



## Staff Report

**TO:** Planning Commissioners  
**FROM:** Carole Kendrick, Planning Manager  
**DATE:** October 26, 2021  
**SUBJECT:** **Plot Plan (PP2021-0335) and Environmental (ENV 2021-0016) for the Construction and Operation of a Battery Energy Storage Project Commonly Referred to as “Terra-Gen” Located at 248 Veile Avenue (APN’S: 417-110-012, 417-130-012 and 417-130-005) in the Manufacturing (M) Zone**

**APPLICANT:** Beaumont ESS, LLC

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### **Background and Analysis:**

The applicant is requesting approval of application for a plot plan and modification of standards, submitted on February 19, 2021. The application entails a 100-megawatt lithium-ion stationery battery energy storage project located on the east side of Veile Avenue, the west side of Elm Avenue, south Fourth Street and north of First Street.

**Plot Plan PP2021-0335** is required by the Beaumont Municipal Code per Section 17.02.070 to establish a new land use. The proposed project is to construct and operate an energy storage facility use which is permitted per Beaumont Municipal Code Table 17.03-3, that was recently amended to include energy storage facilities consistent with alternative energy legislation and policies.

**Variance V2021-0092** is required by the Beaumont Municipal Code per Section 17.02.120 which allows a modification of standards to grant minor relief from development standards, under limited circumstances, when the granting of such relief will provide for better design and function that includes any deviation in the permitted maximum height or location of a fence or wall. The applicant is requesting increased wall heights between eight (8) and nine (9) feet, which exceeds the maximum height in allowed in the zone but is consistent with the recently adopted ordinance related to energy storage facilities.

**Environmental (ENV2021-0016)** due to the scope of the project, an initial study was prepared in compliance with the California Environmental Quality Act (CEQA) and determined that the project is exempt under CEQA checklist 15183. The Environmental Documentation section in this staff report provides additional information.

**Project Setting:**

The 6.96-acre site includes three (3) parcels and is partially disturbed on the northern portion of the parcel with the remaining area to the south being vacant and unimproved. The Veile Avenue frontage includes a rolled asphalt curb with no other improvements. The Elm Avenue frontage includes a rolled asphalt curb on the north portion of the subject property and no improvements exist on Elm Avenue as you head south along the frontage. The subject properties are surrounded on the north, south and west by commercial and industrial uses, including the SCE Maraschino substation and a recycling facility and auto-wrecking yard (currently operated as Diamond Hills Recycling and M&M Auto Wrecking Yard). Single Family Residential uses are located to the east of the subject properties on the east side of Elm Avenue.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment D),
- Zoning Map (Attachment E), and
- Aerial Photograph (Attachment F).

The land uses, zoning, and General Plan land use designations of the project site and surrounding area are shown in the following table.

	<b>LAND USE</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>
<b>PROJECT SITE</b>	Vacant Land	I (Industrial)	M (Manufacturing)
<b>NORTH</b>	SCE Maraschino substation	I (Industrial)	M (Manufacturing)
<b>SOUTH</b>	Vacant Land	I (Industrial)	M (Manufacturing)

<b>EAST</b>	Single Family Residences	SFR (Single Family Residential)	RSF (Residential Single Family)
<b>WEST</b>	Auto Wrecking and Towing Yard	I (Industrial)	M (Manufacturing)

**Site Design & Operations:**

The project is a 100 MW/400 MWh lithium-ion stationary battery energy storage project proposed on three (3) separately owned parcels, which will be developed by the applicant under a long-term lease with the individual property owners. The site encompasses approximately 7 acres of vacant, previously disturbed property designated as Industrial (I) in the City’s General Plan and zoned M (Manufacturing).

The project’s batteries will be installed in racks that are housed in outdoor battery energy storage system (BESS) enclosures that will be accessed from the outside via metal cabinet doors for maintenance needs. Because the size of each battery enclosure varies widely by manufacturer, the total number of enclosures to be installed will not be known until a manufacturer has been selected. In all cases, however, the project area containing the battery enclosures will remain the same at approximately 178,000 square feet. This figure represents the overall site area (302,839 square feet or 6.95 acres) net of easements, dedications, setbacks, roads and detention ponds.

The project will be charged from the electric grid via the project’s interconnection to SCE’s existing 115 kV Maraschino substation at the Maraschino-Banning transmission line (the point of interconnection [POI]) at the Maraschino substation in Beaumont, located immediately adjacent to the project site. Energy stored in the project will then be discharged into the grid when the energy is needed, providing important electrical reliability services to the local area.

In addition to regularly scheduled maintenance and as part of project operations, augmentation of batteries and battery enclosures will be required. Depending on technology selection, augmentation could include replacement of batteries within enclosures and/or the phased installation of BESS enclosures over the life of the project. In order to fully analyze potential impacts from the project, all battery enclosures that would be constructed and operated through the life of the project have been included in project’s planning and impact assessments.

The site would be fully enclosed by eight (8) to nine (9) foot block walls and would not be open to the public. Access to the project site will be provided from Veile Avenue. Access for operational, fire department, and emergency vehicles to the facility will comply with City regulations.

At the end of the project's useful life, it will either be replaced with a new energy storage project or decommissioned. Decommissioning will involve the removal of the project equipment from the project site and the restoration of the project site to pre-project conditions. Most of the project's electrical equipment (breakers, transformers, inverters) would be removed and recycled. Project batteries would be returned to battery manufacturer or an appropriate facility for recycling. Equipment foundations and pads would be demolished and removed. Prior to the approval of a building permit, a decommissioning plan is required to be submitted to the City of Beaumont in accordance with Chapter 17.11.160 Energy Storage Facilities of the Municipal Code and has been conditioned as part of the project approval.

The attached development plans (Attachment C) include the site layout, grading, elevations and conceptual landscaping.

#### **Hours of Operation:**

The project will operate 24 hours a day, seven (7) days a week and will be un-manned during operations. The project as proposed does not include any occupied buildings or habitable structures. Approximately 2 to 4 staff members will visit the site bi-weekly for ongoing maintenance.

#### **Multi-Species Habitat Conservation Plan (MSHCP):**

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

#### **Development Review Committee (DRC):**

The Development Review Committee reviewed for the project for design on March 11, 2021, April 29, 2021, and September 30, 2021. Staff from the various City departments provided written comments that have been incorporated into the proposed conditions of approval.

## **Environmental Documentation:**

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent, (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

The Project is consistent with the analysis performed for the City's General Plan 2040 Update (GP) Final Program Environmental Impact Report (EIR) certified in October 2020 (City of Beaumont 2020a). A comprehensive environmental evaluation has been completed for the Project as documented in the attached §15183 Exemption Checklist. This evaluation concludes that the Project qualifies for an exemption from additional environmental review because it is consistent with the land use characteristics established by the City's General Plan, as analyzed by the City of Beaumont General Plan Update Final Program EIR, and all required findings can be made. In accordance with CEQA Guidelines §15183, the Project qualifies for an exemption because the following findings can be made:

1. The Project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified,
2. There are no Project specific effects which are peculiar to the Project or its site, and which the GP EIR failed to analyze as significant effects,
3. There are no potentially significant off-site and/or cumulative impacts which the GP EIR failed to evaluate,

4. There is no substantial new information which results in more severe impacts than anticipated by the GP EIR, and
5. The Project will undertake feasible mitigation measures specified in the GP EIR as applicable.

### **Public Communications:**

On October 15, 2021, property owners located within a 300-foot radius of the project site were notified of the public hearing. In addition, a notice was published in the Press Enterprise newspaper with a 10-day advanced notice of the hearing. At the time of report preparation, the Planning Department has not received any letters of comment from the public in favor or opposition to the project. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

The applicant also initiated public outreach with the adjacent property owners on Elm Avenue on May 27, 2021, with a letter that provided information regarding the proposal and contact information for the applicant's representative and City staff. A copy of the letters provided is included as Attachment I of this staff report. The applicant nor City staff received any comments generated from the May 27, 2021, letters.

Direct contact was attempted on June 1, 2021, and contact was made with Ms. Megan McClung at 330 Elm Avenue, who indicated to the applicant that she did not have any concerns regarding the proposed project. Contact was also made with Mr. Todd Campbell a handyman performing work at 334 Elm Avenue, who indicated that they would pass along contact information to the property owner. Second attempts to make direct contact with residents did not successful in making any direct contact.

Letters of support have also been received by staff that include the Beaumont Chamber of Commerce, Beaumont-Cherry Valley Recreation and Park District, Mark Bogh of Bogh Engineering and property owner directly across Elm Avenue, Zach Scrivener – Kern County Board of Supervisor, Second District, Bill Persall – nearby property owner, and, Allen Bogh, nearby property owner. The support letters are provided as Attachment J of this staff report.

### **Planning Commission Authority:**

A plot plan is required per Section 10.02.070 to establish a new land use, or to assume an existing land use, consistent with the zoning of the proposed location and requires a public hearing conducted by the Planning Commission. The Beaumont Municipal Code

Section 17.02.070.F authorizes the Planning Commission to approve, conditionally approve, or deny the application.

**Plot Plan Findings:**

1. The proposed use is permitted, or is substantially similar to a use permitted, within the subject zone and complies with the intent of all applicable provisions of the Zoning Ordinance.

*The project is subject to and is consistent with the Development Standards for the Manufacturing (M) zone. The zoning code was recently updated to include energy storage facilities as a permitted use. The use as proposed has been conditioned to comply with the development standards related to energy storage facilities.*

2. The proposed use is consistent with the objectives, policies, general plan land uses and programs of the general plan and any applicable specific plans.

*The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is Industrial (I). The proposed development is consistent with the General Plan policies.*

3. The subject site is physically suitable for the type and intensity of the proposed land use.

*The project is in an area that is predominately developed with industrial and public utility uses surrounding the site, with the exception of single-family residences that are located to the east of the project site. The is generally flat, with the land draining to east and south, and is suitable for development.*

4. The location, size, design and operating characteristics of the proposed uses is compatible with existing land uses within the general area in which the proposed use is located.

*The zoning for the project site is Manufacturing (M) and the land use designation is and Industrial (I). The proposed project is surrounded by property that is currently zoned Manufacturing and designated as Industrial in the General Plan, with the exception of the property to the east which is zoned Residential Single Family with a designation as Single Family Residential in the General Plan. The site is surrounded by partially developed land. To the west are existing auto wrecking and towing operations, to the north is the SCE Maraschino substation, single family*

*homes are located to the east and vacant land to the south. The proposed use is compatible with the surrounding manufacturing zoned properties.*

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed land use would not be detrimental to the public convenience, health, safety or general welfare.

*The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.*

6. The approval of the plot plan permit for the proposed uses is in compliance with the requirements of the California Environmental Quality Act and there would be no significant adverse impacts upon environmental quality and natural resources that cannot be reasonably mitigated and monitored.

*An Initial Study and 15183 Checklist was prepared for the project by Dudek and determined that the proposed project is consistent with the Final Program Environmental Impact Report prepared for the City's General Plan update as shown in Attachment A.*

**Recommended Action:**

Hold a public hearing,  
Approve Plot Plan PP2021-0335, subject to the attached Conditions of Approval,  
and  
Direct staff to prepare a Notice of Exemption for the applicant to file with the  
Riverside County Clerk Recorder.

**Attachments:**

- A. Initial Study – 15183 Exemption Checklist
- B. Draft Conditions of Approval
- C. Development Plan
- D. General Plan Land Use Designation Map
- E. Zoning Map
- F. Aerial Photograph
- G. Applicant's letter dated October 19, 2021, regarding the statement of operations



- H. Proof of Publication
- I. Public Outreach Letters
- J. Letters of Support

**Incorporated herein by Reference:**

City of Beaumont General Plan  
City of Beaumont Zoning Ordinance  
Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan  
Informational Map  
Contents of City of Beaumont Planning Department Project File PP2021-0335, V2021-0092, PLAN2020-0544, PLAN2021-0571 and ENV2021-0014