following encroachments are permitted into the landscaped setback areas:

- a. Parking spaces, **including spaces for automobiles, bicycles, and shared mobility devices**, may encroach into a required street-facing setback up to a maximum of ~~fifty~~**50** percent (~~50%~~) of the required setback area, provided a minimum landscaped setback of five feet (~~5'~~) is maintained. ~~Parking~~**These** spaces may encroach into a required interior side and rear setback up to the interior side or rear property line, provided that the interior side and rear property line does not abut a public or private street.
- b. "Architectural landscape features", as defined in section 15-1-6 of this title, may encroach into the landscaped setback area up to a maximum of ~~eighty~~**80** percent (~~80%~~) of the required setback ~~area~~**distance**, provided a minimum landscaped setback of five feet (~~5'~~) is maintained. The features may cover a maximum of ~~twenty-five~~**25** percent (~~25%~~) of the total **setback** area of the ~~setback~~, and be a maximum of ~~twenty~~**20** feet (~~20'~~) in height. Encroachments which exceed any of these standards, or which contain an open roof covering or side walls with greater than ~~twenty~~**20** percent (~~20%~~) component solid portions, requires the approval of an adjustment, as provided in chapter ~~24~~**22** of this title.

A combination of soft and hard landscape materials may be installed, provided the use of such materials will form a cohesive, attractive and functional design. Such design is to be integrated with and, if appropriate, physically connected to that provided for the building and VUA areas.

4. Minimum ~~Sizes For Plant Material~~**sizes for plant material**:

- a. The minimum tree container size for all trees on a site must be provided as follows:
 - (1) At least ~~twenty~~**20** percent (~~20%~~) of the trees must be ~~thirty-six~~**36**-inch (~~36"~~) box size or larger.
 - (2) At least ~~thirty~~**30** percent (~~30%~~) of the trees must be ~~twenty-four~~**24**-inch (~~24"~~) box size or larger.
 - (3) The remaining ~~fifty~~**50** percent (~~50%~~) must be ~~fifteen~~(~~15~~) gallon size or larger.
 - (4) The Director of ~~Planning and Building Safety~~ may approve smaller tree container sizes than required based on site conditions, however no tree may be smaller than a ~~fifteen~~(~~15~~) gallon size.
- b. Shrubs must be planted from a minimum five (~~5~~) gallon size container. One (~~1~~) gallon size containers may be allowed for shrubs that are not commonly available in five (~~5~~) gallon size containers, subject to approval by the Director of ~~Planning and Building Safety~~.

SECTION 16: ESMC § 15-2-15 regarding video arcades is deleted.

SECTION 17: ESMC Article 15-4A (Single-Family Residential (R-1) Zone) is amended in its entirety to read as follows:

ARTICLE A: PERMITTED USES IN RESIDENTIAL ZONES

15-4A-1: PERMITTED USES:

Table No. 1 below contains the uses permitted in the R-1, R-2 and R-3 zones, including uses permitted by right, accessory uses, and uses subject to a conditional use permit.

Table No. 1 – Permitted uses in residential zones

Uses	Zones		
	R-1	R-2	R-3
Residential uses/Hospitality			
Accessory dwelling units, per ESMC Article 15-4E	A	A	A
Condominiums and stock cooperatives converted from multiple-family dwellings subject to the requirements of the Subdivision Map Act			P
Lodging houses			P
Micro-unit developments ³			P
Mobile home parks, subject to Building and California Health and Safety Code regulations	CUP	CUP	CUP
Mobile or manufactured homes	P	P	P
Multiple-family dwellings			P
Renting of up to two rooms to not more than four persons per dwelling unit	P	P	P
Short-term rentals, per ESMC Chapter 4-16 ²	P	P	P
Single-family dwellings	P	P	P
Two-family dwellings, duplexes, or two one-family dwellings		P	P
Group care uses			
Daycare centers			P
Family care home, foster family home, or group home serving six or fewer children (State authorized, certified or licensed)	P	P	P
Large family daycare homes	P	P	P
Residential facility, residential care facility, residential care facility for the elderly, intermediate care facility, developmentally disabled habilitative or nursing, or congregate living health facility, serving six or fewer persons (State authorized, certified or licensed)	P	P	P
Senior citizen housing subject to California Government Code sections 65913, 65914 and 65915			CUP
Senior housing facilities, including, but not limited to, rest homes, convalescent homes, or nursing homes			CUP
Small family daycare homes	P	P	P

Non-residential uses			
Assembly halls		CUP	CUP
Home occupations	P	P	P
Private schools		CUP	CUP
Miscellaneous uses			
Animals and pets per ESMC Chapter 6-2	P	P	P
Beekeeping per ESMC Chapter 6-2	A		
Detached accessory buildings and structures, including private garages	A	A	A
Play structures	A	A	A
Public parking areas abutting lots zoned commercial or industrial			CUP
Public parks, playgrounds, and recreational areas, except ballparks, bleachers, swimming pools or similar facilities for competitive sports or for use/hiring of public amusement devices	P	P	P
Roof-mounted and small-scale ground-mounted solar energy systems	A	A	A
Any use customarily incidental to a permitted use	A	A	A
Other similar uses approved by the Director, per ESMC Chapter 15-22	A, P, AUP, CUP	A, P, AUP, CUP	A, P, AUP, CUP

Notes:

1. P = Permitted use, A = Accessory use, AUP = Use subject to an administrative use permit (Per ESMC Chapters 15-22 and 15-23), CUP = Use subject to a conditional use permit (per ESMC Chapters 24 and 28), N = prohibited
2. A short-term rental unit is not a permitted use in the absence of a valid short-term rental permit per ESMC Chapter 4-16
3. Subject to the provisions of ESMC Chapter 15-13C (Micro-units)

SECTION 18: ESMC Article 15-4B (Two-Family Residential (R-2) Zone) is amended in its entirety to read as follows:

ARTICLE B. SINGLE-FAMILY RESIDENTIAL (R-1) ZONE

15-4B-1: PURPOSE

15-4B-2: PERMITTED USES

15-4B-3: SITE DEVELOPMENT STANDARDS FOR LOTS WIDER THAN 25 FEET

15-4B-3-1: SITE DEVELOPMENT STANDARDS FOR LOTS 25 FEET WIDE OR LESS

15-4B-4: LANDSCAPING

15-4B-5: OFF STREET PARKING AND LOADING SPACES

15-4B-6: SIGNS

15-4B-7: VEHICULAR ACCESS

15-4B-1: PURPOSE:

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Single-Family on the General Plan land use map and in the General Plan text. This zone is to provide for and promote the development of single-family homes within a safe and healthy environment for existing and future residents.

15-4B-2: PERMITTED USES

Permitted uses, permitted accessory uses, and uses subject to conditional use permit for all residential zones are listed in Article 15-4A of this Title.

15-4B-3: SITE DEVELOPMENT STANDARDS FOR LOTS WIDER THAN 25 FEET:

All uses on lots that are wider than 25 feet within the R-1 Zone must comply with the development standards contained in this section.

A. General Provisions:

1. As provided by [chapter 2](#) of this title.
2. New dwelling units must be internally integrated and connected.
3. An addition to, or extension of, a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
4. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured homes has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division

13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Height:

1. The height of all buildings or structures with a pitched roof must not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The height which exceeds the maximum grade differential is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

C. Lot Area: A minimum of 5,000 square feet.

D. Setbacks:

1. Front yard: Minimum setback of 22 feet. Front yard setbacks for two car and three car garages located in the front half of a lot must comply with the standards contained in subsection G of this section.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;
 - (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet in height (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet;
2. Side yard: Structures must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, but can never be less than three feet and need not be more than six feet.
3. Setbacks for detached accessory structures:
 - a. Detached accessory structures, including garages, must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, but may not be less than three feet and need not be more than six feet on the first floor.

- b. The second floor of a detached accessory structure, including garages, must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot plus an additional setback of two feet, but must not be less than five feet and need not be more than eight feet.
 - c. Detached accessory structures, including garages, that are only one story in height and are located in the rear third of the lot, must maintain a minimum side setback of two feet.
 - d. Detached accessory structures that are two stories high, and located in the rear third of the lot, must maintain a minimum side setback of two feet on the first floor and a minimum five feet on the second floor.
 - e. Detached accessory structures must maintain a minimum setback of three feet from the rear property line on the first floor and must maintain a minimum setback of five feet from the rear property line on the second floor.
 - f. Rooftop decks with required railings are permitted on single-story accessory structures and on top of the single-story portions of two-story accessory structures. Rooftop decks are not permitted on top of two-story accessory structures. Rooftop decks must maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, plus an additional setback of two feet but can never be less than five feet, as measured from the property line to the required railing of the rooftop deck.
4. Side yard, Reversed Corner: Reversed corner lots must have the following side yard with a triangular area described as follows: One angle must be formed by the rear and street side property lines, and the sides of this angle must be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle must be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area is in addition to the other side yard setback requirements described in subsection D2 of this section.
 5. Rear yard: Primary structures must maintain a minimum setback of five feet.
 6. Exceptions: Notwithstanding the provisions of this subsection D, the west side yard of 618 W. Oak Avenue, more particularly described as the north 142.5 feet of the south 285 feet of the east 50.265 feet of Lot 14, Block 9, Tract No. 1685, commencing 63 feet south of the front lot line and continuing south a distance of 30 feet, must be three inches in width so long as that certain structure located along that 30-foot distance which existed on January 11, 1973, remains in existence. Upon the removal or destruction of said building, this property is no longer exempt from this subsection D.

Notwithstanding the provisions of this subsection D, the south side yard of 724 Penn Street, more particularly described as the south 55 feet of the north 110 feet of Lot 8, Block 92, El Segundo Sheet No. 4, commencing 84 feet east of the front lot line and continuing east a distance of 20 feet, must be three feet in width so long as that certain structure located along that 20 foot distance which existed on January 11, 1973, remains in existence. Upon the removal or destruction of said building, this property is no longer exempt from this subsection D.

E. Lot Width: A minimum of 50 feet.

F. Floor Area Ratio:

1. The maximum total building area on the lot shall not exceed an overall floor area ratio (FAR) of 0.60. There is no minimum building size.
2. The maximum FAR for the second floor of the primary structure shall not exceed 0.25.
3. In calculating the overall FAR, floor area is measured to the interior of a building's perimeter walls and shall include all floors of the primary dwelling (i.e., main structure), attached and detached accessory dwelling units, habitable attic space, accessory buildings, balconies, decks, verandas, and porches.
4. Areas where the vertical measurement between the floor and ceiling directly above is 14 feet or more shall be counted on both the first and second stories for FAR calculations (areas such as rotundas, spaces with vaulted ceilings, and other similar areas with volume).
5. Stairs and elevators are counted once and are applied to the first floor.
6. For purposes of calculating floor area, the following are not included:
 - a. Basements as defined in section [15-1-6](#) of this title;
 - b. Up to 500 square feet of interior floor area of an attached or detached garage;
 - c. Detached accessory structures measuring not more than 120 square feet;
 - d. First floor decks, verandas and porches under 30 inches in height (as measured from adjacent grade to the walking surface).
 - e. Up to 500 square feet cumulative of first floor decks, verandas and porches, covered or uncovered, attached or detached, and at least 30 inches in height (as measured from adjacent grade to the walking surface), provided that the deck, veranda or porch is at least 50 percent open on the sides.
 - f. Second floor balconies and decks that are not covered.
 - g. Up to 12 square feet of second floor decks and balconies that are covered by roof, lattice or trellis.
 - h. The area of decks, balconies, verandas or porches covered by eave projections up to 18 inches.
7. In cases of uncertainty or ambiguity, the director will determine whether an area is counted toward FAR.

G. Placement of buildings and structures:

1. A minimum distance of three feet must be maintained between buildings.
2. A detached single-story accessory structure in the rear third of the lot may be located as described in the requirements for setbacks in subsection D of this section, unless one of the following conditions exists:
 - a. Where the lot abuts an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure must be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:
 - 90 degrees - 25 feet
 - 75 degrees - 21 feet
 - 60 degrees - 18 feet
 - 45 degrees - 15 feet

- b. On the rear third of a reversed corner lot a single-story detached accessory structure may be built to the interior lot side line, but no building may be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.
 3. A garage that is attached to a dwelling that is located in the front half of the lot facing the front property line must be set back a minimum of 24 feet from the front property line-unless the building has a porch, veranda, or deck at least eight feet in width by four feet in depth, then a minimum front setback of 22 feet is permitted.
 4. An attached three-car garage located in the front half of the lot that faces the front property line where one of the stalls is not tandem, must have at least two individual car door openings. The following garage designs are encouraged:
 - a. Three-car garages constructed as attached or detached structures at the rear of a lot.
 - b. Tandem for parking provided in excess of a two-car garage.
 - c. Attached three-car garages located on the front of a dwelling face toward the side property lines.
 5. Accessory outdoor showers attached to a building wall are permitted, but must not encroach in a required setback and must not be roofed. They may be enclosed with walls on three sides and a shower door on one side.
- H. Detached accessory buildings as defined in section 15-1-6 of this Title:
 1. All detached accessory structures may not exceed 1,200 square feet gross floor area in aggregate per parcel;
 2. Except as permitted in Chapter 15-4E related to accessory dwelling units, detached accessory buildings are limited to two ~~(2)~~ stories, and may include an attic, which may be used for storage purposes only, provided that access to the attic is not from permanently fixed stairs (pull down type stairs are permitted), no plumbing is permitted, and electrical fixtures are limited to the minimum required by the California Building Code and California Electrical Code;
 3. Unless permitted as an accessory dwelling unit, detached accessory buildings may not contain a kitchen or kitchen facilities, a bathtub or shower and may not be used for sleeping purposes or as an "R" occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet;
 4. Unless permitted as an accessory dwelling unit, detached accessory buildings may not be rented or used as a separate dwelling unit; and
 5. Before the City issues a building permit for a detached accessory structure, except an accessory dwelling unit, the Director will require that a covenant running with the land be recorded stating that the accessory structure may not be used in violation of this section.

15-4B-3-1: SITE DEVELOPMENT STANDARDS FOR LOTS 25 FEET WIDE OR LESS:

All uses on lots 25 feet wide or less within the R-1 Zone must comply with the

development standards contained in this section.

A. General Provisions:

1. As provided by [chapter 2](#) of this title.
2. New dwelling units must be internally integrated and connected.
3. An addition to, or extension of, a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
4. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured homes has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division 13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Height:

1. The height of all buildings or structures with a pitched roof must not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

C. Lot area: A minimum of 5,000 square feet.

D. Setbacks:

1. Front yard: A minimum of 22 feet.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;
 - (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;

- (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet above adjacent grade (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
- (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet;
2. Side yard: A minimum of three feet.
3. Detached accessory structures and garages: Detached accessory structures and attached garages are allowed along the property line on one interior side lot line, provided that the detached accessory structure or attached garage is in the rear one-third of the lot.
4. Side yard, reverse corner: Reversed corner lots must have a side yard with a triangular area described as follows: One angle must be formed by the rear and street side property lines, and the sides of this angle must be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle must be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area is in addition to the other side yard setback requirements described in subsection D2 of this section.
5. Rear yard: A minimum of five feet. Detached accessory structures are allowed zero setback on the rear property line.

E. Lot Width: A minimum of 50 feet

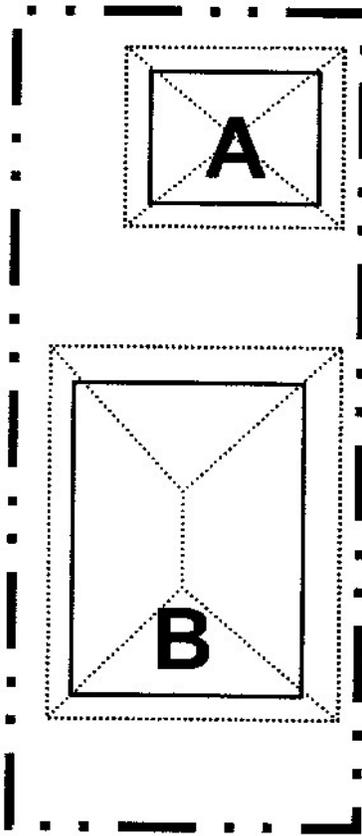
F. Building Area: No minimum requirement.

G. Placement of buildings and structures:

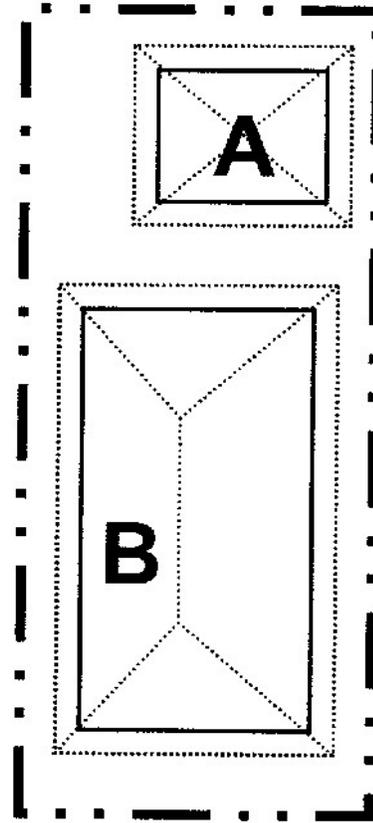
1. A minimum distance of three feet must be maintained between buildings;
2. A detached accessory structure in the rear third of the lot may be located on the rear and one interior side lot line, unless one of the following conditions exists:
 - a. Where the lot rears upon an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure must be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:
 - 90 degrees - 25 feet
 - 75 degrees - 21 feet
 - 60 degrees - 18 feet
 - 45 degrees - 15 feet
 - b. On the rear third of a reversed corner lot a detached accessory structure may be built to the interior lot side line, but no building must be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.

H. Lot Coverage: All buildings, including detached accessory buildings, shall not cover more than 40 percent of the lot area. This coverage may be increased to 47 percent

if the height of all the structures is limited to 18 feet. If a building exceeds 18 feet in height, the lot coverage shall not exceed 40 percent under any circumstances.



$A+B \leq 40\%$ if
bldg. height is
over 18'.



$A+B \leq 47\%$ if
bldg. height is
18' or under.

- I. Building Wall Modulation: Architectural building features, in conformance with the definition of "architectural building feature" in section [15-1-6](#) of this title, must be included to modulate the one-story exterior building walls subject to the approval of the director, and for two-story structures as specified in subsection D, "Setbacks", of this section.
- J. Detached accessory buildings, not including detached accessory dwelling units as defined in section [15-1-6](#) of this Title:
 1. All detached accessory structures may not exceed 1,200 square feet gross floor area in aggregate per parcel except as permitted in Chapter 15-4D;

2. Except as permitted in Chapter 15-4E related to accessory dwelling units, detached accessory buildings are limited to one floor, but may include an attic, which may be used for storage purposes only, provided access to the attic is not from permanently fixed stairs (pull down type stairs are permitted), no plumbing is permitted, and electrical fixtures are limited to the minimum required by the California Building Code and California Electrical Code;
3. Unless permitted as an accessory dwelling unit, detached accessory buildings may not contain a kitchen or kitchen facilities, a bathtub or shower and may not be used for sleeping purposes or as an R occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet;
4. Unless permitted as an accessory dwelling unit, detached accessory buildings may not be rented or used as a separate dwelling unit; and
5. Before the City issues a building permit for a detached accessory structure, except an accessory dwelling unit, the Director must require that a covenant running with the land be recorded stating that the accessory structure may not be used in violation of this section.

15-4B-4: LANDSCAPING:

Landscaping and irrigation must be provided within the front and street side setback areas. Those setback areas fronting upon a public street must incorporate a combination of softscape and hardscape in the landscape except for those portions devoted to vehicular parking. They may contain artificial turf or synthetic grass provided that it: 1) is not harmful to the environment (such as containing lead based or other hazardous materials); 2) includes a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and 3) is incorporated into a comprehensive landscaping design and site plan.

- A. A minimum of 25 percent of the front yard setback area must be maintained with permanent landscaping that contains a combination of lawn, trees, vines, bushes and ground covers, and does not include hardscape materials for lots less than 50 feet in width.
- B. A minimum of 35 percent of the front yard setback area must be maintained with permanent landscaping that contains a combination of lawn, trees, vines, bushes and ground covers, and does not include hardscape materials for lots that are 50 feet or greater in width.

15-4B-5: OFF STREET PARKING AND LOADING SPACES:

Off street parking must be provided as required by [chapter 15](#) of this title.

15-4B-6: SIGNS:

Signs in the R-1 zone must comply with the requirements of [chapter 18](#) of this title.

15-4B-7: VEHICULAR ACCESS:

Where an R-1 lot abuts an alley, vehicular access to the lot must be from the alley. Curb cuts and driveways must be installed in conformance with ESMC subsection [15-15-5O](#).

SECTION 19: ESMC Article 15-4C (Multi-Family Residential (R-3) Zone) is amended in its entirety to read as follows:

ARTICLE C. TWO-FAMILY RESIDENTIAL (R-2) ZONE

- 15-4C-1: PURPOSE**
- 15-4C-2: PERMITTED USES**
- 15-4C-3: SITE DEVELOPMENT STANDARDS**
- 15-4C-4: LANDSCAPING**
- 15-4C-5: OFF STREET PARKING AND LOADING SPACES**
- 15-4C-6: SIGNS**
- 15-4C-7: VEHICULAR ACCESS**

15-4C-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Two-Family on the General Plan land use map and in the text. This zone is to provide for and promote the development of single-family and two-family homes within a safe and healthy environment for existing and future residents.

15-4C-2: PERMITTED USES

Permitted uses, permitted accessory uses, and uses subject to conditional use permit for all residential zones are listed in Article 15-4A of this Title.

15-4C-3: SITE DEVELOPMENT STANDARDS

All uses in the R-2 Zone shall comply with the development standards contained in this section.

- A. General Provisions:
 1. As provided by [chapter 2](#) of this title.
 2. Any use permitted in the R-1 Zone, when developed in the R-2 Zone, shall be constructed in accordance with R-2 site developments standards and parking requirements.
 3. New dwelling units must be internally integrated and connected.
 4. An addition to, or extension of a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
 5. Mobile and manufactured homes are subject to the following requirements:

- a. The mobile or manufactured home has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
- b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division 13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Height:

1. The height of all buildings or structures with a pitched roof shall not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

C. Lot Area: A minimum of 7,000 square feet. Lots less than 4,000 square feet in area shall be occupied by only one dwelling unit, provided all other requirements of this title are met.

D. Setbacks:

1. Front yard: A minimum of 20 feet.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;
 - (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet above adjacent grade (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet.
2. Side Yard: Structures shall maintain a minimum setback on each side of the lot of 10 percent of the width of the lot, but shall never be less than three feet and need

not be more than five feet. Any detached accessory structures, and attached garages on 25-foot wide lots only, located on the rear one-third of the lot are allowed zero setback on one interior side lot line.

3. Side Yard, Reversed Corner: Reversed corner lots shall have the following side yard with a triangular area described as follows: one angle shall be formed by the rear and street side property lines, and the sides of this angle shall be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle shall be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area shall be in addition to the other side yard setback requirements described in subsection D2 of this section.
4. Rear Yard: A minimum of five feet. Detached accessory structures are allowed zero setback on the rear property line. A dwelling unit above a garage where the vehicular entrance is from an alley shall maintain a minimum one-foot setback.

E. Lot width: A minimum of 50 feet.

F. Building area: No minimum requirement.

G. Placement of buildings and structures:

1. A minimum distance of three feet must be maintained between buildings.
2. A detached accessory structure in the rear one-third of the lot may be located on the rear and one interior side lot line, unless one of the following conditions exists:
 - a. Where the lot rears upon an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure shall be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:

90 degrees - 25 feet

75 degrees - 21 feet

60 degrees - 18 feet

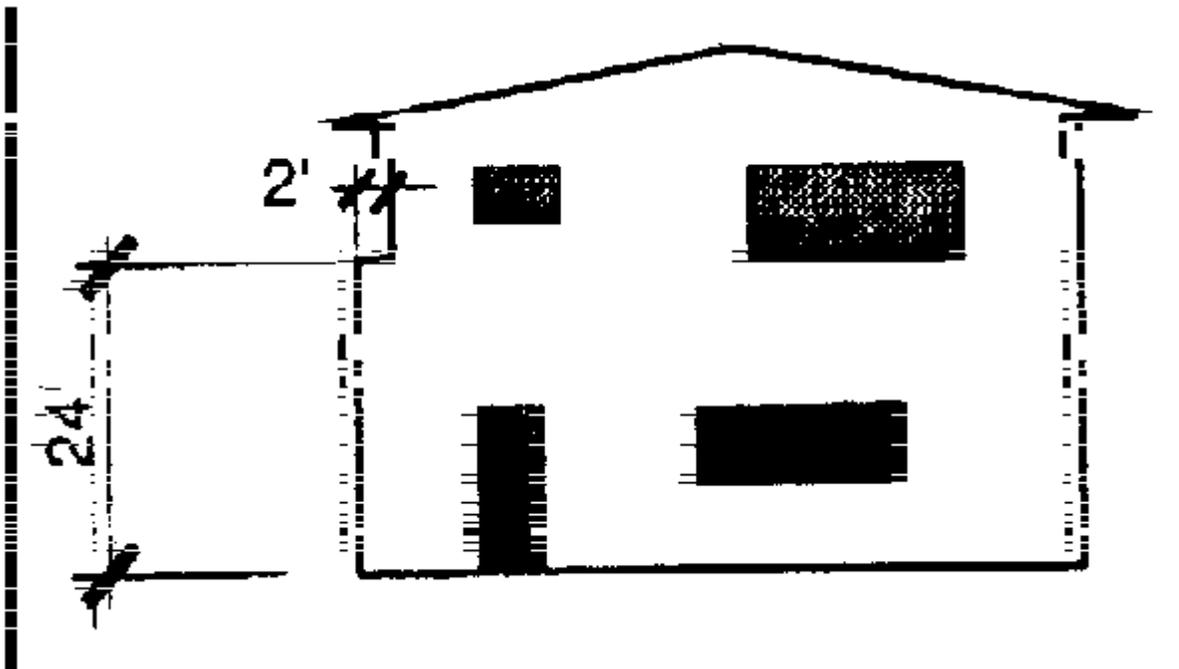
45 degrees - 15 feet

- b. On the rear third of a reversed corner lot, a detached accessory structure may be built to the interior lot side line, but no building shall be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.

H. Building wall modulation:

1. Lots greater than 4,000 square feet in area: No plane of a building wall facing a property line shall exceed 24 feet in height or length without at least a two-foot offset for a minimum length of six feet in the wall plane. When expanding or adding onto the height or length of an existing building wall, only the expansion or addition shall not exceed 24 feet without wall modulation. Below is an example of wall modulation for walls up to 30 feet.

Total Length Or Height	Wall	Maximum Length Of Unbroken Wall Plane	Minimum Length Of 2 Foot Offset
24 feet		24 feet	0 feet
25 feet		24 feet	1 foot
26 feet		24 feet	2 feet
27 feet		24 feet	3 feet
28 feet		24 feet	4 feet
29 feet		24 feet	5 feet
30 feet		24 feet	6 feet



2. Lots 4,000 square feet or less in area: Architectural building features must be included to modulate the building walls subject to the approval of the Director.
- I. Lot coverage: All buildings, including detached accessory buildings, shall not cover more than 50 percent of the area of the lot.
 - J. Detached Accessory Buildings:
 1. All detached accessory structures shall not exceed 1,200 square feet in aggregate per parcel.

2. Except as permitted in Chapter 15-4E related to accessory dwelling units, detached accessory buildings shall be limited to one floor, but may include an attic, which may be used for storage purposes only, provided access to the attic is not from permanently fixed stairs (pull down type stairs are permitted), no plumbing is permitted, and electrical fixtures are limited to the minimum required by the California Building Code and California Electrical Code.
3. Unless permitted as an accessory dwelling unit, detached accessory buildings shall not contain a kitchen or kitchen facilities, a bathtub or shower and shall not be used for sleeping purposes or as an "R" occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet.
4. Unless permitted as an accessory dwelling unit, detached accessory buildings shall not be rented or used as a separate dwelling unit.
5. Prior to issuance of a building permit for a detached accessory structure, except an accessory dwelling unit, the Director shall require the recording of a covenant to run with the land, which states that the accessory structure shall not be used in violation of this section.

15-4C-4: LANDSCAPING

Landscaping and irrigation must be provided within the front yard and street side setback areas. Those setback areas fronting upon a public street must incorporate a combination of softscape and hardscape in the landscape, except for those portions devoted to vehicular parking. They may contain artificial turf or synthetic grass provided that it: 1) is not harmful to the environment (such as containing lead based or other hazardous materials); 2) includes a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and 3) is incorporated into a comprehensive landscaping design and site plan.

15-4C-5: OFF STREET PARKING AND LOADING SPACES

As required by [chapter 15](#) of this title.

15-4C-6: SIGNS

As required by [chapter 18](#) of this title.

15-4C-7: VEHICULAR ACCESS

Where an R-2 lot abuts an alley, vehicular access to the lot must be from the alley. Curb cuts and driveways must be installed in conformance with ESMC subsection [15-15-5O](#).

SECTION 20: ESMC Chapter 15-4 (Residential Zones) is amended to add a new Article 15-4D (Multi-Family Residential (R-3) Zone) to read as follows:

ARTICLE D. MULTI-FAMILY RESIDENTIAL (R-3) ZONE

- 15-4D-1: PURPOSE**
- 15-4D-2: PERMITTED USES**
- 15-4D-5: SITE DEVELOPMENT STANDARDS**
- 15-4D-6: LANDSCAPING**
- 15-4D-7: OFF STREET PARKING AND LOADING SPACES**
- 15-4D-8: SIGNS**
- 15-4D-9: VEHICULAR ACCESS**

15-4D-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Multi-Family on the General Plan land use map and in the General Plan text. This zone is to provide for the development of multi-family complexes with amenities for children and adults and promote a safe and healthy environment for existing and future residents.

15-4D-2: PERMITTED USES:

Permitted uses, permitted accessory uses, and uses subject to conditional use permit for all residential zones are listed in Article 15-4A of this Title.

15-4D-3: SITE DEVELOPMENT STANDARDS:

A. General Provisions:

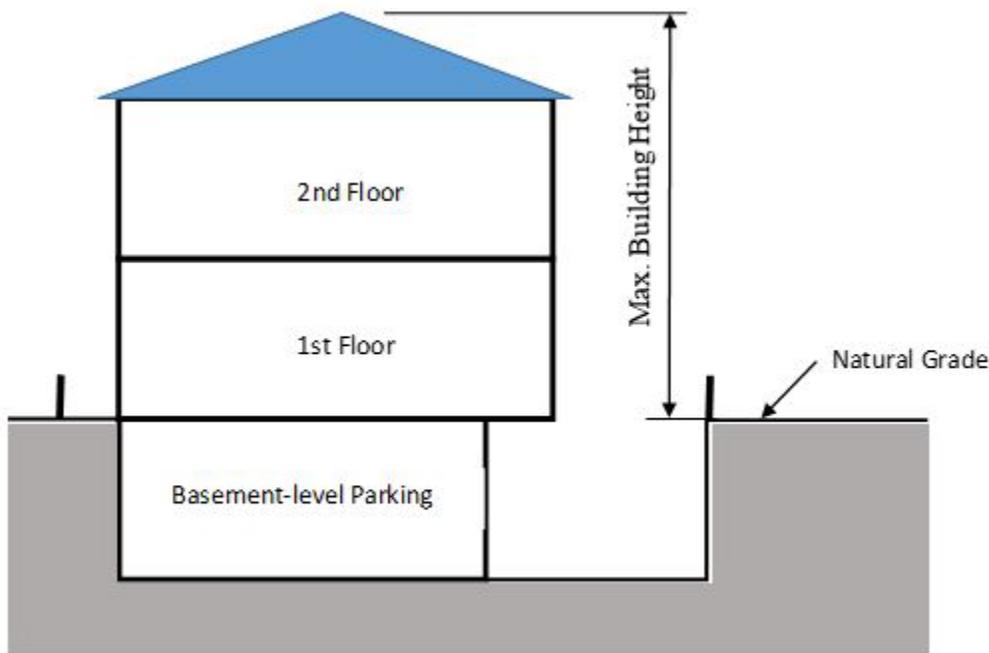
1. As provided by [chapter 2](#) of this title.
2. Any use permitted in the R-1 or R-2 Zones, when developed in the R-3 Zone, shall be constructed in accordance with R-3 site developments standards and parking requirements.
3. New dwelling units must be internally integrated and connected.
4. An addition to, or extension of, a dwelling unit, except a garage or an accessory dwelling unit, must share a common wall and be internally integrated and connected to the existing dwelling unit.
5. Mobile and manufactured homes are subject to the following requirements:
 - a. The mobile or manufactured home has been certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and has not been altered in violation of applicable codes; and
 - b. The mobile or manufactured home must be installed on a permanent foundation in compliance with all applicable building regulations and division

13, part 2 (commencing with section 18000) of the California Health and Safety Code.

B. Lot Area: A minimum of 7,000 square feet.

C. Height:

1. The height of all buildings or structures with a pitched roof shall not exceed 32 feet and two stories. Buildings or structures with a flat roof must not exceed 26 feet and two stories.
2. A maximum grade differential of six feet is permitted on sloping lots. The height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.



D. Setbacks:

1. Front yard: Structures must maintain a minimum setback of 15 feet. Entry gates for vehicular access must maintain a minimum setback of 20 feet.
 - a. Permitted front yard setback encroachments:
 - (1) Porches or verandas in a front yard setback not fully enclosed on three sides (railings and/or columns permitted) may encroach into the front setback a maximum of six feet;
 - (2) The first floor front yard setback facing exterior wall of a dwelling may encroach up to two feet for a width not exceeding 30 feet when a first floor porch or veranda, not fully enclosed on three sides, is also projecting into the front yard setback. The total amount of encroachment may not exceed

six feet in depth combined for both the dwelling structure and a porch or veranda, for a minimum 50 percent of the building width;

- (3) Raised decks, where the walking surface is not greater than 24 inches above adjacent grade, in conjunction with a lattice deck cover not greater than 10 feet above adjacent grade may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (4) Lattice patio covers, pergolas, arbors, or trellises not greater than 10 feet above adjacent grade (as measured from the lowest adjacent grade to the highest point of the cover) may encroach into the front yard setback a maximum of six feet in depth and 50 percent of the building width;
 - (5) Architectural elements such as towers or turrets not greater than eight feet in diameter may encroach into the front setback a maximum of four feet.
2. Side yard facing a side street: 10 percent of the width of the lot, but not less than three feet and not more than five feet, except if parking garages or covered parking spaces face a street, then the setback shall be 20 feet.
 3. Side yard facing an adjacent lot: 10 percent of the width of the lot on each side of the lot, but not less than three feet and need not be more than five feet. Detached accessory structures, located in the rear one-third of the lot, are allowed zero setback on one interior side lot line.
 4. Side yard, reversed corner: Reversed corner lots shall have a side yard with a triangular area described as follows: one angle shall be formed by the rear and street side property lines, and the sides of this angle shall be 15 feet in length, measured along the rear and street side property lines. The third side of this triangle shall be a straight line connecting the two other lines at their endpoints. This triangular side yard setback area shall be in addition to the other side yard setback requirements described in subsections D2 and D3 of this section.
 5. Rear Yard: A minimum of 10 feet.
 6. Rear Yard: Detached accessory structures are allowed zero setback on the rear property line and on one interior lot side line in the rear one-third of the lot.

E. Lot Width: A minimum of 50 feet.

F. Building Area: The minimum lot area per dwelling unit shall be as follows:

1. On property of 15,000 square feet or less in size, one unit for every 1,613 square feet of lot area is allowed. A fraction of a lot greater than 1,075 square feet will allow an additional unit.
2. On property greater than 15,000 square feet in size, one unit for every 2,420 square feet of lot area is allowed. A fraction of a lot greater than 1,613 square feet will allow an additional unit.

G. Placement of buildings and structures:

1. A minimum distance of three feet must be maintained between buildings;
2. A detached accessory structure in the rear one-third of the lot may be located on the rear and one interior side lot line, unless one of the following conditions exists:

- a. Where the lot rears upon an alley and the vehicular entrance to the detached accessory structure is from the alley, such detached accessory structure shall be set back a distance measured from the opposite side of the alley that will provide a turning radius as follows:

- 90 degrees - 25 feet
- 75 degrees - 21 feet
- 60 degrees - 18 feet
- 45 degrees - 15 feet

- b. On the rear third of a reversed corner lot, a detached accessory structure may be built to the interior lot side line, but no building shall be erected closer than five feet to the property line of any abutting lot to the rear. However, if an alley intervenes and the vehicular entrance to the detached accessory building is directly from the street side, a detached accessory building may be built to the rear lot line.
- c. Notwithstanding the above, a detached accessory dwelling unit must be set back at least four feet from interior side and rear property lines.

H. Lot Coverage: All buildings, including detached accessory buildings, shall not cover more than 53 percent of the area of the lot.

I. Open space and recreation requirements: The following minimum open space and recreational facilities must be provided:

Number Of Units	Private Open Space Per Unit	Common Open Space Per Unit	Recreational Facilities Per Unit
4 or fewer	50 square feet	150 square feet	
5 - 9	50 square feet	200 square feet	
10 - 20	50 square feet	250 square feet	
21 and above	50 square feet	250 square feet	50 square feet

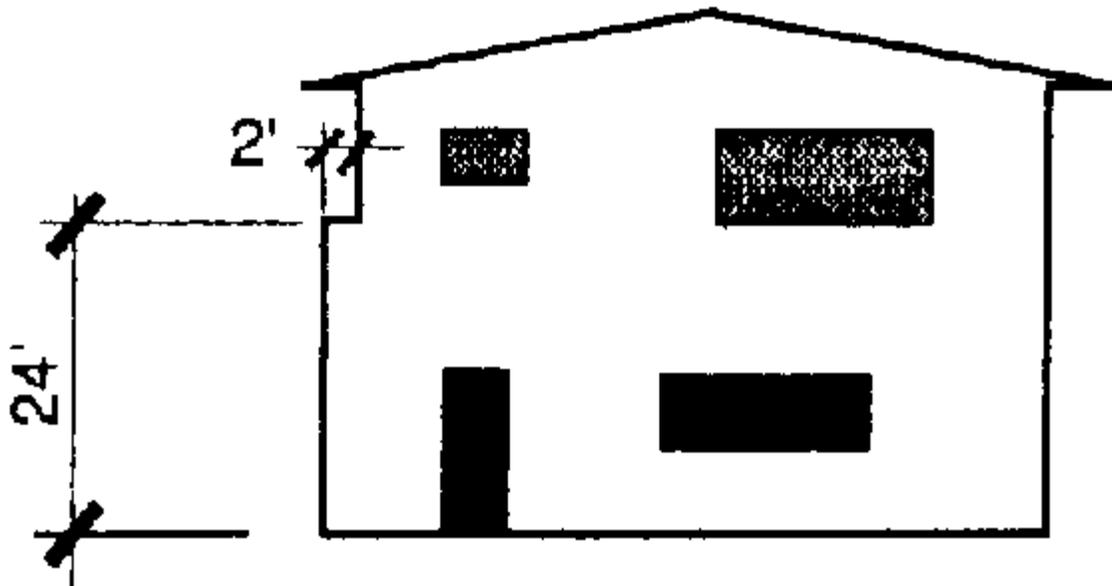
All required open space and recreational facilities are in addition to the required front and street side setbacks. Interior side and rear setbacks may be considered as required open spaces and recreation facilities. All required common open space must: 1) be physically or visually accessible to the residents, 2) be a minimum of five feet in both length and width, and 3) include a minimum of 50 percent of softscape landscaping.

- 1. Adjustments: The Director may approve adjustments from the minimum open space dimensions and landscaping percentage standards as provided in Chapters 22 and 23 of this Title.

J. Building Wall Modulation: No plane of a building wall facing a property line shall exceed 24 feet in height or length without at least a two-foot offset for a minimum

length of six feet in the wall plane. When expanding or adding onto the height or length of an existing building wall, only the expansion or addition shall not exceed 24 feet without wall modulation. Below is an example of wall modulation for walls up to 30 feet:

Total wall length or height (in feet)	Maximum length of unbroken wall plane (in feet)	Minimum length of 2-foot offset (in feet)
24	24	0
25	24	1
26	24	2
27	24	3
28	24	4
29	24	5
30	24	6



- K. Condominium Conversions: Condominiums and stock cooperatives converted from multiple-family dwellings shall meet all the requirements for condominiums in effect at the time they were originally constructed. If there were no condominium standards in effect at the time of construction, the conversion shall comply with the condominium standards of ordinance 898, adopted January 20, 1976.

L. Detached Accessory Buildings:

1. Unless permitted as an accessory dwelling unit pursuant to article 15-4E of this title, buildings shall not contain a kitchen or kitchen facilities, a bathtub or shower and shall not be used for sleeping purposes.
2. Detached accessory buildings, except detached accessory dwelling units, shall not be rented or used as a separate dwelling unit or as an "R" occupancy, as defined by the California Building Code, except that they may contain a sink and a toilet.
3. Prior to issuance of a building permit for a detached accessory structure, except a detached accessory dwelling unit, the Director shall require the recording of a covenant to run with the land, which states that the accessory structure shall not be used as a dwelling unit or used in violation of this subsection.

15-4D-4: LANDSCAPING

- A. Landscaping and irrigation must be provided within the front yard and street side setback areas.
- B. Those setback areas fronting upon a public street must incorporate a combination of softscape and hardscape in the landscape, except for those portions devoted to vehicular parking. In addition, those portions of the property which abut a different zoning classification must be landscaped with trees and shrubs to provide an effective buffer from adjoining property.
- C. The setback areas may contain artificial turf or synthetic grass provided that it: 1) is not harmful to the environment (such as containing lead based or other hazardous materials); 2) includes a pervious surface to address percolation, drainage, runoff, and stormwater detention requirements; and 3) is incorporated into a comprehensive landscaping design and site plan.

15-4D-5: OFF STREET PARKING AND LOADING SPACES

Off-street parking shall be provided as required by [chapter 15](#) of this title.

15-4D-6: SIGNS

Signs in the R-3 Zone shall comply with the requirements of [chapter 18](#) of this title.

15-4D-7: VEHICULAR ACCESS:

Where an R-3 lot abuts an alley, vehicular access to the lot must be from the alley. Curb cuts and driveways must be installed in conformance with ESMC subsection [15-15-50](#).

SECTION 21: Subsection (D) of ESMC § 15-4E-3 (Accessory Dwelling Unit Density) of Article E of Chapter 15-4 is amended to read as follows:

D. Density:

- ~~1. One (1) accessory dwelling unit or one (1) junior accessory dwelling unit per lot within a proposed or existing single-family dwelling or existing accessory structure.~~
- ~~2. One (1) detached or attached to an accessory structure accessory dwelling unit that may be combined with one (1) junior accessory dwelling unit per lot with a proposed or existing single-family dwelling.~~
- ~~3. Multiple accessory dwelling units within the portions of existing multi-family dwelling structures that are not used as livable space, provided each unit complies with state building standards for dwellings.~~
- ~~4. One (1) accessory dwelling unit or twenty five percent (25%) of the existing multi-family dwelling units, whichever is greater, within an existing multi-family dwelling.~~
- ~~5. Two (2) detached accessory dwelling units per lot with an existing multi-family dwelling.~~
- 1. Lots with a proposed or existing single-family dwelling:**
 - a. One accessory dwelling unit and one junior accessory dwelling unit per lot within a proposed or existing single-family dwelling or existing accessory structure, and/or**
 - b. one accessory dwelling unit detached from the primary structure or attached to an accessory structure that may be combined with one junior accessory dwelling unit per lot.**
- 2. Lots with a proposed or existing multifamily dwelling structure:**
 - a. One accessory dwelling unit within the portions of existing multifamily dwelling structures that are not used as livable space, provided each unit complies with state building standards for dwellings, and multiple accessory dwelling units up to a maximum of 25 percent of the existing multifamily dwelling units, and/or**
 - b. two detached accessory dwelling units per lot with an existing multifamily dwelling structure.**

For purposes of this section, portions of existing multi-family dwelling structures that are not used as livable space, include, but are not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

SECTION 22: Subsection (F) of ESMC § 15-4E-3 (Accessory Dwelling Unit Parking) of Article E of Chapter 15-4 is amended to read as follows:

F. Parking:

~~{1.}~~ No parking spaces are required for accessory dwelling units within one-half (1/2) mile **walking distance** of a **public** transit stop.

~~{2.}~~ When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, or converted to an accessory dwelling unit, replacement parking for the lost spaces are not required.

SECTION 23: ESMC subsection 15-4E-4 (Accessory Dwelling Unit Application Process; Fees) is amended to read as follows:

A. Any application for a building permit to create an accessory dwelling unit on a lot

with an existing single-family dwelling or multi-family dwelling units shall be ministerially approved or denied within ~~sixty (60)~~ days of the City's receipt of a completed application. **If a completed application is not approved or denied within 60 days, the application shall be deemed approved. However, any** Any permit application for an accessory dwelling unit that is submitted with a permit application to create a single-family dwelling shall be considered ministerially but is not subject to the ~~sixty (60)~~ day requirement to allow the City time to act on the permit application to create the new single-family dwelling, if necessary. **If an application for an ADU is denied, staff shall return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.**

B. For an accessory dwelling unit of ~~seven hundred fifty (750)~~ square feet or more, the applicant must pay development impact fees imposed pursuant to Chapter 27A of this title, in an amount set by City Council resolution, provided that such development impact fee is proportional in relation to the square footage of the primary dwelling unit.

SECTION 24: ESMC § 15-4G-3 (General Urban Lot Split Development Standards) is amended to read as follows:

15-4G-3: GENERAL URBAN LOT SPLIT DEVELOPMENT STANDARDS:

All urban lot splits with two-unit residential developments within the R1 Zone must comply with the R1 development standards contained in Section ~~17-210.020~~**15-4B-3** and the development standards of this Section **15-4G-3**. If there are conflicts between the provisions of Section ~~17-210.020~~**15-4B-3** and this Section **15-4G-3**, the provisions of this Section will govern.

A. Urban lot splits must incorporate all built-form parameters of State of California Government Code Section 66411.7, including:

1. A parcel map that subdivides an existing R1 parcel will create no more than two new parcels of approximately equal lot area and with one of the two created parcels not smaller than 40 percent of the lot area of the original parcel proposed for subdivision. See Figure 4G-1.

2. Both newly created parcels will be no smaller than 1,200 square feet in gross area.

3. No more than two (2) dwelling units per lot will be constructed on a R1 urban lot split.

4. Accessory Dwelling Units or Junior Accessory Dwelling Units are prohibited where an Urban Lot Split is also developed with a two-unit residential development pursuant to Section **15-4G-4** and **15-4G-5**.

5. A minimum of one off-street parking spaces will be provided per newly constructed dwelling unit. No parking is required if **the** parcel is located within one-half mile walking distance of a High-quality Transit Corridor or major transit stop or if a car share vehicle is located within one-block of the parcel.

B. Lot line splits will be parallel to public street frontages. See Figure 4G-2.

C. When cross easements across lot split parcels are required to provide access to units, or access to vehicle parking spaces, or access to utilities and utility connections, or

access between lot split parcels, or access for any other purpose, a covenant establishing the cross easement acceptable to the ~~Development Services~~**Community Development** Department must be recorded with the Los Angeles County Recorder upon the filing of the Final Parcel Map described in chapter 14-6 of title 14 of this code.

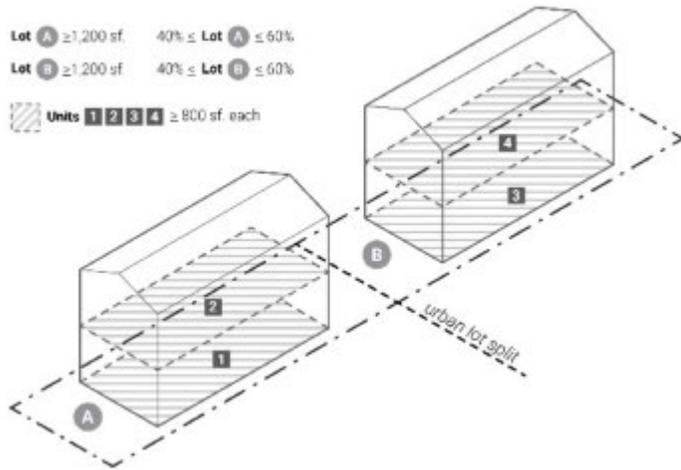


Figure 4G-1

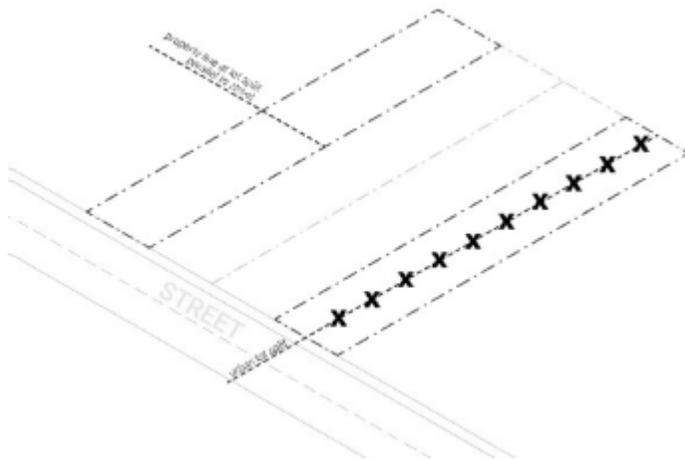


Figure 4G-2

SECTION 25: Article 15-5A (Downtown Commercial (C-RS) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE A: PERMITTED USES IN COMMERCIAL ZONES

15-5A-1: PERMITTED USES:

Table No. 1 below contains the uses permitted in the CR-S, C-2, C-3, C-4, CO, MU-N, AND MU-S zones, including uses permitted by right, accessory uses, uses subject to a administrative use permit, and uses subject to a conditional use permit.

Table No. 1 – Permitted uses in commercial zones

Uses	Zones ¹						
	CR-S	C-2	C-3	C-4	CO	MU-N	MU-S
Eating and drinking establishments							
Alcohol - Off-site sale at retail establishments.	AUP	AUP	AUP	AUP	AUP	AUP	AUP
Alcohol - On site sale and consumption at bars.	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Alcohol On-site sale and consumption at restaurants and hotels	AUP	AUP	AUP	AUP	AUP	AUP	AUP
Cafés	A	A	A	A	A	A	A
Drive-through restaurants			CUP ²		CUP ²	CUP ²	CUP ²
Micro-brewery with tasting room and/or dining				CUP		CUP	CUP
Outdoor dining areas, per ESMC Chapter 15-2	A	A	A	A	A	A	A
Restaurants, delicatessens, and cafés	P	P	P	P	P	P	P
General Commercial uses							
Adult-oriented businesses per ESMC Chapter 15-13							P
Animal hospitals (and veterinary services)		P	P	P			
Billiard/pool rooms and bowling alleys	P	P	P	P			
Business and consumer support services	P		P			P	P
Car rental agencies		CUP	CUP				
Catering services and flight kitchens						CUP	CUP
Farmers' market				P			
Financial institutions	P			P		P	P

Uses	Zones ¹						
	CR-S	C-2	C-3	C-4	CO	MU-N	MU-S
Fitness centers		P	P	P ³	P	P	P
General offices	P	P	P ⁴	P	P	P	P
Indoor sale of automobiles, motorcycles, and motor scooters				P			
Massage establishments, per ESMC Chapter 4-10				CUP			CUP
Medical-dental offices	P	P	P	P	P	P	P
Medical-dental laboratories	A	A	P	A	A	P	P
Motion picture/television production facilities (indoor) ⁸						P	P
Motion picture/television production facilities (outdoor) ⁸						CUP	CUP
Multi-media offices			P	P	P	P	P
Office worker-oriented services, not located on Pacific Coast Highway or El Segundo Boulevard					P		
Personal services	P	P	P	P		P	P
Retail sales	P	P	P	P		P	P
Service stations			CUP ⁶		CUP ⁶	CUP ⁶	CUP ⁶
Group care and hospitality uses							
Bed and breakfast inns		CUP					
Daycare centers	P	P	P	P	P	P	P
Hospitals						CUP	CUP
Hotels and motels			P		CUP ⁵	P	P
Industrial							
Freight forwarding	N	N	N	N	N	N	N
Light industrial uses						AUP	AUP
Research and development uses					P ⁷	P ⁷	P ⁷
Waste material transfer and storage	N	N	N	N	N	N	N
Wholesale uses						P	P
Institutional							
Government buildings/public uses	P	P	P		P		
Museums					CUP		

Uses	Zones ¹						
	CR-S	C-2	C-3	C-4	CO	MU-N	MU-S
Schools	P						
Miscellaneous uses							
Any use customarily incidental to a permitted use	A	A	A	A	A	A	A
Assembly halls	CUP			P		CUP	CUP
Data centers						P	P
Drive-through or walk-up services, excluding drive-through restaurants	A	A	A	A	A	A	A
Employee recreational facilities and play areas	A	A	A	A	A	A	A
Helicopter landing facilities per ESMC Section 15-2-13			CUP		CUP	CUP	CUP
Open storage of commodities sold or utilized on the premises	A	A	A	A	A	A	A
Commercial Parking facilities, including park and ride lots						CUP	CUP
Parking structures and surface parking lots	A	A	A	A	A	A	A
Permitted uses conducted in a trailer, shipping container or similar structure				AUP			
Recreational facilities (public and private)		P	P	P	P	CUP	CUP
Residential uses	A	A					
Shared mobility parking facilities	A	A	A	A	A	A	A
Solar energy systems - Small and medium-scale ground-mounted	A	A	A	A	A	A	A
Solar energy systems - Roof-mounted	A	A	A	A	A	A	A
Other similar uses approved by the Director, per ESMC Chapter 15-22	P, A, AUP, CUP	P, A, AUP, CUP	P, A, AUP, CUP	P, A, AUP, CUP	P, A, AUP, CUP	P, A, AUP, CUP	P, A, AUP, CUP

Notes:

1. P = Permitted use, A = Accessory use, AUP = Use subject to an administrative use permit (Per ESMC Chapters 22 and 23), CUP = Use subject to a conditional use permit (per ESMC Chapters 24 and 28), N = prohibited
2. Drive-through restaurants are permitted with a CUP only east of Pacific Coast Highway.
3. Fitness centers in the C-4 zone are only permitted indoors
4. General offices in the C-3 zone are limited to a maximum gross area of 5,000 square feet
5. Hotels in the CO zone are not permitted west of Pacific Coast highway
6. Service stations are permitted with a CUP only when located at least 500 feet from any residential zoned property. This distance

restriction does not apply to properties east of Pacific Coast Highway

7. Research and development uses in commercial zones are permitted only east of Pacific Coast Highway
8. See ESMC Article 15-7B regarding the Multimedia Overlay (MMO) District and its permitted uses

SECTION 26: Article 15-5B (Neighborhood Commercial (C-2) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE B. DOWNTOWN COMMERCIAL (C-RS) ZONE

- 15-5B-1: PURPOSE**
- 15-5B-2: PERMITTED USES**
- 15-5B-3: SITE DEVELOPMENT STANDARDS**
- 15-5B-4: LANDSCAPING**
- 15-5B-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5B-6: SIGNS**
- 15-5B-7: RESIDENTIAL USE STANDARDS**

15-5B-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Downtown Commercial on the General Plan land use map and in the General Plan text. This zone is comprised of commercial retail-service areas and certain lands where such development is desirable and appears likely to occur. Regulations are designed to stabilize and protect the commercial retail-service character of the downtown area, and to create a favorable environment for pedestrian circulation and access. Principal uses are, therefore, restricted to commercial retail-service use, and certain essential and complementary uses as permitted under the conditional use permit.

15-5B-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5B-3: SITE DEVELOPMENT STANDARDS

All uses within the C-RS Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted within a fully enclosed building, except:
 - a. Outdoor restaurants, cafes or seating areas, provided they comply with the provisions of section [15-2-16](#) of this title; and
 - b. Outdoor recreational activities.
2. Required on-site parking shall not be allowed between the use and/or building and the front lot line upon which said use or building faces.
3. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in [chapter 16](#) of this title shall be met.
4. Other provisions as required by [chapter 2](#) of this title.

B. Lot area: A minimum of 5,000 square feet.

C. Height:

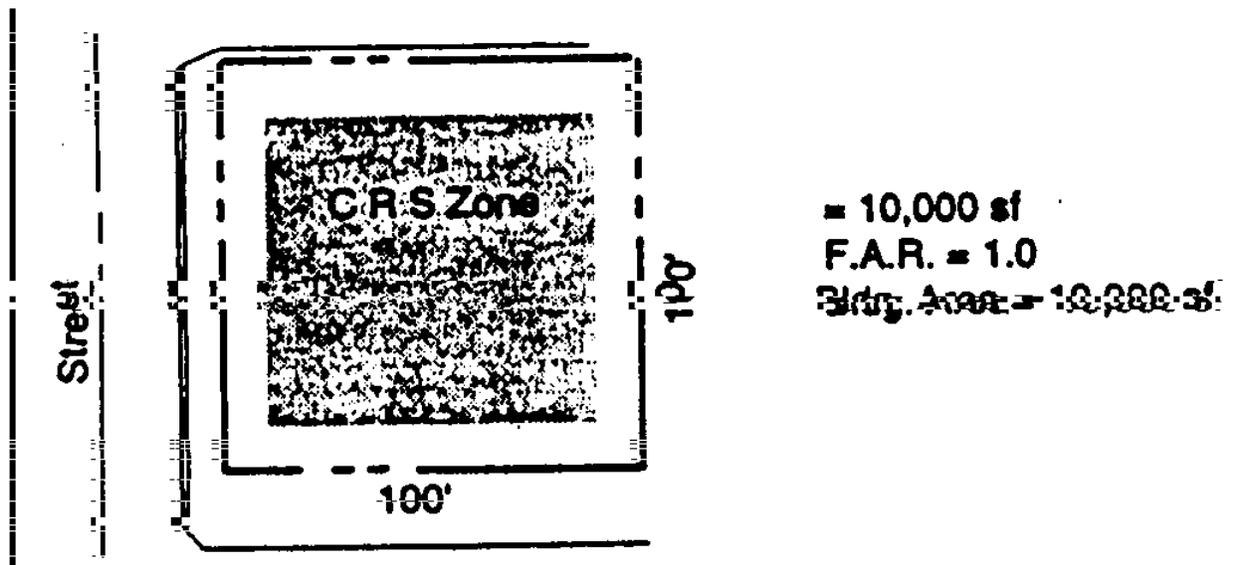
1. Buildings and structures shall not exceed the height of 45 feet.
2. A maximum grade differential of 8 feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

D. Setbacks:

1. Front Yard: None required, unless both the C-RS Zone and a residential zone occupy the same block face. In such a case, the setback shall be the same as the residential zone.
2. Side Yard: None required, unless the side yard abuts property with a different zone classification, in which case the side yard setback shall be a minimum of 10 feet.
3. Rear Yard: None required, unless the following conditions exist:
 - a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, rear yard setback shall be a minimum of 10 feet; and
 - b. If the rear yard abuts property with a different zone classification, the rear yard setback shall be a minimum of 10 feet.

E. Lot frontage: No minimum requirements.

F. Building Area: The total net floor area of all buildings, excluding residential floor area, shall not exceed the total net square footage of the property multiplied by 1.0 or an FAR of one to one (1:1).



G. Walls and fences: Walls and fences shall comply with the requirements of [chapter 2](#) of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in [chapter 16](#) of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

15-5B-4: LANDSCAPING

Landscaping must be provided as required by section [15-2-14](#) and [chapter 15A](#) of this Title.

15-5B-5: OFF STREET PARKING AND LOADING SPACES

As required by [chapter 15](#) of this title.

15-5B-6: SIGNS

As required by [chapter 18](#) of this title.

15-5B-7: RESIDENTIAL USE STANDARDS

Residential uses shall be permitted only on the floor above street level, provided the street level is used for commercial purposes. One dwelling unit shall be permitted for each 4,356 square feet of lot area. Parking for the residential use shall conform with the requirements for multiple-family dwelling units, except that parking shall not be required to be provided in a covered structure. Tandem parking shall be allowed in a configuration that provides all of the commercial spaces direct ingress and egress to the site.

SECTION 27: Article 15-5C (General Commercial (C-3) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE C. NEIGHBORHOOD COMMERCIAL (C-2) ZONE

15-5C-1: PURPOSE

15-5C-2: PERMITTED USES

15-5C-7: SITE DEVELOPMENT STANDARDS

15-5C-8: LANDSCAPING

15-5C-9: OFF STREET PARKING AND LOADING SPACES

15-5C-10: SIGNS

15-5C-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Neighborhood Commercial on the General Plan land use map and in the General Plan text. This zone is intended to promote, preserve,

enhance and service the neighborhood commercial needs of adjacent residential areas. Regulations are designed and intended to cater to both pedestrian and vehicular access. Principal uses are, therefore, restricted to neighborhood serving general commercial uses.

15-5C-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5C-3: SITE DEVELOPMENT STANDARDS

All uses within the C-2 Zone shall comply with the development standards contained in this section.

A. General Provision:

1. All uses shall be conducted within a fully enclosed building, except:
 - a. Outdoor restaurants, cafes or seating areas, provided they comply with the provisions of section [15-2-16](#) of this title; and
 - b. Outdoor recreational activities.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in [chapter 16](#) of this title shall be met.
3. Other provisions as required in [chapter 2](#) of this title.

B. Lot area: A minimum of 5,000 square feet.

C. Height:

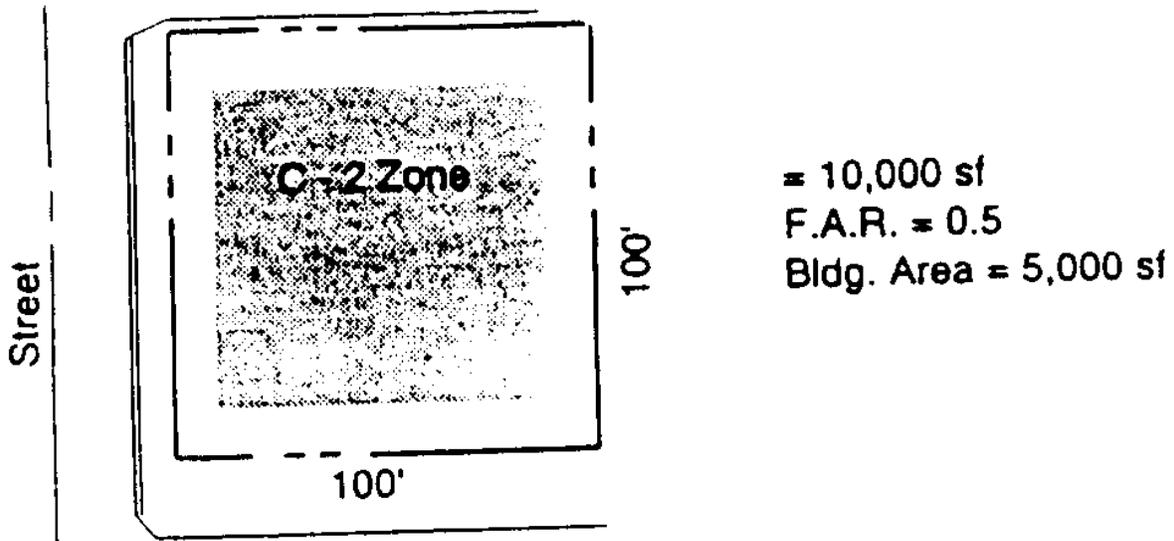
1. Buildings and structures shall not exceed a height of 28 feet.
2. A maximum grade differential of 8 feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

D. Setbacks:

1. Front Yard: 15 feet minimum.
2. Side Yard: None required, unless the side yard abuts property with a different zone classification, in which case the side yard setback shall be a minimum of 10 feet.
3. Rear Yard: 10 feet minimum.

E. Lot Frontage: No minimum requirements.

F. Building Area: The total net floor area of all buildings, excluding residential floor area, shall not exceed the net square footage of the property, multiplied by 0.5 or an FAR of 0.5:1.



G. Walls and fences: Walls and fences shall comply with the location requirements of [chapter 2](#) of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in [chapter 16](#) of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5C-4: LANDSCAPING

Landscaping must be provided as required by section [15-2-14](#) and [chapter 15A](#) of this title.

15-5C-5: OFF STREET PARKING AND LOADING SPACES

As required by [chapter 15](#) of this title.

15-5C-6: SIGNS

In compliance with [chapter 18](#) of this title.

15-5C-7: RESIDENTIAL USE STANDARDS

Residential uses shall be permitted only on the floor above street level, provided the street level is used for commercial purposes. One dwelling unit shall be permitted for each 4,356 square feet of lot area. Parking for the residential use shall conform with the requirements

for multiple-family dwelling units, except that parking shall not be required to be provided in a covered structure. Tandem parking shall be allowed in a configuration that provides all of the commercial spaces direct ingress and egress to the site.

SECTION 28: Article 15-5D (Corporate Office (CO) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE D. GENERAL COMMERCIAL (C-3) ZONE

15-5D-1: PURPOSE

15-5D-2: PERMITTED USES

15-5D-3: SITE DEVELOPMENT STANDARDS

15-5D-4: LANDSCAPING

15-5D-5: OFF STREET PARKING AND LOADING SPACES

15-5D-6: SIGNS

15-5D-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated General Commercial on the General Plan land use map and in the General Plan text. This zone is intended to provide for the development of commercial establishments which serve a broad cross section of the City and surrounding area. Regulations are designed to promote and control their growth in a favorable environment to all abutting and surrounding land uses. Principal uses, therefore, include a broad spectrum of retail and service commercial uses.

15-5D-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

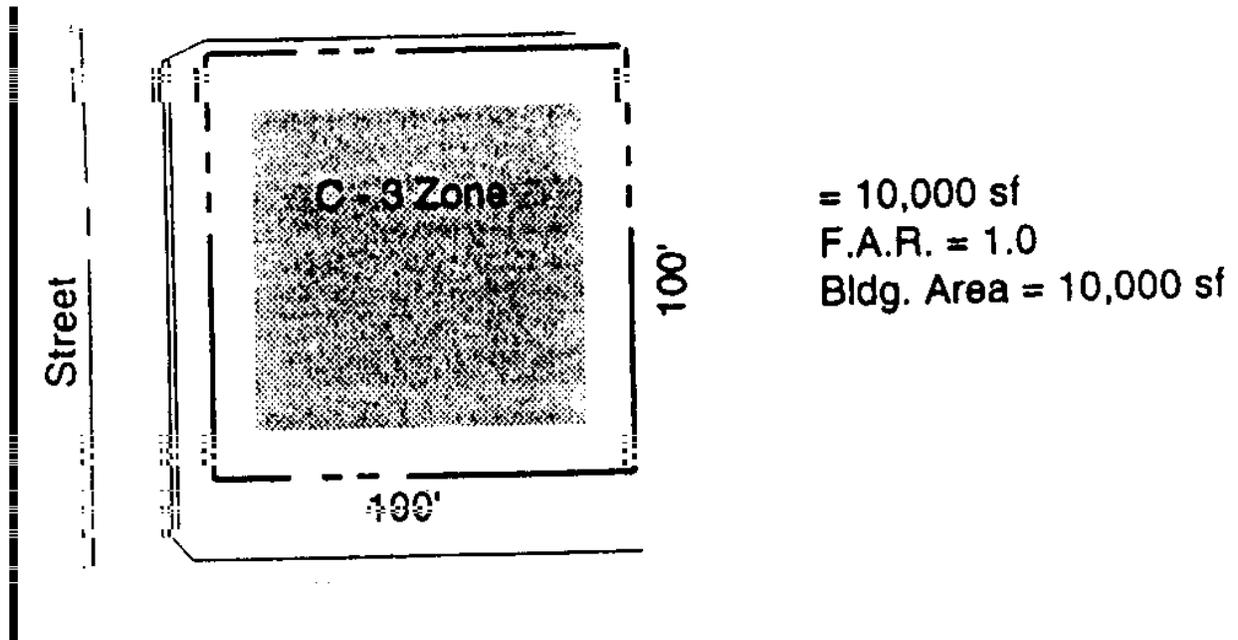
15-5D-3: SITE DEVELOPMENT STANDARDS

All uses in the C-3 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted within a fully enclosed building except:
 - a. Outdoor restaurants, cafes or seating areas, provided they comply with the provisions of section 15-2-16 of this title;
 - b. Outdoor retail activities customarily conducted outdoors, including, but not limited to, lumberyards and nurseries; and
 - c. Outdoor recreational activities.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.

3. Other provisions as required in chapter 2 of this title.
- B. Lot area: A minimum of 10,000 square feet.
- C. Height:
1. East of Sepulveda Boulevard: No building or structure shall exceed 200 feet.
 2. West of Sepulveda Boulevard: No building or structure shall exceed 45 feet.
 3. If the subject property abuts residentially zoned property, no building or structure shall exceed 40 feet.
 4. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
 5. See section 15-2-3 of this title for exceptions to building height.
- D. Setbacks:
1. Front yard: 10 feet minimum
 2. Side yard: None required, unless one of the following conditions exists:
 - a. If the side yard adjoins a dedicated street, a minimum of 10 feet shall be provided; and
 - b. If the side yard abuts residentially zoned property, a minimum of 10 feet shall be provided.
 3. Rear yard: None required, unless one of the following conditions exists:
 - a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, a minimum of 10 feet shall be provided; and
 - b. If the rear yard abuts property with a different classification, a minimum of 10 feet shall be provided.
 4. Future street right-of-way Lines. If any future street right-of-way line has been established by plan adopted by the city council, such line shall be considered to be the property line for purposes of determining setbacks.
 5. Easements. Setbacks from legal easements, other than street right-of-way easements, shall not be required. In addition to the appropriate review and approval by the city, no construction of any structure or improvement is allowed within a legal easement without written authorization from the legal holder of the easement. Such authorization shall be in a form acceptable to the Director.
- E. Lot frontage: Each lot shall be a minimum frontage on a street of 100 feet.
- F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 1.0 or an FAR of one to one (1:1). Additional FAR may be granted for properties east of Sepulveda Boulevard only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Walls and fences shall comply with the location requirement of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

15-5D-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5D-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5D-6: SIGNS

As required by chapter 18 of this title.

SECTION 29: Article 15-5E (Urban Mixed Use North (MU-N) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE E. CORPORATE OFFICE (CO) ZONE

- 15-5E-1: PURPOSE**
- 15-5E-2: PERMITTED USES**
- 15-5E-3: SITE DEVELOPMENT STANDARDS**
- 15-5E-4: LANDSCAPING**
- 15-5E-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5E-6: SIGNS**

15-5E-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Corporate Office on the General Plan land use map and in the General Plan text. This zone is intended to provide for the development of office projects. Regulations are designed to promote and control their growth in a favorable environment to all abutting and surrounding land uses. Principal uses are, therefore, restricted to a mixture of office and food serving uses with limited retail uses.

15-5E-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5E-3: SITE DEVELOPMENT STANDARDS

All uses in the CO Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted within a fully enclosed building, except:
 - a. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of section [15-2-16](#) of this title.
 - b. Recreational facilities customarily conducted in the open.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in [chapter 16](#) of this title shall be met.
3. Other provisions as required in [chapter 2](#) of this title.

B. Lot area: A minimum of 10,000 square feet.

C. Height:

1. East of Pacific Coast Highway: No building or structure shall exceed 200 feet.
2. West of Pacific Coast Highway: No building or structure shall exceed 45 feet.
3. If the subject property abuts residentially zoned property, no building or structure shall exceed 40 feet.
4. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring

the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.

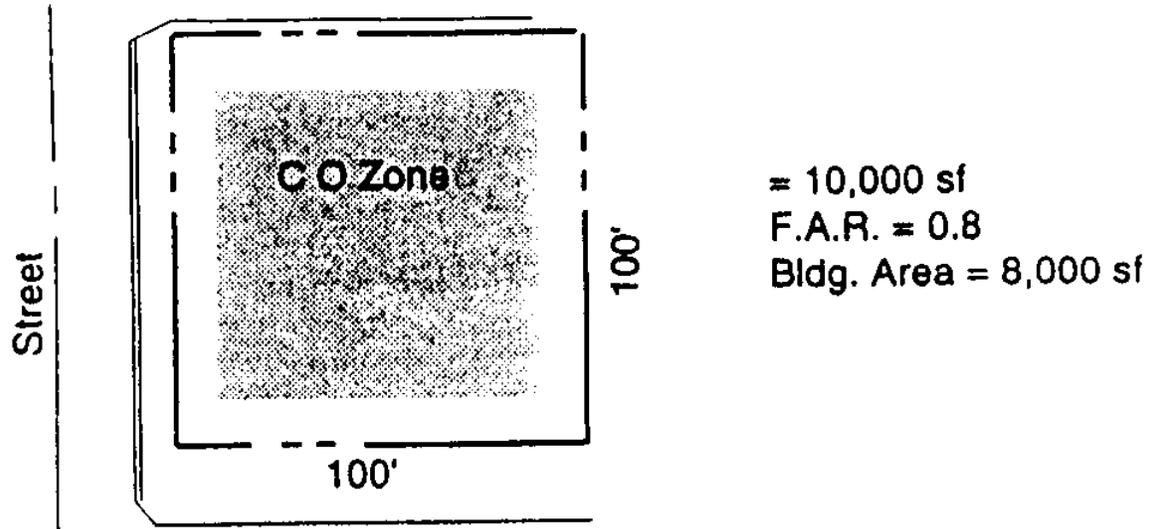
5. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks:

1. Front yard: A minimum of 20 feet.
2. Side yard: A minimum of 10 feet, unless one of the following conditions exists:
 - a. If the side yard adjoins a dedicated street, a minimum of 20 feet shall be provided; and
 - b. If the side yard abuts property zoned for residential uses, a minimum of 100 feet shall be provided, including a 25-foot landscape buffer.
3. Rear yard: A minimum of 10 feet, unless one of the following conditions exists:
 - a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, a minimum of 25 feet shall be provided; and
 - b. If the rear yard abuts property zoned for residential uses, a minimum of 100 feet shall be provided, including a 25-foot landscape buffer.
4. Future street right-of-way lines. If any future street right-of-way line has been established by plan adopted by the city council, such line shall be considered to be the property line for purposes of determining setbacks.
5. Easements. Setbacks from legal easements, other than street right-of-way easements, shall not be required. In addition to the appropriate review and approval by the city, no construction of any structure or improvement is allowed within a legal easement without written authorization from the legal holder of the easement. Such authorization shall be in a form acceptable to the Director.

E. Lot frontage: Each lot shall have a minimum frontage on a street of 100-feet.

F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 0.8 or an FAR of 0.8:1. Additional FAR may be granted for properties east of Pacific Coast Highway only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Wall and fences shall comply with the location requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program, chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5D-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5D-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5D-6: SIGNS

As required by chapter 18 of this title.

SECTION 30: Article 15-5F (Urban Mixed Use South (MU-S) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE F. URBAN MIXED USE NORTH (MU-N) ZONE

15-5F-1: PURPOSE

- 15-5F-2: PERMITTED USES**
- 15-5F-3: SITE DEVELOPMENT STANDARDS**
- 15-5F-4: LANDSCAPING**
- 15-5F-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5F-6: SIGNS**

15-5F-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Urban Mixed Use North on the General Plan land use map and in the General Plan text. The Urban Mixed Use North (MU-N) zone is established to provide area(s) where a mixture of compatible commercial, office, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner. It is the intent of the MU-N zone to have several types of uses occupy a single building, or if a project includes multiple buildings, then each building should contain a different type of use. It is anticipated, although not required, that each type of use will be from two or more of the following categories: retail, service, hotel, office, research and development, theaters or recreational facilities. It is further intended to ensure that adequate open space and development regulations will create a favorable environment for abutting uses as well as ensuring the compatibility and harmonious existence of development within MU-N zoned property. Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.

15-5F-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

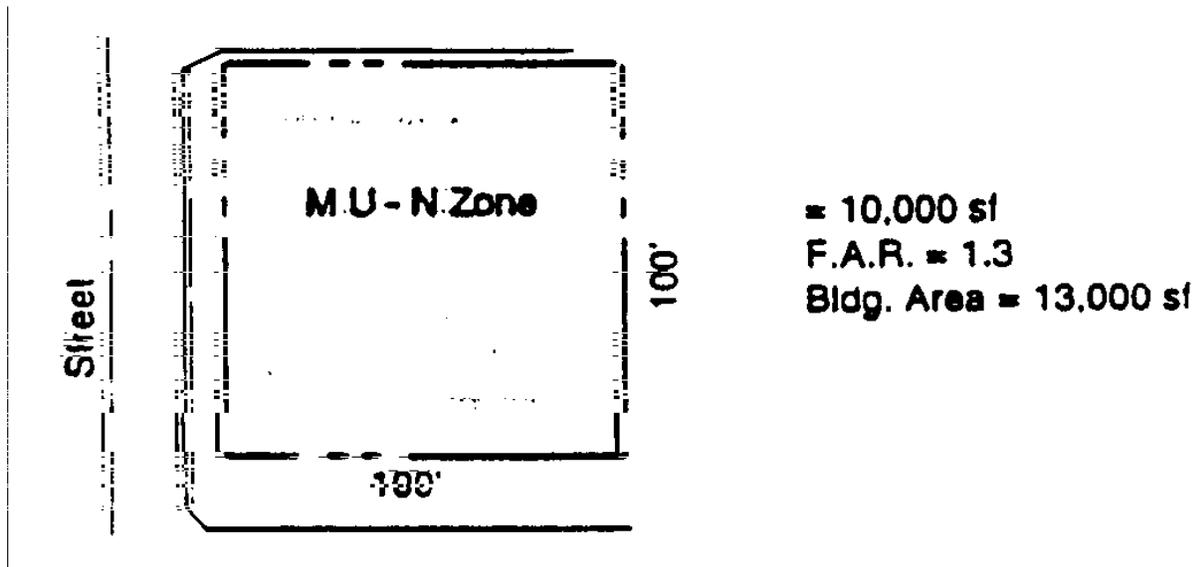
15-5F-3: SITE DEVELOPMENT STANDARDS

All uses within the MU-N Zone shall comply with the development standards contained in this section.

A. General Provision:

1. All uses shall be conducted wholly within an enclosed building except:
 - a. Electrical distribution stations.
 - b. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of section 15-2-16 of this title.
 - c. Recreational facilities customarily conducted in the open.
 - d. Special uses, to the degree the conditional use permit granting such special uses expressly permits operation in other than a fully enclosed building.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria as provided for in chapter 16 of this title shall be met.

3. Other provisions as required in chapter 2 of this title.
- B. Lot area: A minimum lot area of 10,000 square feet.
- C. Height:
1. Buildings and structures shall not exceed a height of 175 feet.
 2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
 3. See section 15-2-3 of this title for exceptions to building height
- D. Setbacks:
1. Front yard: A minimum of 20 feet.
 2. Side yard: A minimum of 10 feet, unless the side yard adjoins a dedicated street, in which case a minimum of 20 feet shall be provided.
 3. Rear yard: Five feet minimum, unless the rear yard adjoins an alley, dedicated street, or public right-of-way, or if the primary access is through the rear yard. In these cases, a minimum of 20 feet shall be provided.
 4. Future street right-of-way lines. If any future street right-of-way line has been established by plan adopted by the city council, such line shall be considered to be the property line for purposes of determining setbacks.
 5. Easements. Setbacks from legal easements, other than street right-of-way easements, shall not be required. In addition to the appropriate review and approval by the city, no construction of any structure or improvement is allowed within a legal easement without written authorization from the legal holder of the easement. Such authorization shall be in a form acceptable to the Director.
- E. Lot Frontage: Each lot in the MU-N Zone shall have a minimum frontage on a street of 100 feet.
- F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 1.3 or an FAR 1.3:1. Additional FAR may be granted for properties east of Pacific Coast Highway only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Fences in the MU-N Zone shall comply with the requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's transportation demand management program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5E-4: LANDSCAPING

As required by section 15-2-14 and chapter 15-15A of this title.

15-5E-5: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

15-5E-6: SIGNS

As required chapter 18 of this title.

SECTION 31: Article 15-5G (Commercial Center (C-4) zone) of ESMC Chapter 15-5 is amended in its entirety to read as follows:

ARTICLE G. URBAN MIXED USE SOUTH (MU-S) ZONE

15-5G-1: PURPOSE

15-5G-2: PERMITTED USES

- 15-5G-3: SITE DEVELOPMENT STANDARDS**
- 15-5G-4: LANDSCAPING**
- 15-5G-5: OFF STREET PARKING AND LOADING SPACES**
- 15-5G-6: SIGNS**

15-5G-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Urban Mixed Use South on the General Plan land use map and in the General Plan text. The Urban Mixed Use South (MU-S) Zone is established to provide area(s) where a mixture of compatible commercial, offices, research and development, retail and hotel uses can locate and develop in a mutually beneficial manner. It is the intent of the MU-S Zone to have several types of uses occupy a single building, or if a project includes multiple buildings, then each building should contain a different type of use. It is anticipated, although not required, that each type of use will be from two or more of the following categories: retail, service, hotel, office, research and development, theaters or recreational facilities. It is further intended to ensure that adequate open space and development regulations will create a favorable environment for abutting uses as well as ensuring the compatibility and harmonious existence of development within MU-S Zoned property. Businesses located within this zone are encouraged to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.

15-5G-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5G-3: SITE DEVELOPMENT STANDARDS

All uses within the MU-S Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. All uses shall be conducted wholly within an enclosed building except:
 - a. Electrical distribution stations;
 - b. Outdoor restaurants and cafes incidental to the permitted use, provided they comply with the provisions of section [15-2-16](#) of this title;
 - c. Recreational facilities customarily conducted in the open; and
 - d. Special uses, to the degree the conditional use permit granting such special uses expressly permits operation in other than a fully enclosed building.
2. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria as provided for in [chapter 16](#) of this title shall be met.
3. Other provisions as required in [chapter 2](#) of this title.

B. Lot area: A minimum lot area of 10,000 square feet.

C. Height:

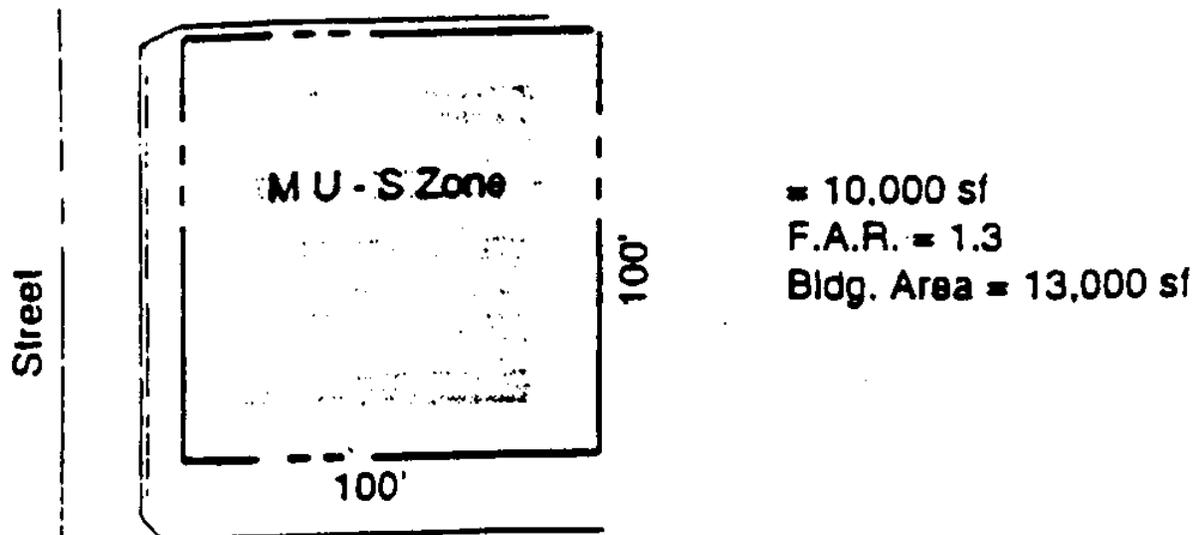
1. Buildings and structures shall not exceed a height of 175 feet.
2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

D. Setback:

1. Front Yard: 20 feet minimum, except that along Rosecrans Avenue a minimum setback of 30 feet must be provided.
2. Side Yard: 20 feet minimum, unless one of the following conditions exists:
 - a. If the side yard abuts property with a different zoning classification, the side yard setback shall be a minimum of 10 feet.
 - b. If the side yard abuts Rosecrans Avenue or Park Place, the side yard setback shall be a minimum of 30 feet.
3. Rear Yard: Five feet minimum, unless the rear yard adjoins an alley, dedicated street, or public right-of-way, or if the primary access is through the rear yard. In these cases, the rear yard setback shall be a minimum of 20 feet.

E. Lot frontage: Each lot in the MU-S Zone shall have a minimum frontage on a street of 100 feet.

F. Building area: The total net floor area of all buildings shall not exceed the total net square footage of the property multiplied by 1.3 or an FAR of 1.3:1. Additional FAR may be granted for properties east of Sepulveda Boulevard only, with approval of a transfer of development rights (TDR) plan.



G. Walls and fences: Fences in the MU-S Zone shall comply with the requirements of chapter 2 of this title. A minimum six-foot high masonry wall shall be provided along property lines for those yards abutting residential or industrial zones.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand Management Program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then pedestrian access shall be provided between buildings.

15-5G-4: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-5G-5: OFF STREET PARKING AND LOADING SPACES

As required by [chapter 15](#) of this title.

15-5G-6: SIGNS

As required by [chapter 18](#) of this title.

SECTION 32: ESMC Chapter 15-5 is amended to add a new ESMC Article 15-5H (Commercial Center (C-4) zone) to read as follows:

ARTICLE H. COMMERCIAL CENTER (C-4) ZONE

15-5H-1: PURPOSE

15-5H-2: PERMITTED USES

15-5H-6: SITE DEVELOPMENT STANDARDS

15-5H-7: LANDSCAPING

15-5H-8: OFF STREET PARKING AND LOADING SPACES

15-5H-9: SIGNS

15-5H-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies affecting property designated as commercial center on the General Plan land use map and in the General Plan text. This zone is intended to provide for developing commercial establishments serving the City and surrounding area. Regulations are designed to promote and control growth of commercial center projects such as retail and service uses.

15-5H-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all commercial zones are listed in Article 15-5A of this Title.

15-5H-6: SITE DEVELOPMENT STANDARDS

All uses in the C-4 Zone must comply with the development standards contained in this section.

A. General Provisions:

1. All uses must be conducted within a fully enclosed building except:
 - a. Outdoor restaurants, cafes or seating areas, complying with the provisions of section [15-2-16](#) of this title;
 - b. Outdoor wholesale or retail activities customarily conducted outdoors, including, without limitation, lumberyards, nurseries, and periodic outdoor sales;
 - c. Outdoor recreational activities; and
 - d. Temporary uses conducted for a period not to exceed one year in a temporary trailer, shipping container, or similar structure.
2. Before the City approves any development project, the project must meet all requirements of the transportation demand management (TDM) and trip reduction criteria as set forth in [chapter 16](#) of this title.
3. Other provisions as set forth in [chapter 2](#) of this title.

B. Lot Area: A minimum of 10,000 square feet.

C. Height:

1. No building or structure may exceed 65 feet.
2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section [15-2-3](#) of this title for exceptions to building height.

D. Setbacks: The setback requirements shall not be applicable to environmental treatment facilities that are determined by a regulatory agency to be necessary to mitigate the presence of hazardous substances that are present in the soils on the parcel of property on which a treatment facility is located. However, the environmental treatment facility must otherwise comply with the City's traffic safety and Building Code requirements.

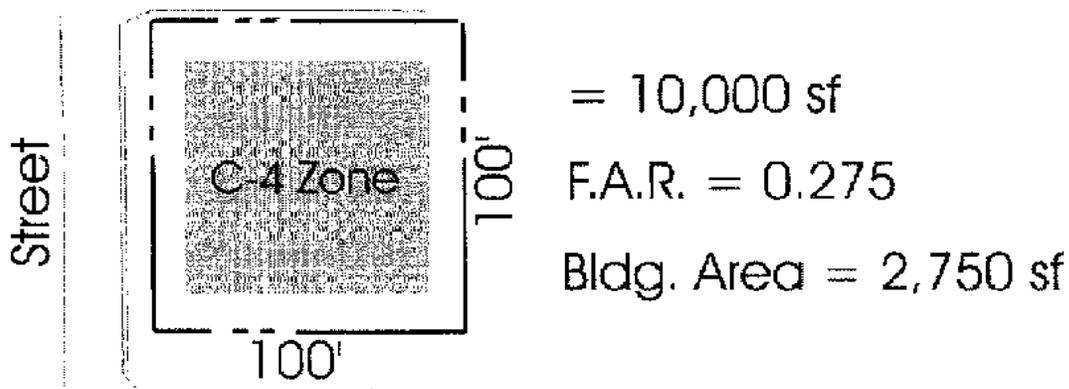
1. Front yard: 25 feet minimum.
2. Side yard: Zero feet minimum, unless one of the following conditions exists:
 - a. If the side yard adjoins a dedicated street, at least 25 feet must be provided; and
 - b. If the side yard abuts property with a different classification, the side yard setback shall be a minimum of 10 feet.
3. Rear yard: 15 feet minimum unless one of the following conditions exists:

- a. If the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, at least 25 feet must be provided;
- b. If the rear yard adjoins a railroad right-of-way, at least 10 feet must be provided; and
- c. If the rear yard abuts property with a different classification, the rear yard setback shall be a minimum of feet.

E. Lot frontage:

1. Each lot must provide a minimum frontage on a public street of 100 feet; or
2. Flag lots are permitted with a minimum stem width of 20 feet at a public street. If the flag lot does not provide physical access to a public street, a permanent access easement must be provided from the lot across any contiguous lot or lots which conform with the minimum lot frontage requirement to a public street. The easement, and any proposed modification to the easement, requires City review and approval.

F. Building Area: The total net floor area of all buildings may not exceed the total net square footage of the property multiplied by 0.275 or an FAR 0.275:1. However, additional FAR may be granted by the City pursuant to a development agreement.



G. Transfer of development rights: The transfer of development density from one or more donor parcels to any other receiving parcel or parcels is permitted within the C-4 Zone; provided, that the requirements of this section are met.

1. Location of transfer parcels: The donor and receiving parcels must each be located entirely within the C-4 Zone.
2. Maximum net floor area (NFA) for a receiving parcel: The NFA on any receiving parcel increased in density pursuant to this section cannot exceed an FAR of 0.6.
3. Reduced NFA for a donor parcel: The permitted NFA on any donor parcel decreased in density pursuant to this section must be reduced by the amount of NFA transferred to one or more receiving parcels.
4. Building standards for parcels: All buildings must comply with the building standards of the C-4 Zone.
5. Transfer of development rights: A transfer of development rights may be initiated by a person submitting a written application for a transfer to the Community Development Department that identifies the donor parcel(s), receiving parcel(s),

- the amount of NFA proposed to be transferred, and the proposed uses of the donor and receiving parcels.
6. Review by Director: The Director must approve, conditionally approve or deny a transfer plan at a public hearing. The Director must use the following criteria in making a determination:
 - a. The transfer meets the objectives of this title and the purposes of the C-4 Zone;
 - b. The proposed transfer will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;
 - c. The proposed transfer complies with each of the applicable provisions of this chapter;
 - d. The proposed transfer recognizes and compensates for potential impacts that could be generated by the proposed transfer, such as aesthetics, noise, smoke, dust, fumes, vibration, odors, traffic and hazards; and
 - e. The proposed transfer plan is consistent with the General Plan.
 7. Notice and hearing: Upon filing of an application for a transfer plan by a property owner or an applicant with the consent of the owner, the Director must give public notice, as provided in chapter 28 of this title, of the intention to consider at a public hearing the granting of a transfer plan.
 8. Appeal to Planning Commission: The applicant or any person affected by the Director 's decision respecting a transfer plan can appeal that decision to the Planning Commission pursuant to chapter 29 of this title.
 9. Appeal to City Council: The applicant or any person affected by the Planning Commission's decision respecting a transfer plan can appeal the Planning Commission's decision to the City Council pursuant to chapter 29 of this title.
 10. Final Approval: A transfer plan approved by the Director, Planning Commission and/or City Council becomes final upon the completion of all applicable conditions of approval and the following:
 - a. Legal Assurances: A covenant or other suitable, legally binding agreement in a form approved by the City Attorney must be recorded against the affected donor and receiving parcels confirming the transfer of NFA between/among parcels and setting forth any conditions of approval imposed by the City. The covenant must be executed by all parties that have a legal or equitable interest in the affected donor and receiving parcels. The covenant must confirm that from the date of recording of the covenant, the affected parcels will be burdened by the covenant in perpetuity and the covenant will run with the land and the FAR for the donor parcel and receiving parcel will be set in the covenant pursuant to the FAR allowed at the time of approval of the transfer; and
 11. Removal/Modification: The Director may approve the removal or modification of a covenant if the transfer has not been entirely utilized by a receiving parcel or a different parcel has been identified as a donor parcel. The legal and equitable owners of the affected parcels must execute a removal or modification covenant in a form approved by the City Attorney.
- H. Walls and fences: Walls and fences must comply with the location requirement of [chapter 2](#) of this title.
- I. Access: All development projects must provide adequate access and facilities for various modes of transit, as required by the City's Transportation Demand

Management Program in [chapter 16](#) of this title. In addition, all development projects must provide pedestrian access between buildings and transit facilities located on site and/or off site, if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access must be provided between buildings.

15-5H-7: LANDSCAPING

As required by section [15-2-14](#) and [chapter 15A](#) of this title.

15-5H-8: OFF STREET PARKING AND LOADING SPACES

As required by [chapter 15](#) of this title.

15-5H-9: SIGNS

Signs in the C-4 Zone must comply with requirements of [chapter 18](#) of this title except as specified below:

- A. A maximum of three ground or monument signs not to exceed 45 feet in height each are permitted along the Pacific Coast Highway street frontage, north of the Union Pacific Railroad.
- B. A maximum of two ground or monument signs not to exceed 25 feet in height each are permitted along the Pacific Coast Highway street frontage south of the Union Pacific Railroad.
- C. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 25 feet in height each are permitted along the Park Place street frontage.
- D. A maximum of one ground or monument sign (not including wayfinding signs), not to exceed 25 feet in height is permitted along the Allied Way street frontage.
- E. A maximum of one ground or monument sign, not to exceed 65 feet in height is permitted along the Allied Way street frontage.
- F. A maximum of two ground or monument signs (not including wayfinding signs), not to exceed 20 feet each are permitted along the Rosecrans Avenue street frontage.
- G. A maximum of one roof sign up to 450 square feet in that portion of the C-4 Zone located south of the Union Pacific Railroad and north of Village Drive which shall not count toward the maximum 15 percent permitted for storefront signage as specified in subsection [15-18-4A\(1\)\(b\)](#) of this title.
- H. Parcels that are comprised of a minimum of 7.5 acres and that have at least 80 percent of the floor area devoted to retail and restaurant uses may have up to two (light emitting diode signs ("LED sign")) that do not exceed 30 feet in height and 60 feet in width so long as: 1) the signs only advertise businesses and products (but only in

conjunction with the name of the business that sells the product) that are located on the parcel or display movie projections and abstract videos that are not related to advertising any product, or entertainment, retail or service use and 2) the sign is oriented such that it is intended to be viewed by individuals located on the parcel and not by individuals located in a public right-of-way. Pursuant to a development agreement that covers multiple parcels of property, and so long as the requirements of this provision are otherwise met, the names of businesses and products (but only in conjunction with the name of the business that sells the product) that are located on parcels that are subject to the development agreement may be advertised on an LED sign located on another parcel that is subject to the same development agreement.

SECTION 33: ESMC Article 15-6A (Light Industrial (M-1) zone) of ESMC Chapter 15-6 is amended in its entirety to read as follows:

ARTICLE A: PERMITTED USES IN INDUSTRIAL ZONES

15-6A-1: PERMITTED USES

Table No. 1 below contains the uses permitted in the M-1 and M-2 zones, including uses permitted by right, accessory uses, uses subject to an administrative use permit and uses subject to a conditional use permit

Table No. 1 – permitted uses in industrial zones

Uses	Zones	
	M-1	M-2
Eating and drinking establishments		
Drive-through restaurants	CUP	CUP
Restaurants and cafes	P	CUP
General Commercial uses		
Adult-oriented businesses		
Alcohol - off-site sale at limited support service retail establishments.	AUP	AUP
Alcohol - on-site sale and consumption at restaurants and delicatessens	AUP	AUP
Animal boarding	CUP	CUP
Animal hospitals (and veterinary services)	P	CUP
Billiard/pool rooms and bowling alleys	CUP	CUP
Business and consumer support services	CUP	CUP
Drive-through or walk-up services, excluding drive-through restaurants.	A	A
Financial institutions	CUP	CUP
Fitness centers	P	CUP
General offices	P	CUP
Medical-dental offices	CUP	CUP
Medical-dental laboratories	CUP	CUP
Motion picture/television production facilities (indoor) ⁹	CUP	CUP
Multi-media offices	CUP	CUP
Office worker-oriented services, not located on Pacific Coast Highway or El Segundo Boulevard	CUP	CUP
Personal services	CUP	CUP
Retail sales	CUP	CUP
Service stations ²	CUP	CUP

Group care and hospitality uses		
Daycare centers	P	CUP
Dog daycare (indoor)	P	
Dog daycare (outdoor)	CUP	CUP
Emergency shelters	P	
Hotels and motels	CUP	CUP
Industrial		
Construction yards		P
Extraction of raw materials and refining		P
Factories		P
Freight forwarding, transfer, trucking yards or terminals	CUP	CUP
General storage, warehousing and ministorage	P	
Generating stations		P
Heavy manufacturing uses		P
High and medium bay labs	P	
Light manufacturing uses and related offices	P	
Research and development	P	CUP
Waste material transfer and storage	N	N
Wholesale uses	CUP	CUP
Institutional		
Government buildings/public uses	P	CUP
Schools	CUP	CUP
Miscellaneous uses		
Data centers	CUP	CUP
Helicopter landing facilities, per ESMC section 15-2-13	CUP	CUP
Medium and large-scale ground-mounted solar energy systems	P	P
Open storage of commodities sold or utilized on the premises.	A	A
Outdoor dining areas, per ESMC Chapter 15-2	A	A

Public utilities, including, but not limited to, power substations and telephone exchanges	P	
Residential Uses	N	N
Recreational facilities (public and private)	P	CUP
Roof-mounted solar energy systems.	A	A
Small and medium-scale ground-mounted solar energy systems.	A	A
Any use customarily incidental to a permitted use	A	A
Other similar uses approved by the Director, per ESMC Chapter 15-22	P, A, AUP, CUP, N	P, A, AUP, CUP, N

Notes:

1. P = Permitted use, A = Accessory use, AUP = Use subject to an administrative use permit (Per ESMC Chapters 23 and 23), CUP = Use subject to a conditional use permit (per ESMC Chapters 24 and 28), N = prohibited
2. Service stations are permitted with a CUP if located a minimum of 500 feet from any residential zoned property. This distance criteria does not apply to properties east of Pacific Coast Highway.

SECTION 34: Article 15-6B (Heavy Industrial (M-2) zone) of ESMC Chapter 15-6 is amended in its entirety to read as follows:

ARTICLE B. LIGHT INDUSTRIAL (M-1) ZONE

- 15-6B-1: PURPOSE**
- 15-6B-2: PERMITTED USES**
- 15-6B-3: SITE DEVELOPMENT STANDARDS**
- 15-6B-4: LANDSCAPING**
- 15-6B-5: OFF STREET PARKING AND LOADING SPACES**
- 15-6B-6: SIGNS**
- 15-6B-7: EMERGENCY SHELTERS DEVELOPMENT STANDARDS**

15-6B-1: PURPOSE

The purpose of this zone is to provide consistency with and implement policies related to those locations which are designated Light Industrial on the General Plan land use map and in the General Plan text. This zone is intended to provide for the location and grouping of light industrial activities, research, and technological processes, and related offices and auxiliary uses performing support services for existing and permitted establishments, companies or business firms within the zone.

15-6B-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all industrial zones are listed in Article 15-6A of this Title.

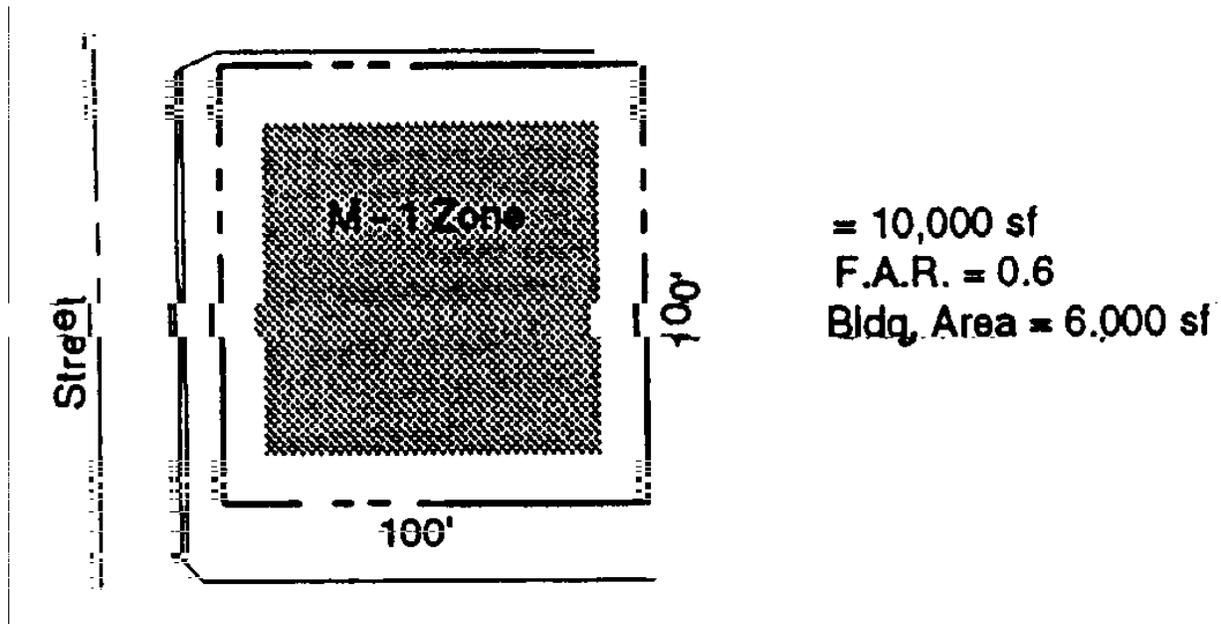
15-6B-7: SITE DEVELOPMENT STANDARDS

All uses within the M-1 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. No operations and uses conducted on the premises shall be in violation of this Code, State laws, or environmental regulations by reason of noise, odor, dust, mud, smoke, light, vibrations or other similar causes.
2. All uses in the M-1 Zone shall be conducted completely within a fully enclosed building except:
 - a. Recreational facilities customarily undertaken in the open;
 - b. Special uses, provided such use expressly permits operation in other than a fully enclosed building as provided through an administrative determination; and
 - c. Outdoor restaurant seating, provided it complies with the provisions of section 15-2-16 of this title.

3. Prior to approval of any development project, all criteria of the Transportation Demand Management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
 4. Other provisions as required in chapter 2 of this title.
- B. Lot area: A minimum of 10,000 square feet.
- C. Height:
1. Buildings and structures shall not exceed a height of 200 feet.
 2. A maximum grade differential of eight feet is permitted on sloping lots. The vertical height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
 3. See section 15-2-3 of this title for exceptions to building height.
- D. Setbacks:
1. Front Yard: A minimum of 25 feet.
 2. Side Yard: A minimum of 15 feet, unless the side yard adjoins a dedicated street, in which case the side yard setback shall be a minimum of 25 feet.
 3. Rear Yard: A minimum of 10 feet, unless the rear yard adjoins an alley, dedicated street, public right-of-way, or if the primary access is through the rear yard, in which case the rear yard setback shall be a minimum of 25 feet.
- E. Lot Frontage: A minimum frontage of 100 feet shall be provided on a dedicated street.
- F. Building Area: The total net "floor area" of all buildings, as defined in section 15-1-6 of this title, on any parcel or lot shall not exceed the total square footage of the parcel or lot area multiplied by 0.6, thereby giving a floor area ratio (FAR) of 0.6:1. However, additional FAR may be granted by the City upon the preparation and approval of a specific plan, consistent with section 65450 et seq., of the California Government Code, or, for properties east of Pacific Coast Highway only, with the approval of a transfer of development rights (TDR) plan. The total net floor area of high and medium bay labs may be multiplied by a factor of 0.5 to determine the allowed net floor area, if an agreement is recorded which ensures that the use and the number of employees is consistent with the definition of "high and medium bay labs" in section 15-1-6 of this title.



G. Walls and fences: Walls and fences in the M-1 Zone shall comply with the requirements of chapter 2 of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the City's transportation demand management program in chapter 16 of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site if within adjoining public rights-of-way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

15-6B-8: LANDSCAPING

As required by section 15-2-14 and chapter 15A of this title.

15-6B-9: OFF STREET PARKING AND LOADING SPACES

As required by chapter 15 of this title.

An area equivalent to 20 percent of the gross floor area of the building that is devoted to accessory use(s) may be parked at the rate of the building's primary use. In cases of uncertainty or ambiguity, the Director will determine whether an area is accessory.

15-6B-10: SIGNS

As required by chapter 18 of this title.

15-6B-11: EMERGENCY SHELTERS DEVELOPMENT STANDARDS

- A. Emergency shelters: Emergency shelters are subject to the following development standards:
1. Not more than one emergency shelter is permitted within a radius of 300 feet from another emergency shelter.
 2. No emergency shelter will be permitted within 300 feet of residentially zoned property, El Segundo public or private schools, El Segundo parks and open space, or childcare facilities.
 3. The emergency shelter facility may provide one or more of the following specific facilities and services including, without limitation:
 - a. Childcare facilities;
 - b. Commercial kitchen facilities designed and operated in compliance with Health and Safety Code section 113700 et seq.;
 - c. Dining area;
 - d. Laundry;
 - e. Recreation room; and
 - f. Support services (e.g., training, counseling).
 4. Not more than 12 persons can be served on a nightly basis.
 5. Maximum length of stay of a person in an emergency shelter is limited to 180 days in any 12-month period.
 6. The facility must provide a minimum of 50 gross square feet of personal living space per person served, not including space for common areas.
 7. Emergency shelters may operate 24 hours a day to provide sleeping facilities and other facilities and services. Admittance and intake processing of emergency shelter clients is limited to 7:00 A.M. to 10:00 P.M. daily. Delivery hours are limited to 7:00 A.M. to 6:00 P.M. daily. Refuse collection is limited to 7:00 A.M. to 8:00 P.M. daily.
 8. Each emergency shelter must have an on-site management office, with at least one employee present at all times the emergency shelter is in operation. A minimum of two employees must be on duty when more than 10 beds are occupied.
 9. Each emergency shelter must have on site security employees, with at least one security employee present at all times the emergency shelter is in operation.
 10. Staging drop off, intake, and pick up of emergency shelter clients must take place inside a building, at a rear or side entrance not adjacent to a public right-of-way, or in an interior courtyard. Any exterior waiting areas must be physically and visually separated from public view of a right-of-way with a minimum six-foot tall decorative masonry wall and/or a six-foot tall hedge or similar mature landscaping as approved by the Director. Floor plans for the emergency shelter must be submitted with the building plans that show the size and location of any proposed interior and/or exterior waiting or resident intake areas.
 11. Outdoor recreation activities may be conducted at the facility subject to the same physical and visual separation requirements as exterior waiting areas as set forth in this section.
 12. Off street parking must be provided as set forth in this Code, except that the number of off street parking spaces provided must be one parking space per three beds, plus one parking space per employee on duty with a minimum of three employee parking spaces. Notwithstanding this requirement, the required number

of off street parking spaces cannot exceed the spaces required for similar uses of the same size in the M-1 Zone.

13. Exterior lighting must be provided at all building entrances and outdoor activity areas, and must be activated between sunset and sunrise of each day. All exterior lighting must comply with this Code.
14. Facilities must provide a storage area for refuse and recyclables and must be fully screened from public view of any public right-of-way and be enclosed by a solid wall or fence, in accordance with this Code. The refuse and recyclable storage area must be large enough to accommodate the number of bins that are required to provide the facility with sufficient service so as to avoid the overflow of material outside of the bins provided.
15. Emergency shelter application requests and building plans for emergency shelters must be submitted to the Director, and if the application and building plans meet all applicable standards in this Code, including design, development, and any other State or local requirement, the emergency shelter application may be approved by the Director. Emergency shelter applications must be approved before a building permit may be issued.

SECTION 35: ESMC Chapter 15-6 is amended to add a new Article 15-6C (Heavy Industrial (M-2) zone) to read as follows:

ARTICLE C. HEAVY INDUSTRIAL (M-2) ZONE

- 15-6C-1: PURPOSE**
- 15-6C-2: PERMITTED USES**
- 15-6C-3: SITE DEVELOPMENT STANDARDS**
- 15-6C-4: LANDSCAPING**
- 15-6C-5: OFF STREET PARKING AND LOADING SPACES**
- 15-6C-6: SIGNS**

15-6C-1: PURPOSE

To provide consistency with and implement policies related to those locations which are designated heavy industrial on the general plan land use map and in the general plan text. This zone is intended to provide areas suitable for the development of heavy manufacturing, assembling, or processing activities having unusual or potentially deleterious operational characteristics, that would be detrimental if allowed to operate in other zones within the city.

15-6C-2: PERMITTED USES

Permitted uses, permitted accessory uses, uses subject to administrative use permit, and uses subject to conditional use permit for all industrial zones are listed in Article 15-6A of this Title.

15-6C-3: SITE DEVELOPMENT STANDARDS

All uses within the M-2 Zone shall comply with the development standards contained in this section.

A. General Provisions:

1. Operations and uses conducted on the premises, which are or may be in violation of this Code, State laws, or environmental regulations by reason of noise, odor, dust, mud, light, smoke, vibrations or other similar causes, shall conform to all City, State and Federal regulations which are designed to protect the health, safety and welfare of the citizens of this City and the employees of the proposed use.
2. Prior to approval of any development project, all criteria of the transportation demand management (TDM) and trip reduction criteria, as provided for in chapter 16 of this title shall be met.
3. Other provisions as required in chapter 2 of this title.

B. Lot area: A minimum of 20,000 square feet.

C. Height:

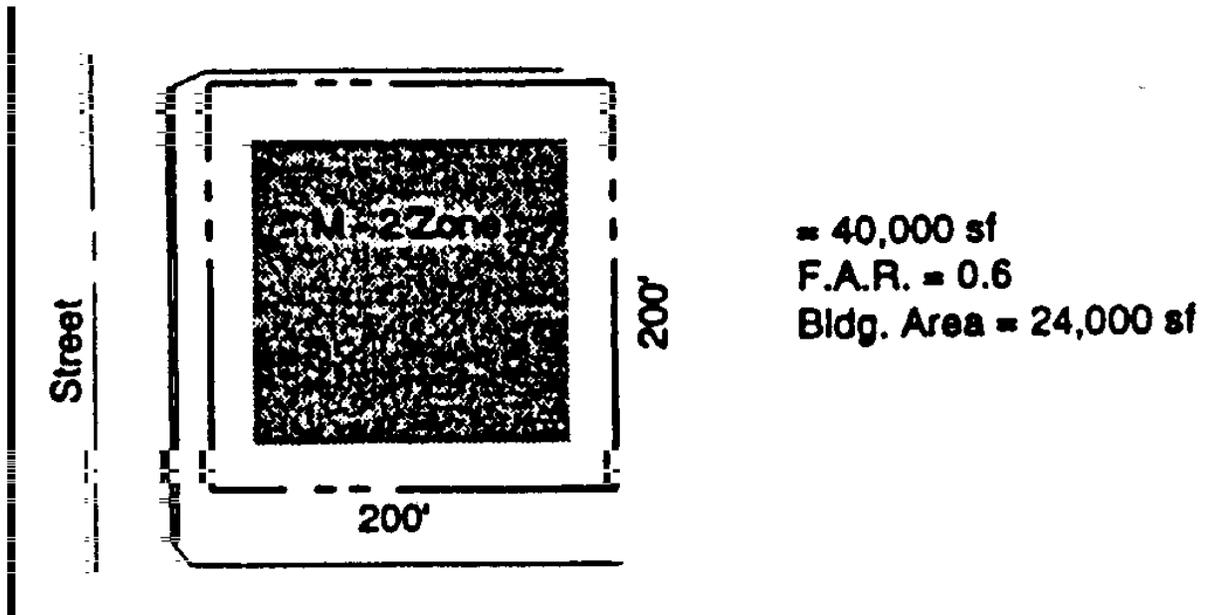
1. A maximum of 200 feet.
2. A maximum grade differential of eight feet is permitted on sloping lots. The height which exceeds the maximum grade differential limit is included in measuring the maximum building height. On sloped lots, a segmented grade plane may be applied to different portions of a building.
3. See section 15-2-3 of this title for exceptions to building height.

D. Setbacks:

1. Front Yard: 25 feet minimum.
2. Side Yard: 15 feet minimum, unless the side yard adjoins a dedicated street, in which case the side yard setback shall be a minimum of 25 feet.
3. Rear Yard: 10 feet minimum, unless the rear yard adjoins an alley, dedicated street, or public right-of-way, or if the primary access is through the rear yard, in which case the rear yard setback shall be a minimum of 25 feet.

E. Lot frontage: A minimum frontage of 100 feet shall be provided on a dedicated street.

F. Building area: The total net "floor area" of all buildings, as defined in section [15-1-6](#) of this title, on any parcel or lot shall not exceed the total square footage of the parcel or lot area multiplied by 0.6, thereby giving a floor area ratio of 0.6:1.



G. Walls and fences: As required by [chapter 2](#) of this title.

H. Access: All development projects shall provide adequate access and facilities for various modes of transit, as required by the city's transportation demand management program in [chapter 16](#) of this title. In addition, all development projects shall provide pedestrian access between buildings and transit facilities located on site and/or off site if within adjoining public rights of way. If the building is part of a multi-building development project, then safe and convenient pedestrian access shall be provided between buildings.

I. Recreational facilities: All developments greater than 500 acres shall maintain employee recreational facilities subject to the approval of the Director of Community Development and the Director of Public Works.

15-6C-4: LANDSCAPING

As required by section [15-2-14](#) and [chapter 15A](#) of this title.

15-6C-5: OFF STREET PARKING AND LOADING SPACES

As required by [chapter 15](#) of this title.

15-6C-6: SIGNS

As required by chapter 18 of this title.

SECTION 36: ESMC Article 15-7A (Medium Density Residential (MDR) Overlay zone) of ESMC Chapter 15-7 is amended as follows:

ARTICLE A. MEDIUM DENSITY RESIDENTIAL (MDR) OVERLAY ZONE

- 15-7A-1: PURPOSE:**
- 15-7A-2: ACTIVATION:**
- 15-7A-3: DEVELOPMENT STANDARDS:**
- 15-7A-4: LIVE/WORK DEVELOPMENT STANDARDS**

15-7A-1: PURPOSE:

- A. ~~The purpose of the Medium Density Residential (MDR) Overlay Zone is to~~To provide for an area within the Smoky Hollow Specific Plan area that is appropriate for and capable of sustaining residential uses.
- B. Moreover, it is the intent in identifying the long-term potential for residential use in the area designated to establish that residential use is explicitly excluded from the remainder of the Smoky Hollow specific plan area, except for single caretaker dwelling units provided for elsewhere in the plan.
- C. The MDR Zone shall be considered a "floating zone" in that once a need is identified, this zone can be activated. This floating zone for the Smoky Hollow Specific Plan area attempts to recognize that future residential market forces are anticipated in certain portions of the specific plan area and sensible land use planning dictates their exact locations given adjacent land uses and proximity to arterial streets.
- D. In effect, this zone is not a true "floating zone" in that it does not add more regulations over the existing Smoky Hollow East base zone. Rather, it is a "holding zone" which can be activated and used in place of the base zone.

15-7A-2: ACTIVATION:

The following processes activate the MDR Zone:

- A. A General Plan amendment to change the designation for proposed activated property from Smoky Hollow Specific Plan to Multi-Family Residential;
- B. A Specific Plan amendment to remove the proposed activated property from the Smoky Hollow Specific Plan; and
- C. A Zone Change application to change the zone of the proposed activated property from Smoky Hollow East with MDR Overlay to Multi-Family Residential (R-3) without MDR Overlay.

15-7A-3: DEVELOPMENT STANDARDS:

The development standards that apply to the underlying base zone shall apply unless and until the MDR is activated. If the MDR is properly activated, Multi-Family Residential (R-3) zoning standards shall apply to the activated property along with the following

additional standards:

- A. The setback along Grand Avenue shall be ~~thirty~~**30** feet (~~30'~~) minimum for properties east of Kansas Street, whether it is for a front or side yard.
- B. Vehicular access to MDR activated properties may not be taken directly from Grand Avenue. (Ord. 1580, 2-5-2019)

15-7A-4: LIVE/WORK DEVELOPMENT STANDARDS

Live/work uses are in addition to residential uses and must comply with all the following:

- A. Live/work uses cannot be open to walk-in trade or client visits other than by appointment;
- B. Only one employee, other than the resident, may be employed on site;
- C. Work activity must be conducted entirely within the individual unit;
- D. Outdoor storage is not permitted;
- E. Live/work uses cannot generate hazardous materials or employ hazardous processes;
- F. The live/work use cannot be publicly observed;
- G. Live/work impacts, such as noise, vibration, dust, odors, fumes, smoke, heat, electrical interference or other similar nuisances, cannot be perceptible beyond the individual unit;
- H. Live/work activities cannot increase pedestrian or vehicle traffic beyond that ordinarily associated with residential occupancy nor can it reduce the number of required off street parking spaces available for residential use;
- I. One wall sign is permitted at the entrance of each individual unit. The wall sign cannot exceed six square feet and cannot extend above or out from the wall. Signs cannot emit sounds, odor, or visible matter, such as smoke or steam. Signage may be lighted from another source such as gooseneck lamps. Internally illuminated and neon signs are not allowed. Rooftop signage is not allowed within the zone. Signs cannot contain any revolving, fluttering, flashing or spinning elements. All signage is subject to city requirements for sign permits.

SECTION 37: ESMC Section 15-7B-3 regarding the MMO (Multimedia overlay) district Permitted Accessory Uses is amended as follows:

15-7B-3: PERMITTED ACCESSORY LAND USES:

The following uses would be permitted as accessory uses in the ~~proposed~~ MMO District:

- A. Drive-through or walk-up services, including financial operations, but excluding drive-through restaurants.
- B. Employee recreational facilities and play area.
- C. Open storage of commodities sold or utilized on the premises.

D. Outdoor dining areas pursuant to the standards contained in sections 15-2-7 and 15-2-16 of this title.

~~D.E.~~ Parking structures and surface parking lots.

~~E.F.~~ Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title.

SECTION 38: ESMC Section 15-8-3 (Open Space zone permitted accessory uses) is amended as follows:

15-8-3: PERMITTED ACCESSORY USES:

The following accessory uses are permitted in the O-S zone when developed and used in conjunction with one or more permitted uses in the zone:

- A. Comfort stations.
- B. Concession stands.
- C. Maintenance buildings.
- D. Parking areas.
- ~~E. Other similar uses approved by the director of community, economic and development services as provided by chapter 22 of this title. (Ord. 1212, 11-16-1993; amd. Ord. 1315, 1-18-2000)~~

E. Roof-mounted solar energy systems.

F. Small and medium-scale ground-mounted solar energy systems.

G. Other similar uses approved by the Director, as provided by chapter 22 of this title.

SECTION 39: ESMC Section 15-10-3 (Public Facilities zone permitted accessory uses) is amended as follows:

15-10-3: PERMITTED ACCESSORY USES:

A. Any use customarily incidental to a permitted use.

~~B. Other similar uses approved by the Director of Planning and Building Safety, as provided by chapter 22 of this title. (Ord. 1212, 11-16-1993; amd. Ord. 1315, 1-18-2000)~~

B. Roof-mounted solar energy systems.

C. Small and medium-scale ground-mounted solar energy systems.

D. Other similar uses approved by the Director, as provided by chapter 22 of this title.

SECTION 40: ESMC Subsections (F) through (T), inclusive, of § 15-15-5 (Parking area development standards) are amended as follows:

~~F. Tire Stops:~~

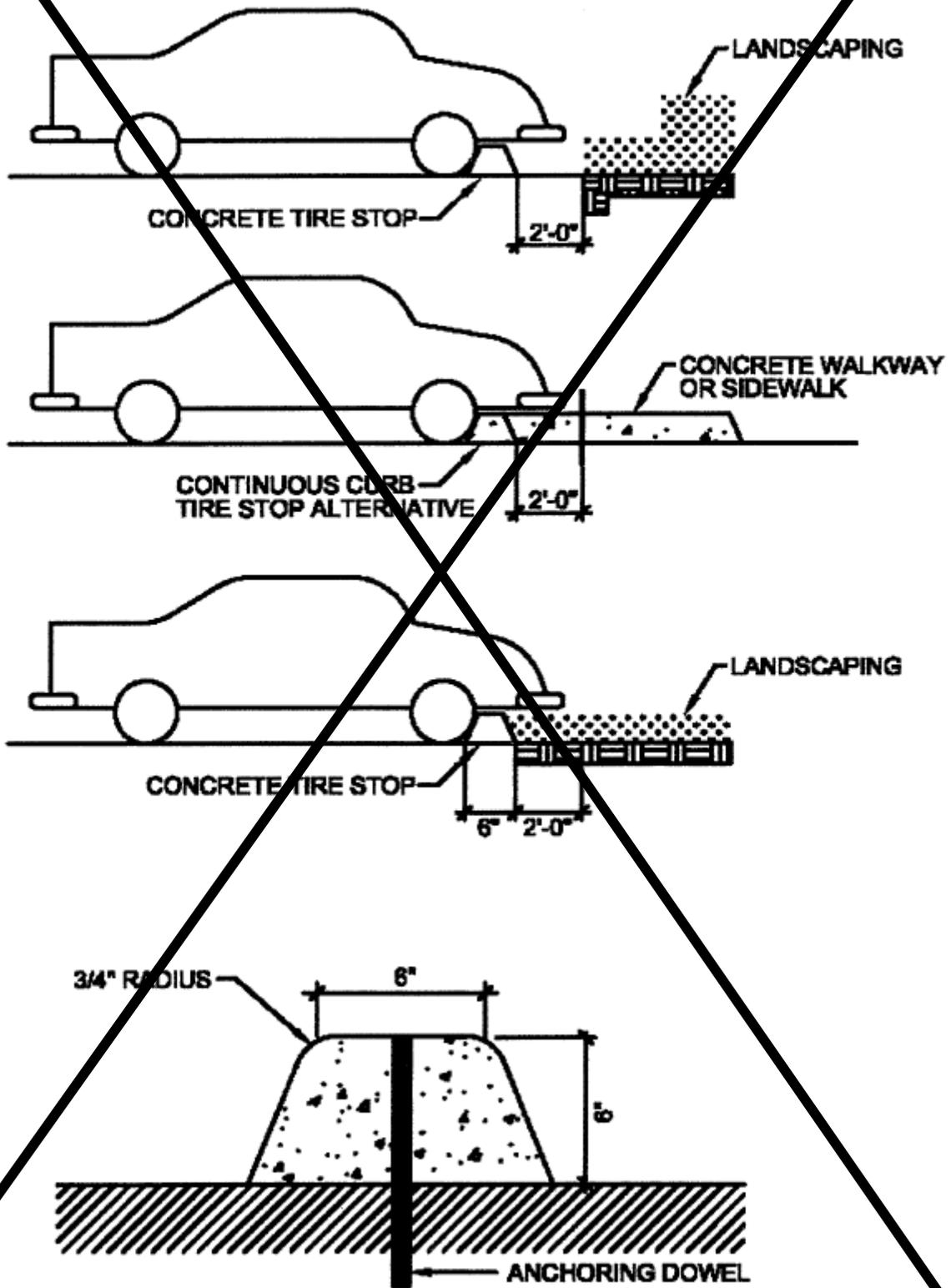
~~— 1. Location: Concrete tire stops must be provided in all parking lot areas abutting a building, structure, sidewalk, street, alley or other permanent feature such as a tree, bollard, utility box, or sign. Tire stops shall be located two feet from the front of a parking space.~~

~~— 2. Continuous Curb: A continuous concrete curb may be provided in lieu of a tire stop, provided the area within two feet of the curb face (overhang area) is not required for pedestrian or handicap access. The vehicle overhang area may be landscaped, however this landscaped area does not count toward the required vehicle use area landscaping.~~

~~— 3. Dimensions: Tire stops or curbs must be a minimum of six inches wide and six inches tall.~~

~~— FIGURE 3 TIRE STOP DESIGN AND LOCATION~~

FIGURE 3 - TIRE STOP DESIGN AND LOCATION



~~4. The Director may approve adjustments from the tire stop standards as provided in Chapters 22 and 23 of this title.~~

GF. Lighting:

1. Lights provided to illuminate any parking area or vehicle sales areas as permitted by this Code must be arranged so as to direct the light away from any premises upon which a residential dwelling unit is located.
2. Parking area light standards located within 50 feet of a property line must not exceed 25 feet in height.
3. The Director may approve adjustments from the lighting standards.

HG. Landscaping:

1. All new or substantially redesigned parking areas must provide landscaping as provided in chapter 2, "General Provisions", of this title.

H. Parking Space Dimensions:

1. Minimum Interior Dimensions:

Space Type	Minimum Width	Minimum Length
Commercial standard	8.5 feet	18 feet
Residential standard	9 feet	20 feet
Residential - narrow lots ¹	8.5 feet	20 feet
Vehicle lift	11 8.5 feet	24 18 feet
Compact	8.5 feet	15 feet
Parallel	8.5 feet	24 feet
Accessible	See note 2	See note 2
Motorcycle	5 feet	9 feet
Bicycle ³	2 feet	5 feet

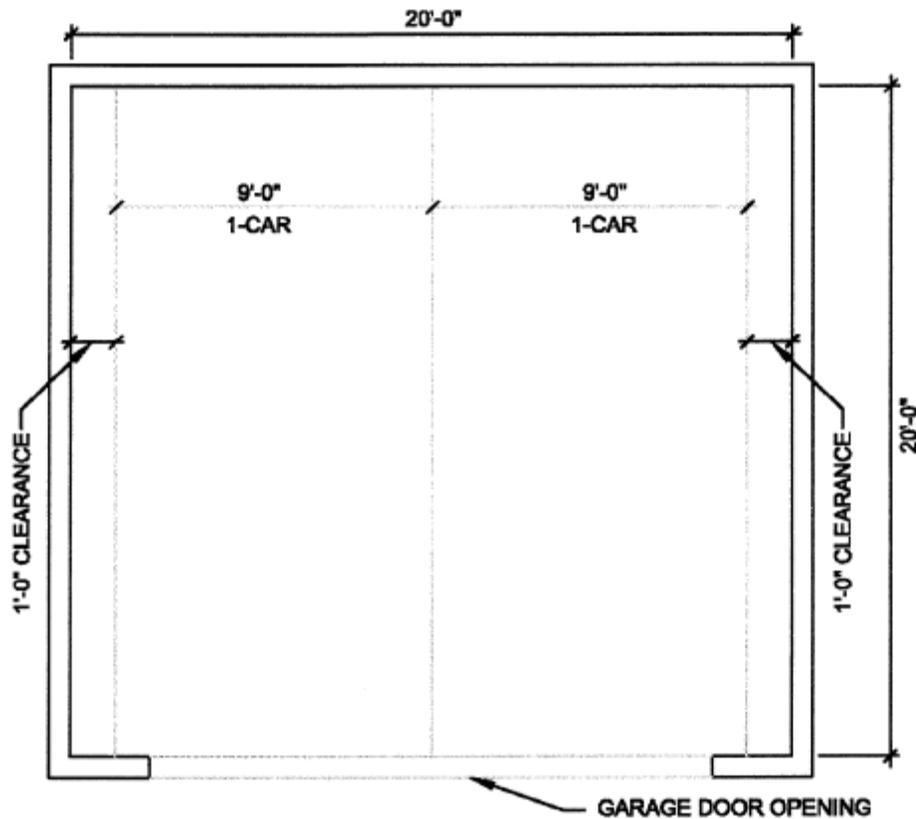
Notes:

1. Lots under 40 feet in width.
2. The dimensions of accessible parking spaces must comply with the Americans With Disabilities Act (ADA), title III and California Code of Regulations (CCR), California Access Code, title 24.
- 3. Each bicycle space must accommodate one 2-bicycle capacity rack.**

2. Single-Family Dwellings:

- a. Two-car garages must have minimum interior dimensions of 20 feet by 20 feet, except for narrow lots as indicated below.

FIGURE 4 - SINGLE-FAMILY DWELLING GARAGE



b. Individual garages must not exceed 900 square feet in size or a four car capacity, whichever is less. Subterranean garages and semi-subterranean garages that meet the definition of a basement are exempt from this requirement.

3. The Director may approve adjustments to the parking space dimensions standards as provided in Chapters 22 and 23 of this title.

J. Compact Spaces: Compact parking is allowed for office, industrial, hotel, and recreational uses up to a maximum of 20 percent of required parking spaces. Parking provided in excess of the required number may be compact in size. Compact spaces cannot be allowed for retail uses.

K. Tandem Spaces: All tandem parking spaces, where allowed, must be clearly outlined on the surface of the parking facility.

TANDEM SPACES PERMITTED

Use	Maximum Percentage of Required Spaces ³	Maximum Percentage of Required Spaces in Smoky Hollow	Maximum Depth
Single- and two-family residential	100	n/a	2 spaces ¹

Multiple-family residential	Prohibited ²	n/a	n/a
Retail and services	Prohibited	30	2 spaces
Industrial	20	85	2 spaces
Offices	20	85	2 spaces
Restaurants	Prohibited	10	2 spaces

Notes:

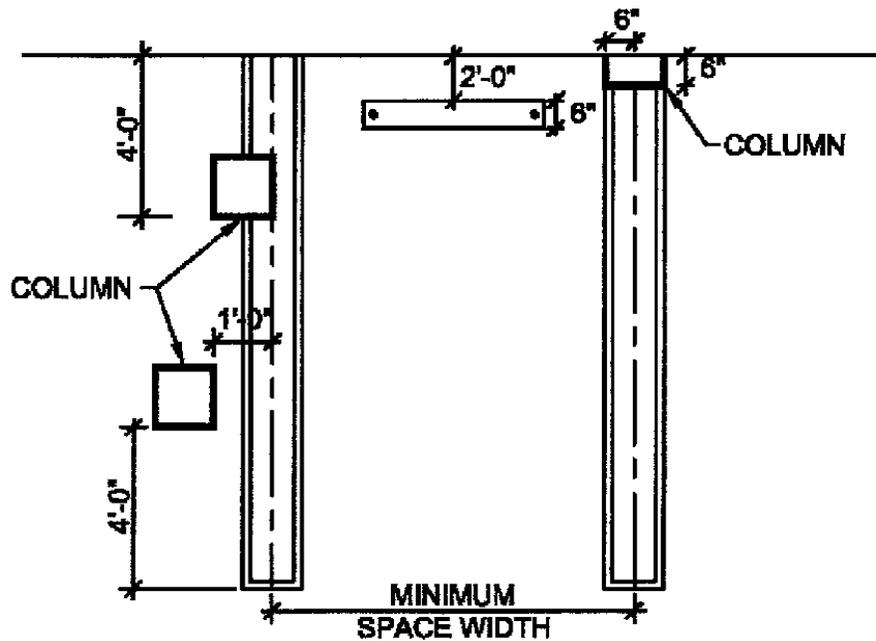
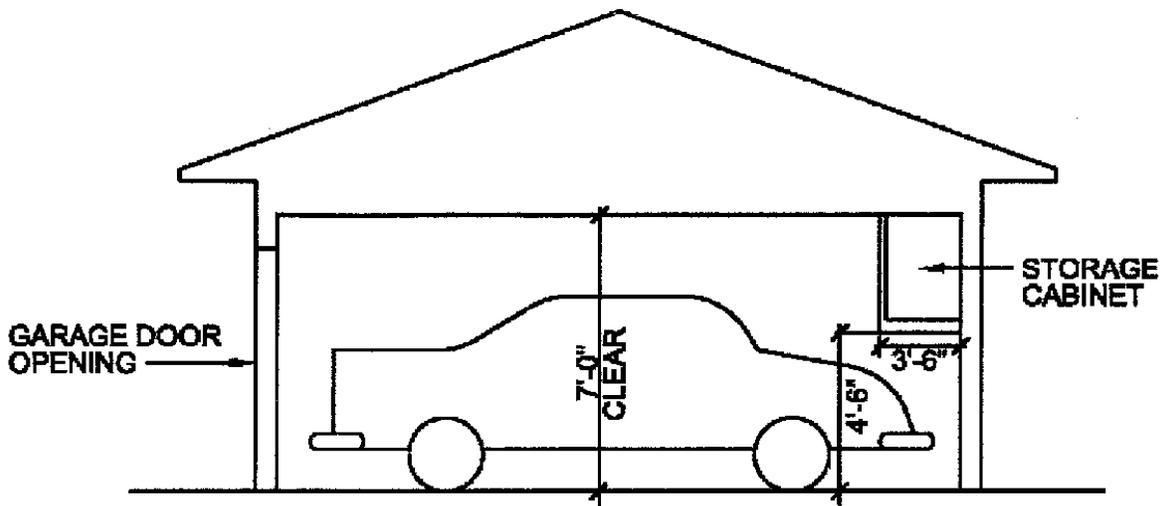
1. Tandem spaces for single- and two-family dwellings must be assigned to the same unit.
2. Tandem parking is permitted for multiple-family residential developments involving density bonuses, pursuant to Government Code section 65915.
- 3. Parking provided in excess of the required number may be tandem in configuration.**

The Director may approve adjustments to the required number and standards for tandem parking spaces as provided in Chapters 22 and 23 of this title, subject to conditions. The conditions may include recording of a covenant agreement, requiring a parking attendant, requiring valet service, and other operational conditions. The Director may also approve tandem parking in excess of the above limits for permitted temporary uses and/or special events.

LK. Parking Clearance and Obstructions:

1. Vertical Clearance: The minimum vertical clearance for all parking areas must be seven feet.
 - a. Exceptions: Storage cabinets and other obstructions shall be permitted in an area above the front end of parking spaces that must be at least 4.5 feet above the ground and no more than 3.5 feet from the front end of the space.
2. Horizontal Clearance: Parking spaces located next to walls, columns, or similar obstructions must provide an additional one foot of clearance on the side of the obstruction.
 - a. Exceptions:
 - (1) Columns or similar obstructions are permitted in the one-foot clearance area four feet of the front and rear end of a parking space.
 - (2) Walls, columns, or similar obstructions may project six inches into the front end corners of a parking space.
 - (3) In existing parking facilities, standard parking spaces may be reduced in length by up to two feet to accommodate installation of electric vehicle charging stations.**
3. Disabled Access: Where necessary to comply with the Americans With Disabilities Act (ADA), title III and California Code of Regulations (CCR), California Access Code, title 24, parking facilities may deviate from the parking clearance and obstructions standards.

FIGURE 5 - REQUIRED CLEARANCE AND PERMITTED OBSTRUCTIONS



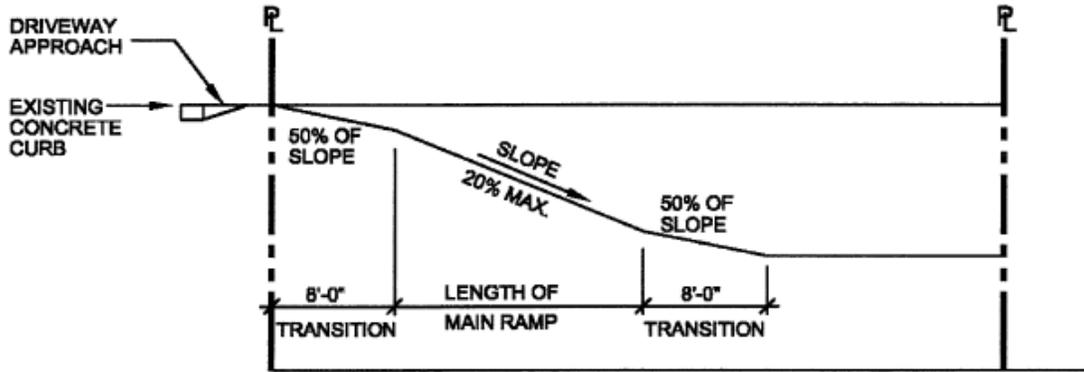
4. The Director of Planning and Building Safety may approve adjustments to the parking clearance and obstructions standards as provided in chapter 24, "Adjustments", **Chapters 22 and 23** of this title.

ML. Vehicle Ramps:

Maximum slope	20 percent
Transitions slopes	Required at each end of ramps that exceed a 6 percent slope
Maximum transition length	8 feet
Slope of transitions	50 percent of the main ramp slope

FIGURE 6 - VEHICLE RAMP DESIGN

FIGURE 6 - VEHICLE RAMP DESIGN



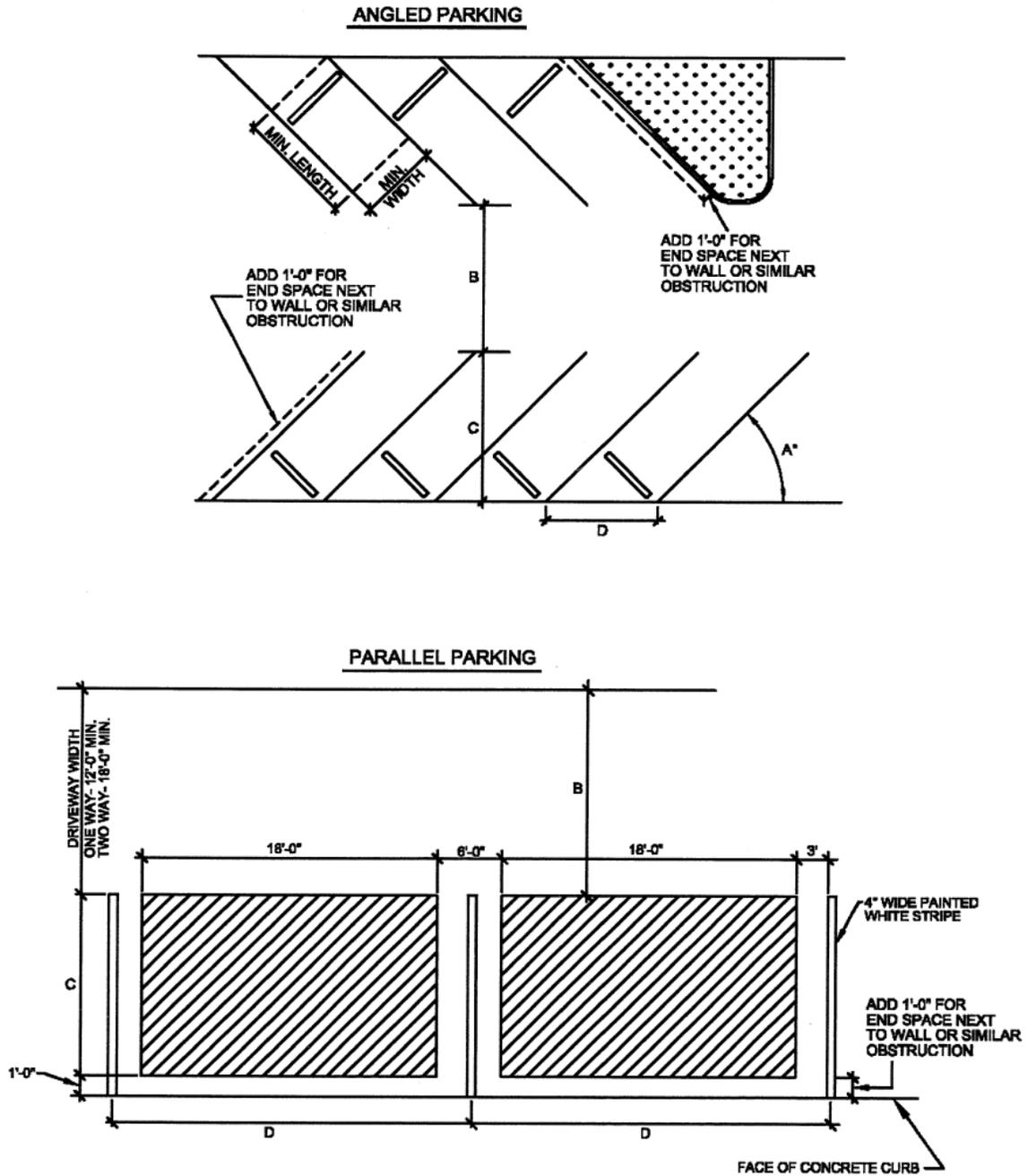
The Director may approve adjustments to the vehicle ramps standards as provided in Chapters 22 and 23 of this title.

NM. Drive Aisle Width and Parking Row Depth:

Parking Angle	Aisle Width - One-Way	Aisle Width - Two-Way	Standard Space Depth	Compact Space Depth	Space Width
A	B	B	C	C	D
0° - parallel	12'	18'	8.5'	8.5'	24'
30°	12'	18'	16.36'	14.86'	17'
45°	15'	18'	18.74'	16.62'	12.02'
60°	16'	18'	19.84'	17.24'	9.82'
90°	25'	25'	18'	15'	8.5'

FIGURE 7 - PARKING AISLE AND PARKING SPACE DIMENSIONS

FIGURE 7 - PARKING AISLE AND PARKING SPACE DIMENSIONS



1. For 90-degree parking, the parking aisle width can deviate from the above requirements based on the following table:

EXCEPTIONS FOR 90° PARKING ANGLE¹

Parking Space Minimum Width (in feet)	Aisle Width (in feet)
---------------------------------------	-----------------------

8.5	25
9.0	24
9.5	23
10	22

Note:

1. The exceptions for 90-degree parking do not apply to garages for single- and two-family dwellings.
2. The Director may approve adjustments to the drive aisle width and parking space depth standards as provided in Chapters 22 and 23 of this title.

EN. Driveway and Curb Cuts: All curb cuts and driveways must lead directly to required parking. Curb cuts not leading to parking, must be removed whenever new buildings are constructed or additions are made to existing buildings. The location and design of all driveway entrances and exits must comply with the standards listed below. The goal of these standards is to: 1) preserve on street parking spaces, 2) improve traffic safety, and 3) improve on site vehicle circulation.

1. Driveway and Curb Cut Width:

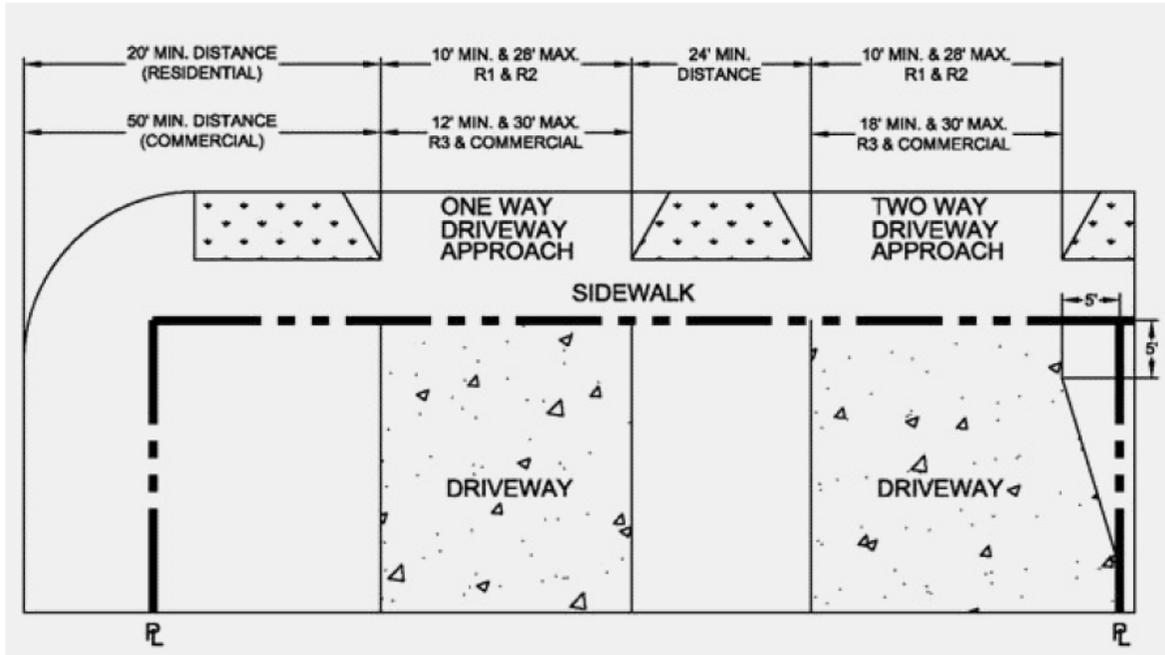
Zone	Curb Cut Width (in feet) ¹		Driveway Width (in feet)	
	Minimum	Maximum	Minimum	Maximum
R-1 and R-2 - lots less than 50 feet wide	10	20	10	20
R-1 and R-2 - lots at least 50 feet wide	10	25	10	28
R-3 - serving 12 or fewer parking spaces or one-way	12	30	12	30
R-3 - serving 13 or more parking spaces or two-way	18	30	18	30
Nonresidential - one-way	12	30	12	30
Nonresidential - two-way	18	30	18	30

Note:

1. Curb cut width excludes the width of aprons.
2. Curb Cut Locations:

Zone	Minimum Distance Between Curb Cuts On The Same Property	Minimum Distance From Curb Cuts To Street Corners	Minimum Distance From Curb Cuts To Property Lines
Residential	24 feet	20 feet	5 feet
Nonresidential	24 feet	50 feet	5 feet

FIGURE 8 - CURB CUT AND DRIVEWAY LOCATIONS



- The Director may approve adjustments to the driveway and curb cut standards as provided in Chapters 22 and 23 of this title.

PO. Corner Clearance and Driveway Visibility: All parking areas must meet the corner clearance and driveway visibility standards as provided in chapter 2, “General Provisions”, of this title.

QP. Drive-Through Facilities:

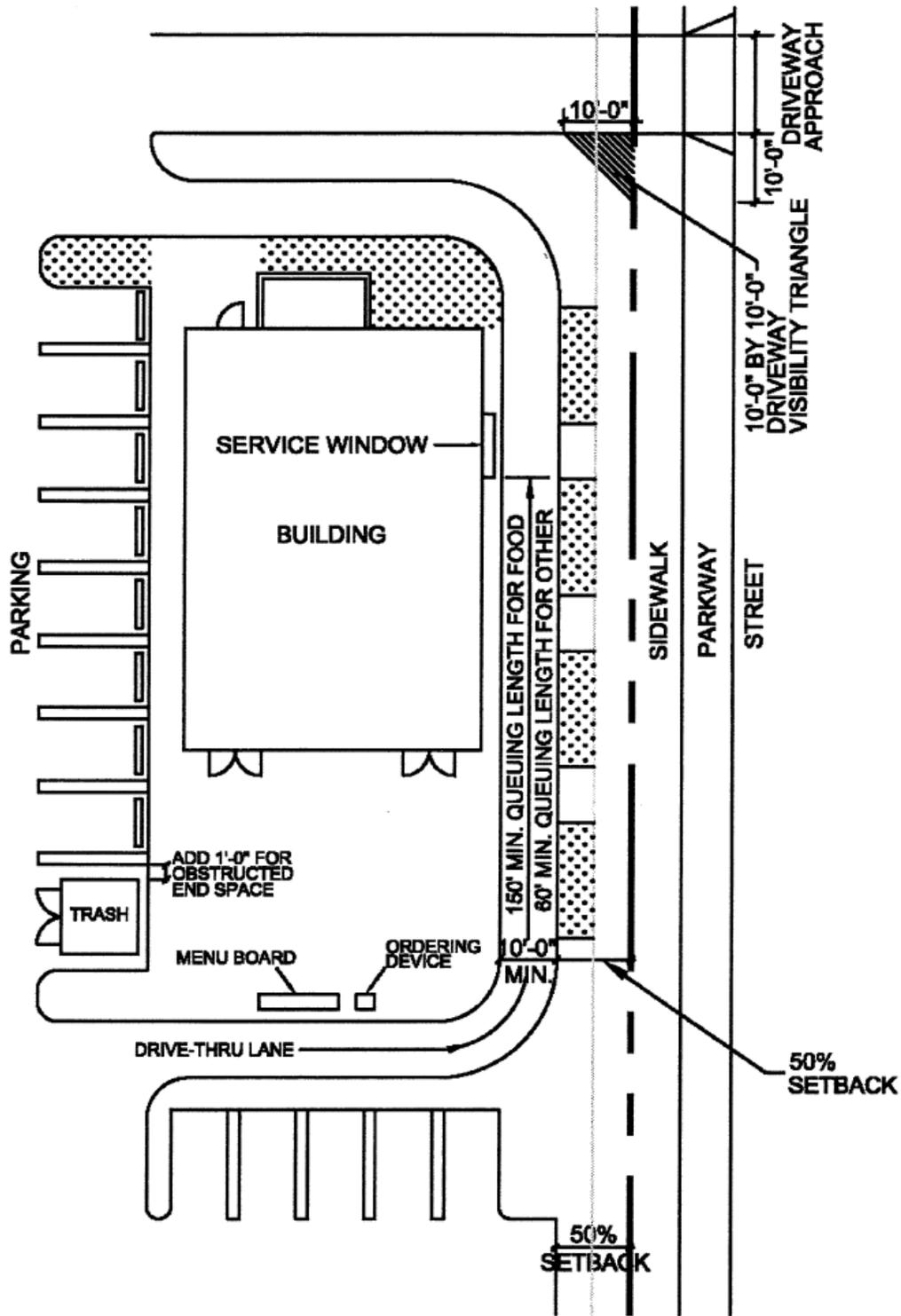
- Drive-through lanes may encroach into required landscaped setbacks up to a maximum of 50 percent of the required setback area, provided a minimum landscaped setback of five feet is maintained.
- Drive-through lanes must be located and designed in such a manner as to not interfere with on-site and off-site circulation. The location and design of the drive-through lane is subject to Director review and approval.

DRIVE-THROUGH LANE DIMENSIONS

Use	Minimum Length (Continuous)	Minimum Width
Eating and drinking establishments	150 feet	10 feet
Banks, pharmacies, and cleaners	60 feet	10 feet

FIGURE 9 - DRIVE-THROUGH FACILITIES

FIGURE 9 - DRIVE-THROUGH FACILITIES



3. The Director may require wider or longer drive-through lanes, subject to a queuing study.

4. The Director may approve adjustments to the drive-through facilities standards as provided in Chapters 22 and 23 of this title.

RQ. Parking Structure Standards:

1. The following setback requirements apply to all subterranean parking facilities:

Zone	Projection Above Grade	Setback
Residential	Completely subsurface	Must meet required front setback
		No rear or side setback required
	No more than 3 feet above grade	Must meet required setbacks
	More than 3 feet above grade	Must meet required setbacks and must be screened from public view
Nonresidential	Completely subsurface	No setbacks required ¹
	Above grade	Must meet required setbacks

Note:

1. The parking structure must be designed in such a manner as to maintain sufficient soil above for landscaping (ground cover, shrubs and trees) to grow above grade.
2. The Director may approve adjustments to the parking structure standards as provided in Chapters 22 and 23 of this title.

SR. Special Residential Parking Provisions:

1. Covered parking: All required parking spaces must be covered and enclosed in the following manner:

Use	Minimum Parking Enclosure
Single- and two-family dwellings	Fully enclosed garage
Multiple-family dwellings	Covered structure enclosed on 3 sides
Guest parking spaces	May be uncovered and unenclosed

2. Residential Garage Openings: All garages must meet the minimum and maximum widths listed below:

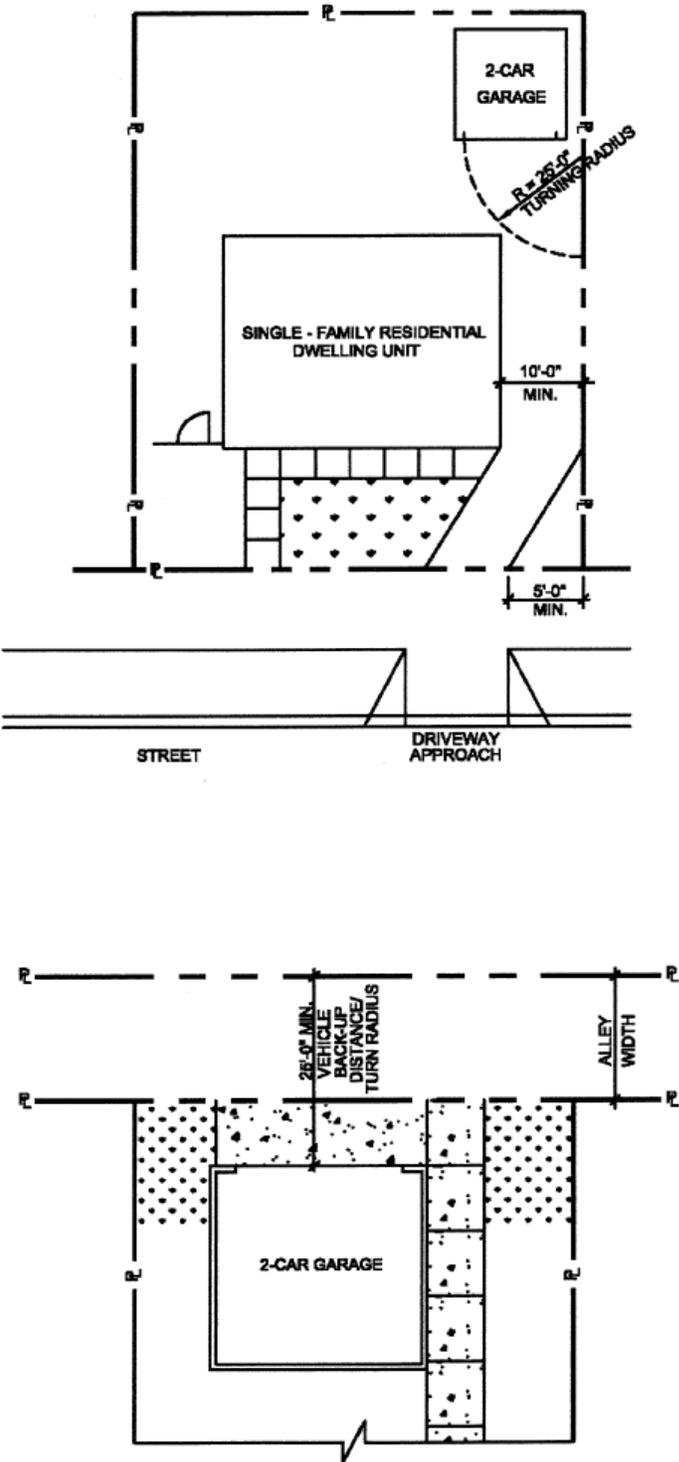
Type Of Garage	Minimum Opening Width	Maximum Opening Width
Single car	8 feet	14 feet
2Two car	16 feet	20 feet
Multiple-family residential	16 feet	Equal to the drive aisle width it serves

3. Residential Turn Radius Requirements:

- a. One or two car garages located behind a residence must provide a minimum turning radius of 25 feet.
- b. Residential garages that take access directly from an alley may measure the required turn radius to the opposite side of the alley.

FIGURE 10 - RESIDENTIAL TURN RADIUS AND ALLEY ACCESS

FIGURE 10 - RESIDENTIAL TURN RADIUS AND ALLEY ACCESS



- 4. The Director may approve adjustments to the special residential parking provisions standards as provided in Chapters 22 and 23 of this title.

~~TS~~. Vehicle Lifts: Vehicle lifts may be used by right to provide off street parking spaces on lots in the single-family residential (R-1) zone and the two-family residential (R-2) zone where the vehicle lifts provide parking in excess of the minimum number of required parking spaces subject to the standards in this section and in this chapter.

1. ~~A conditional~~**An administrative** use permit is required for vehicle lifts providing required off street parking spaces on lots in the R-1 and R-2 zones subject to the following:
 - a. The vehicle lift must be located only within a fully enclosed garage.
 - b. A vehicle lift may only be used to store two vehicles vertically where a minimum vertical height clearance from the floor to the ceiling plate of the garage is a minimum of 14 feet clear of obstructions.
 - c. A vehicle lift must be designed and used as a designated parking space for use only by occupants in the same dwelling unit as the parking space located directly below the vehicle lift.
 - d. A vehicle lift must be permitted only if it is operated with an automatic shutoff safety device, ~~and is installed in accordance~~**according** to manufacturer specifications, **and is operable at all times**.
2. ~~In the R-2 zone, vehicle lifts for required off street parking are subject to the following additional requirements:~~
 - a. ~~The vehicle lift must be used only on a lot less than 45 feet in width.~~
 - b. ~~A vehicle lift must only be used to meet the minimum number of required off street parking spaces in addition to a minimum of two fully accessible parking stalls located on the floor surface within a garage or garages.~~

2. In nonresidential zones, vehicle lifts are permitted as tandem spaces, subject to the limitations in ESMC § 15-15-5(K), and may store up to two vehicles vertically.

SECTION 41: Subsection (A) of § 15-15-6 (Automobile spaces required) is amended as follows:

A. Automobile Spaces Required

Use	Number Of Parking Spaces Required
Commercial:	
	* * *
<u>Motion picture/television studio/sound stages (indoor)</u>	<u>1 space for each 500 square feet for the first 25,000 square feet</u> <u>1 space for each 1,000 square feet for the area in excess of 25,000 square feet</u>
	* * *
Group care:	
Daycare (adult and children)	1 for every 7 adults/children, plus 1 space for each employee and faculty member

<u>Daycare (children)</u>	<u>1 space for each 1 classroom, plus 1 space for each employee and faculty member</u>
* * *	

SECTION 42: Subsection (B) of § 15-15-6 (Bicycle spaces required) is amended as follows:

B. Bicycle Spaces Required:

Use	Number Of Bicycle Spaces Required
Single-family and two-family dwellings	None
Multiple-family residential	10 percent of the required vehicle parking spaces for projects with 6 or more units
Nonresidential	A minimum of 4 spaces for buildings up to 15,000 square feet, plus a minimum of 5 Five percent of the required vehicle spaces for the portion above 15,000 square feet. <u>with a minimum of 4 spaces and a Maximum maximum</u> of 25 spaces

The Director may approve adjustments to reduce the requirement for bicycle spaces.

SECTION 43: Subsection (A) of ESMC § 15-18-5 regarding Master Sign Programs is amended as follows:

15-18-5: MASTER SIGN PROGRAMS, APPLICATIONS, AND PERMITS:

A. Master Sign Programs: Multi-tenant developments of three (~~3~~) or more commercial tenants require an approved Master Sign Program by the Director or their designee. No permit may be issued for an individual sign requiring a building permit until a required Master Sign Program is approved. A Master Sign Program is not required for a development, lot, or business that has less than three (~~3~~) tenants.

1. ~~Application For Master Sign Program:~~ An application for the Master Sign Program must include:

- a. Accurate plot plan of the lot;
- b. Location of buildings, parking lots, driveways, and landscaped areas;
- c. Computation of the maximum sign area allowed, maximum area allowed for individual signs, height and number of signs, and total building wall area on which signs are proposed;
- d. Proposed location of each sign, present and future, whether requiring a permit or not, shown on both the plot plan and elevations;
- e. On site signs including, but not limited to, building marker signs, directional signs, identification signs and onsite signs used for either ingress or egress,

- identification of facilities or similar features must be submitted as a part of a Master Sign Program;
- f. Optional consistency standards among all signs on the lots affected by the program with regard to:
 - (1) Color scheme;
 - (2) Lettering or graphic style;
 - (3) Lighting;
 - (4) Material; and/or
 - (5) Sign dimensions;
 - g. Payment of the applicable fees established by the City Council.
2. Window Signs: A Master Sign Program may indicate the areas and general types of window signs without specifying the exact dimension or nature of every window sign.
 3. Consent: Master Sign Programs must be signed by the property owner or their authorized agent.
 4. Review Procedure: ~~Within ten (10) working days of~~ **Director decisions on Master Sign Programs shall be ministerial. After** receiving a complete Master Sign Program application, the Director **or designee** must either:
 - a. Approve the proposed program if it conforms with the provisions of this chapter; or
 - b. Deny the proposed program if it fails to conform with the provisions of this chapter. In cases of a denial, the Director will specify in writing the sections of this chapter with which the program is inconsistent. The Director's determination may be appealed pursuant to chapter ~~25~~**29** of this title.
 5. Modifications: Any new sign locations or the increased size of signs require an application for an amended Master Sign Program that conforms to all requirements of this chapter. Minor changes to signs including, but not limited to, color scheme, material, sign dimensions, location on building face, ~~at the discretion of the Director~~ do not require an amended Master Sign Program.

SECTION 44: ESMC Chapter 15-30 (Enforcement; Penalty) is amended as follows:

**Chapter 30
ENFORCEMENT; PENALTY**

15-30-1: AUTHORITY TO INSPECT
15-30-2: VIOLATIONS; PENALTIES

15-30-1: AUTHORITY TO INSPECT

Whenever necessary to make any inspection to enforce any of the provisions of this Title, the ~~Director of Community, Economic and Development Services~~ or an authorized representative of the Director, is authorized to enter any property, premises, or building at all reasonable times. If such property, premises, or building is occupied, the Director or his/her representative shall first present proper credentials and request entry; and if such building or premises is unoccupied, a reasonable effort shall be made to locate the owner

or other persons having charge or control of the property, premises, or building to request entry. If entry is refused, the Director of Community, Economic and Development Services or his or her authorized representative may seek an administrative inspection warrant and shall have recourse to every remedy provided by law to secure entry.

15-30-2: VIOLATIONS; PENALTIES

A. ~~Failure To Comply With Provisions~~**to comply with provisions**: It shall be unlawful for any person to violate any provisions of this Title or fail to comply with any requirements of this Title. It shall further be unlawful for any person to operate, erect, move, alter, enlarge or maintain any use which is contrary to the provisions of any permit, approval, or condition of approval obtained pursuant to this Title. A violation or failure to comply with any of the provisions of this Title, or any permits, approvals or conditions of approval issued pursuant to this Title shall constitute an infraction; except that any such violation may, at the discretion of the City, be charged and prosecuted as a misdemeanor.

B. Penalty, ~~Infraction~~**infraction**: Any person violating provisions of this Title may be deemed guilty on an infraction and, upon conviction thereof, shall be punishable by a fine as set forth in Section [1-2-1](#) of this Code.

C. Penalty, ~~Misdemeanor~~**misdemeanor**: Any person violating provisions of this Title may be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable as provided in Section [1-2-1](#) of this Code.

D. ~~Each Day A Separate Offense~~**day a separate offense**: Each person found guilty of a violation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this Title is committed, continued or permitted by such person and shall be punishable therefor as provided for in subsection C of this Section. Any use, occupation or building or structure maintained contrary to the provisions hereof shall constitute a public nuisance.

SECTION 45: ESMC §§ 15-31-3 through 15-31-6, inclusive, of ESMC Chapter 15-31 (Right of way Dedications and Improvements) are amended as follows:

15-31-3: DEDICATION

A. Dedication: Unless otherwise provided, any development requiring an environmental assessment located on a lot abutting public rights of way, must dedicate a portion of that lot to widen the public rights of way in accordance with the standards in exhibit C-8 of the general plan circulation element. Property dedications must be noted on building plans before the city issues a building permit and the dedications must be made before the city approves a final inspection for a building permit or issues a certificate of occupancy for a proposed project. The director is authorized to substitute an irrevocable offer to dedicate or to substitute a combination of a dedication and an irrevocable offer to dedicate for public rights of way in compliance with the standards in exhibit C-8 of the general plan circulation element and subject to section [15-24A-4](#) of this chapter.

B. Width: Table 1 of this section, is based on exhibit C-8 of the general plan circulation element and establishes the standard right of way widths for the various classifications for public rights of way. The right of way dedication on an individual lot is that portion of private property necessary to provide one-half (1/2) of the required standard width, measured from the centerline of the street.

TABLE 1

Right Of Way Classification	Minimum Width (Feet)
Major arterial	142 - 150 (varies based on lane configuration)
Secondary arterial	98 - 120 (varies based on lane configuration)
Collector (divided)	80
Collector	64
Local:	
Commercial	60 - 64 (varies based on lane configuration)
Residential	60
Alley	20

1. Greater Widths: Greater widths may be required as by the director of public works or designee conditions of subdivision maps, site plan review, conditional use permits or standards variances.
2. Reduced Widths: The required standard width may be reduced at specific locations on specific streets due to unusual conditions, as authorized by the director of public works or designee.

C. ~~Effect On Required Yard Areas And Building Area~~ **on required yard areas and building area ratios**: All required yard areas, lot coverage and floor area ratio calculations must be measured after the dedication or reservation. If the director of public works requires an irrevocable offer to dedicate, the required yard areas, lot coverage and floor area ratio calculations may be measured not including the area of dedication or reservation.

15-31-4: IMPROVEMENTS

A. Applicability: Before the city approves a final inspection for a building permit or issues a certificate of occupancy for any development or change of use, a property owner must make all required improvements and repairs to abutting public rights of way. The improvements and repairs must extend along the width and depth of the property and for a reasonable distance beyond the property as is necessary to complete the improvement or repair. Existing improvements that are damaged and that may have been damaged during construction of the building must also be repaired.

B. Required Improvements **improvements**; All Development: Development or a change of use is required to provide the following right of way improvements that the director determines to be required and applicable:

1. ~~Sidewalk/Wheelchair Ramps And Parkway~~**wheelchair ramps and parkway**: Construction or repair of a sidewalk/wheelchair ramp and parkway adjoining the site. The sidewalk/wheelchair ramp must have a minimum clear width of five feet (5') and a parkway, or six feet (6') if the sidewalk adjoins the curb.
2. ~~Curb And Gutter~~**and gutter**: Construction or repair of curbs and gutters adjoining the site. All unused curb cuts must be replaced with a full height curb and gutter.
3. ~~Parkway Trees~~**trees**: Any missing or damaged parkway trees must be replaced with a minimum ~~twenty four inch (24")~~**24-inch** size box tree in accordance with [title 9, chapter 3](#) of this code and administrative policies and procedures promulgated by the city manager.
4. ~~Alley Paving~~**paving**: Construction, replacement, repair or extension of alley paving up to standard width. The alley must be paved the length of the site. If vehicle access is taken from the alley, the director may also require that the alley be paved to a point where the alley intersects a paved public right of way, and curb returns must be relocated as necessary.
5. ~~Roadway Paving~~**paving**: Repair or replacement of roadway paving to standard street width as required in exhibit C-8 of the general plan circulation element.

C. ~~Required Improvements~~**improvements**; ~~New Development Requiring an Environmental Assessment~~**new development requiring an environmental assessment**: In addition to the improvements required by this section for development, the following right of way improvements must be provided:

1. ~~Alley Lighting~~**lighting**: Construct or install on site alley lighting.
2. ~~Roadway Paving~~**paving**: Construction or extension of roadway paving to standard street width as required in exhibit C-8 of the general plan circulation element.
3. ~~Traffic Signals And Street Signs~~**signals and street signs**: Provide a prorated share of the cost of all roadway signal and street sign modifications attributable or partly attributable to the development.
4. ~~Streetlights~~: Install or relocate streetlights. This may include widening the right of way as necessary.
5. ~~Utilities Relocation~~**relocation**: Relocate utilities as necessary to provide for the improvements set forth above.

D. ~~Standards~~: All improvements within public rights of way must be installed in conformance with the specifications on file with the city engineer's office.

15-31-5: RELIEF FROM REQUIREMENTS:

The director may waive requirements of this chapter if the director determines that such improvements are unnecessary for a public purpose or that the cost of the improvement is proportionally excessive when compared to the scale of the project or the demand generated by the project subject to the findings set forth below. The determination of the director may be appealed to the planning commission in accordance with [chapter 259](#) of this title.

A. ~~Proposed Waiver~~**waiver**: To waive the need for improvements and dedications otherwise required by this chapter, the director must find upon substantial evidence that:

1. The proposed waiver maintains the minimum roadway width necessary for emergency vehicle access as determined by the fire chief;
2. The proposed waiver maintains the minimum roadway width and lane widths deemed necessary for safe two-directional vehicular passage. The minimum lane width cannot be less than ~~ten feet (10')~~ **10 feet** in width for a travel lane and eight feet (~~8'~~) in width for a parking lane;
3. The proposed waiver will maintain the necessary roadway width for the traffic volumes projected during the general plan buildout as determined by the director of planning and building safety unless the director determines that the dedication or irrevocable offer to dedicate will require the removal of all or a portion of an existing building;
4. The proposed waiver complies with any requirements of state and federal regulations, including, without limitation, disabled access requirements for public sidewalks;
5. The proposed waiver would not be detrimental to the neighborhood or district in which the property is located;
6. That the proposed waiver is necessary in order that the applicant is not unreasonably deprived the use or enjoyment of his property; and
7. The proposed waiver is consistent with the legislative intent of this title.

B. Conditions: If the director grants a waiver, the director may impose such conditions necessary to safeguard public health, safety, and welfare. In all instances the director must impose the following conditions:

1. Establish a term during which the irrevocable offer to dedicate is effective.
2. The waiver does not become effective for ~~ten (10)~~ days from when it is granted or, if an appeal is filed, there is a final determination.
3. The waiver becomes null and void if it is unused for ~~one hundred eighty (180)~~ days from its effective date.

15-31-6: NOTIFICATION:

A. Copies of the findings and decision of the director must be mailed to the applicant and all ~~persons~~ **property owners** within ~~three hundred feet (300')~~ **300 feet and occupants within 150 feet** of the proposed project site.

SECTION 46: ESMC § 15-32-9 regarding Development Impact Fee Refunds is amended as follows:

15-32-9: REFUNDS

A. Except as described in this section, upon application of the property owner, the city must refund that portion of any impact fee which has been on deposit over five (~~5~~) years and which is unexpended and uncommitted. The refund will be made to the then current owner or owners of lots or units of the development project or projects, provided that the then current owner submits an application for a refund to the city within ~~one hundred eighty (180)~~ days before the five (~~5~~) year period expires. **The Community Development Director, the Public Works Director, or their designee must review and approve refund applications.**

B. If fees in any impact fee account are unexpended or uncommitted, starting with the fifth fiscal year after the first deposit into the account or fund, and every subsequent five (5)-years, the city council must make the findings required by Government Code section 66001(d) for maintaining funds on deposit. If the council makes such findings, the fees are exempt from the refund requirement.

C. The city may issue refunds through direct payment; offsetting the refund against other impact fees due for development projects by the owner on the same or other property; or otherwise by agreement with the owner. If the costs of refunding the impact fees would exceed the amount refunded, the city may instead comply with Government Code section 66001(f).

SECTION 47: Construction. This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 48: Enforceability. Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 49: Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 50: Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 51: Recordation. The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 52: This Ordinance will go into effect and be in full force and effect 30 days after its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2023.

Drew Boyles, Mayor

APPROVED AS TO FORM:

By: _____
Mark D. Hensley, City Attorney

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL SEGUNDO)

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. _____ was duly introduced by said City Council at a regular meeting held on the ____ day of _____ 2023, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the ____ day of _____, 2023, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tracy Weaver, City Clerk