



**SPECIAL MEETING AGENDA
ARVIN PLANNING COMMISSION**

**THURSDAY JUNE 22, 2017 6:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

PLANNING COMMISSIONERS: Olivia Trujillo
Yesenia Martinez
Miguel Rivera
Gerardo Tinoco
Janett Zavala

Chairperson
Planning Commissioner
Planning Commissioner
Planning Commissioner
Planning Commissioner

STAFF: Marti Brown
Jake Raper
Shannon L. Chaffin
Cecilia Vela

Community Development Director
City Planner
City Attorney – Aleshire & Wynder
Secretary

PUBLIC COMMENTS:

The meetings of the City Council and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda, or on any non-listed matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

AGENDA STAFF REPORTS AND HANDOUTS:

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

CONDUCT IN THE CITY COUNCIL CHAMBERS:

Rules of Decorum for the Public

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

Removal from the Council Chambers

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

AMERICANS with DISABILITIES ACT:

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk’s office, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

1. Approval of Agenda As To Form. Motion _____ Second _____ Vote _____

Roll Call: PC Tinoco _____ PC Zavala _____ PC Rivera _____ PC Martinez _____ Chair Trujillo _____

2. PUBLIC COMMENTS

This portion of the agenda is reserved for persons wishing to address the Planning Commission. At regularly scheduled meetings, members of the public may address the Planning Commission on any matter that is not listed for review on the agenda. At special or emergency meetings, members of the public may only address the Planning Commission on matters that are listed for review on the agenda. Individuals must give their name and limit their comments to two minutes. Issues raised during Public Comments are informational only and the Planning Commission cannot take action at this time. All comments shall be directed towards the Chairperson and not to individual Commissioners or staff.

3. ELECTION OF VICE CHAIRPERSON

4. CONSENT AGENDA ITEM(S)

A. Approval of the Minutes of the Regular Meetings of February 9, 2016 and Special Meetings of April 21, 2016 and March 28, 2017.

B. Motion to approve the Minutes of the Regular Meetings of February 9, 2016 and Special Meetings of April 21, 2016 and March 28, 2017.

Motion _____ Second _____ Vote _____

Roll Call: PC Tinoco _____ PC Zavala _____ PC Rivera _____ PC Martinez _____ Chair Trujillo _____

5. PUBLIC HEARING ITEM(S)

A. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Approving I) Site Plan Review 2017-330BMB – Taco Bell and Retail Building with Conditions; and II) Adopting A Mitigated Negative Declaration.

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

Motion _____ Second _____ Vote _____

Roll Call: PC Tinoco _____ PC Zavala _____ PC Rivera _____ PC Martinez _____ Chair Trujillo _____

- B. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Adopting I) Mitigated Negative Declaration for Conditional Use Permit 2017-125EBMB Event Center; and**

Approve A Resolution of the Planning Commission of the City of Arvin Approving I) Conditional Use Permit 2017-125EBMB – Event Center and II) Adopted the Mitigated Negative Declaration, Subject to Conditions of Approval.

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve both Resolutions.

Motion _____ Second _____ Vote _____

Roll Call: PC Tinoco _____ PC Zavala _____ PC Rivera _____ PC Martinez _____ Chair Trujillo _____

6. ACTION ITEM(S)

- A. A Resolution of the Planning Commission of the City of Arvin Initiating an Amendment to Arvin Municipal Code Sections 17.02.310 (Home Occupation), 7.02.520 (Quasi-Home Occupation), and 17.08.020(D) (Permitted Uses).**

Staff recommends approval of the Resolution.

Motion _____ Second _____ Vote _____

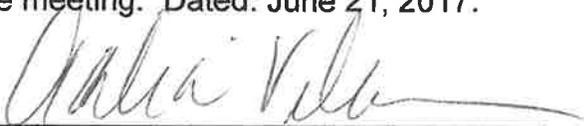
Roll Call: PC Tinoco _____ PC Zavala _____ PC Rivera _____ PC Martinez _____ VC Trujillo _____

7. REPORTS FROM STAFF

8. PLANNING COMMISSIONER COMMENTS

9. ADJOURNMENT

I hereby certify, under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on the City Hall Bulletin Board, not less than 24 hours prior to the meeting. Dated: June 21, 2017.



Cecilia Vela, Secretary

**REGULAR MEETING MINUTES
ARVIN PLANNING COMMISSION**

FEBRUARY 09, 2016

CALL TO ORDER @ 6:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: Chair Leon and PC Flores absent; All others present.

1. Approval of Agenda As To Form.

Motion to approve Agenda.

Motion PC Zavala

Second PC Tinoco

Vote 3-0

2. PUBLIC COMMENTS

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3. CONSENT AGENDA ITEM(S)

A. Approval of the Minutes of the Regular Meeting of November 10, 2015.

Staff recommends approval of the Minutes of the Regular Meeting of November 10, 2015.

Motion to approve the Minutes of the Regular Meeting of November 10, 2015.

Motion PC Zavala

Second PC Tinoco

Vote 3-0

4. PUBLIC HEARING(S)

A. Consideration and Approval of A Resolution of the Planning Commission of the City of Arvin for Tentative Parcel Map No. 2015-01, to subdivide one (1) existing parcel into two (2) proposed parcels, on property located at the south east corner of Meyer Street and El Camino Real, APN 189-351-18.

Staff recommends to open hearing, allow for public testimony, close hearing and approve the Resolution.

Hearing open.

Testimony from James Delmarter, Civil Engineer on this project: City has established a number on this project of 2015-01 however the official tentative map number is 12185 established by the County. Mr. Delmarter requested that this be placed on the record in order to identify the correct map.

Hearing closed.

Motion to approve the Resolution.

Motion PC Zavala

Second PC Tinoco

Vote 3-0

Resolution No. APC2016-01

5. REPORTS

6. PLANNING COMMISSIONER COMMENTS

7. ADJOURNED @ 6:17PM

Respectfully Submitted,

Cecilia Vela, Secretary

**SPECIAL MEETING MINUTES
ARVIN PLANNING COMMISSION**

APRIL 21, 2016

CALL TO ORDER @ 5:35 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: Chair Leon and PC Tinoco absent; All others present.

1. Approval of Agenda As To Form.

Motion to approve Agenda.

Motion PC Zavala Second PC Flores Vote 3-0

2. PUBLIC COMMENTS

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3. PUBLIC HEARING ITEM(S)

A. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending the City Council Amend the General Plan by Adopting the City of Arvin 2013-2023 Housing Element and Associated Negative Declaration. (John Oshimo, GRC Associates)

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

Hearing open.

Public testimony received from Representative Marisa from California Rural Legal Assistance opposing the current version of the Housing Element and stated it was not in legal compliance with the law.

Hearing closed.

Motion approve the Resolution.

Motion PC Flores Second PC Zavala Vote 3-0

Resolution No. APC2016-02

4. ADJOURNED @ 6:06PM

Respectfully Submitted,

Cecilia Vela, Secretary

**SPECIAL MEETING MINUTES
ARVIN PLANNING COMMISSION**

MARCH 28, 2017

CALL TO ORDER @ 6:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: PC Martinez absent; All others present. PC Tinoco arrived late at 6:05pm during Agenda Item 2.

1. Approval of Agenda As To Form.

Motion to Approve Agenda.

Motion PC Zavala

Second PC Rivera

Vote 3-0

2. PUBLIC COMMENTS

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NONE

3. ELECTION OF CHAIRPERSON

Vice Chair Trujillo opened the floor for nominations.

Vice Chair Trujillo nominated Vice Chair Trujillo (self). No other nominations received. Vote 4-0

New Chairperson = Olivia Trujillo

The Vice Chairperson position is relinquished and will be placed for election at the following Arvin Planning Commission meeting.

4. PRESENTATION(S)

A. Planning Commissioner Orientation

Marti Brown, Community Development Director

5. PUBLIC HEARING ITEM(S)

- A. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Approving Conditional Use Permit No. 2017-02 Subject to the Conditions and Adopt the Notice of Exemption for the Proposed Project (210 Arvin Ave. – Los Primos Meat Deli and Market)**

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

**Motion to open hearing.
No public testimony received.
Motion to close hearing.**

Motion to approve Resolution.

Motion PC Zavala Second PC Rivera Vote 4-0
Resolution No. 2017-01

- B. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Approving Conditional Use Permit No. 2017-01 Subject to the Conditions of Approval Contained Herein and Adopt the Notice of Exemption for the Proposed Project (ARCO AM/PM, APN 190-270-33 & APN 190-270-34)**

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

**Motion to open hearing.
No public testimony received.
Motion to close hearing.**

Motion to approve Resolution.

Motion PC Zavala Second PC Tinoco Vote 4-0
Resolution No. 2017-02

- C. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Approving I) Modification Precise Development Plan 2007-1 – (Bear Mountain Plaza) - ARCO Project Proposes to Replace the Office Cluster of Two Buildings – Office 1 – 5,800 Square Feet and Office 2 – 7,500 Square Feet with an ARCO Service Station and Convenience Store Consisting of 3,000 Square Feet and a QSR, Quick Service Restaurant Consisting of 1,200 Square Feet and II) Adopted the Addendum to the Mitigated Negative Declaration, Adopted January 12, 2008 and Filed on June 20, 2008 for Bear Mountain Plaza, Subject to Conditions of Approval.**

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

**Motion to open hearing.
No public testimony received.**

Motion to close hearing.

Motion to approve Resolution.

Motion PC Rivera

Second PC Zavala

Vote 4-0

Resolution No. 2017-03

- D. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending to the City Council I) Approve Vesting Tentative Map 7321 and Deviations of Lot Configuration and Size as Provided Under Resolution No. 02-49 as Illustrated in Exhibit "A", Vesting Tentative Map 7321 and Subject to Exhibit "B", Conditions of Approval, and II) Adopt Mitigated Negative Declaration for the Proposed Project.

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

Motion to open hearing.

No public testimony received.

Motion to close hearing.

Motion to approve Resolution.

Motion PC Zavala

Second PC Rivera

Vote 4-0

Resolution No. 2017-04

- E. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending to the City Council I) Approve the Uncodified Ordinance for Third Amendment By and Between Leora, LLC and the City of Arvin of the Development Agreement Between Sycamore Villas, LLC, and the City of Arvin, Concerning Tract 5816, Recorded on July 3, 2002 as Amended, and II) Adopt a Mitigated Negative Declaration for the Proposed Project.

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

Motion to open hearing.

No public testimony received.

Motion to close hearing.

Motion to approve Resolution.

Motion PC Zavala

Second PC Rivera

Vote 4-0

Resolution No. 2017-05

- F. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending to the City Council I) Adopt Mitigated Negative Declaration for Vesting Tentative Map 7321, Deviations to Lot Configurations and Size, and Third Amendment to Development Agreement for Leora, LLC.

Staff recommends to open the hearing; allow for public testimony; close the hearing and approve the Resolution.

Motion to open hearing.
No public testimony received.
Motion to close hearing.

Motion to approve the Resolution.
Motion PC Zavala Second PC Tinoco Vote 4-0
Resolution No. 2017-06

6. ACTION ITEM(S)

- A. A Resolution of the Planning Commission of the City of Arvin Approving Modification No. 2017-01 from 10'-0" to 9.7' for Lot 86 (1201 Paraiso Way) of Tract 5816 Phase 12 as Authorized by Title 17 Zoning Code, Section 17.54.050.**

Staff recommends approval of the Modification No. 2017-01 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 86, Tract 5816 Phase 12 (1201 Paraiso Way) as shown in Exhibit A.

Motion to approve the Modification No. 2017-01 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 86, Tract 5816 Phase 12 (1201 Paraiso Way) as shown in Exhibit A.

Motion PC Zavala Second PC Tinoco Vote 4-0
Resolution No. 2017-07

- B. A Resolution of the Planning Commission of the City of Arvin Approving Modification No. 2017-02 from 10'-0" to 9.7' for Lot 89 (1213 Paraiso Way) of Tract 5816 Phase 12 as Authorized by Title 17 Zoning Code, Section 17.54.050.**

Staff recommends approval of the Modification No. 2017-02 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 89, Tract 5816 Phase 12 (1213 Paraiso Way) as shown in Exhibit A.

Motion to approve the Modification No. 2017-02 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 89, Tract 5816 Phase 12 (1213 Paraiso Way) as shown in Exhibit A.

Motion PC Rivera Second PC Zavala Vote 4-0
Resolution No. 2017-08

- C. A Resolution of the Planning Commission of the City of Arvin Approving Modification No. 2017-03 from 10'-0" to 9.7' for Lot 93 (1212 Celestial Way) of Tract 5816 Phase 12 as Authorized by Title 17 Zoning Code, Section 17.54.050.

Staff recommends approval of the Modification No. 2017-03 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 93, Tract 5816 Phase 12 (1212 Celestial Way) as shown in Exhibit A.

Motion to approve the Modification No. 2017-03 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 93, Tract 5816 Phase 12 (1212 Celestial Way) as shown in Exhibit A

Motion PC Rivera Second PC Zavala Vote 4-0
Resolution No. 2017-09

- D. A Resolution of the Planning Commission of the City of Arvin Approving Modification No. 2017-04 from 10'-0" to 9.7' for Lot 96 (1200 Celestial Way) of Tract 5816 Phase 12 as Authorized by Title 17 Zoning Code, Section 17.54.050.

Staff recommends approval of the Modification No. 2017-04 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 96, Tract 5816 Phase 12 (1200 Celestial Way) as shown in Exhibit A.

Motion to approve the Modification No. 2017-04 as requested by the Applicant's representative and approval of the Resolution approving the side yard setback modification from 10'-0" to 9.7' for Lot No. 96, Tract 5816 Phase 12 (1200 Celestial Way) as shown in Exhibit A.

Motion PC Rivera Second PC Zavala Vote 4-0
Resolution No. 2017-10

7. REPORTS FROM STAFF

8. PLANNING COMMISSIONER COMMENTS

9. ADJOURNED @6:55PM

Respectfully submitted,

Cecilia Vela, Secretary



**CITY OF ARVIN
Agenda Report**

Meeting Date: June 22, 2017

TO: Planning Commission

FROM: Marti Brown, Community Development Director

SUBJECT: Adoption Of A Resolution Of The City Of Arvin Planning Commission Approving I) Site Plan Review 2017-330BMB – Taco Bell And Retail Building With Conditions; And II) Adopting A Mitigated Negative Declaration

RECOMMENDATION

Staff recommends the Planning Commission adopt the Resolution approving Site Plan Review 2017-330BMB, including adoption of a Mitigated Negative Declaration, for a retail building located at 330 Bear Mountain Blvd., Assessor Parcel Numbers: 190-130-14, -15, and -27.

I. BACKGROUND

Site Plan Review 2017- 330BMB: The site plan application proposes two separate developments with common parking and vehicular circulation and access from and to State Hwy 223 (Bear Mountain Blvd.) and an existing semi-improved alley. The proposed Taco Bell is a one story Quick Serve Retail building consisting of 2,070 square feet. The proposed two story retail building consisting of 7,600 square feet. On-site parking is proposed along with landscaping and lighting. A lot line adjustment will be required eliminating lot lines to accommodate the proposed development and/or the establishment of non-exclusive ingress and egress easement and parking easements. Exhibit A Site Plan and Elevations.

Parking Spaces Required and Improvements Required: Staff completed an Off-Street Parking Analysis on April 24, 2017 of the proposed project, **Attachment 1. And Exhibit B.** The initial review based upon the application submittal concluded that a deficient number, 35, of parking spaces was existing. Staff met with the applicants to discuss this issue as well as other design concepts that was not addressed. Several options were offered and one such option is In-Lieu Payments as provided under Section 17.48.050. This section provides for the payment of fees for off-street parking. Staff received a modified site plan addressing some of the Design Compliance as noted in the April 25, 2017 Review – **Attachment 2.**

The modified Site Plan and Parking Analysis received from the applicant on May 25, 2017 identified that 54 parking spaces are required per City of Arvin's Municipal Code and that only 44 spaces are provided on the project site. Several options are available to the applicant in satisfying the shortage of ten (10) Off-Street parking needs. The options will be listed in the proposed Conditions of Approval, Staff will work closely with the applicants in implementing one of the options in order to comply with the City's Parking Ordinance.

Options Include:

17.48.070 - Separate lot from main building.

When the required off-street parking space is provided on a separate lot from the main building, there shall be recorded in the office of the county recorder, a covenant by the owner or owners of such lot for the benefit of the city to the effect that such owner or owners will continue to maintain such parking space so long as such building is maintained.

17.48.050 - In lieu payments.

In the C-2 district within the development plan area of the downtown revitalization element of the general plan in lieu of providing parking facilities required by the provisions of this chapter, the requirements may be satisfied by payment to the city, prior to the approval of the site permit, of an amount per parking space, prescribed by the city council, for each parking space required by this chapter, but not provided. The payment shall be deposited with the city in a special fund and shall be used exclusively for the purpose of acquiring and developing off-street parking facilities located, insofar as practical, in the vicinity of the use for which the payment was made.

Design Compliance:

The Development and Disposition Agreement between the City of Arvin Acting as Successor Agency to the Arvin Community Redevelopment Agency and JHAH & Brar Investment Inc. (TACO Bell) imposed the requirement that the development comply with the City of Arvin's proposed Commercial Development Design Guidelines.

Staff completed its review with the applicant's submittal, Attachment 2, and identified a number of design conflicts and recommended several modifications that would more closely meet the Commercial Design Guidelines. The applicant has submitted modifications as illustrated on the Site Plan. Those modifications include; i) moving the retail building forward toward Bear Mountain Boulevard and incorporating an trellis/arbor fronting Bear Mountain Boulevard; ii) utilizing the alley way as an integral design for the off-street parking, iii) by incorporating trellis or arbors in front of the retail building and placing arbors along the frontage of Bear Mountain Blvd., iv) redesign the trash enclosure with the access to the dumpsters without opening the large doors and redesigning the orientation of the entrance from the parking lot rather than the alley and by incorporating the design of the trash enclosures with an arbor.

As noted in the Design Compliance Analysis, the Taco Bell Drive through limits the flexibility in moving the building forward and Staff has been advised that cooperative policy does not permit the placement of trellis or arbors in front of the building – this allows maximum exposure to business.

Other design comments and compliance requirements are noted as conditions and as the final design is completed, those items will be required prior to the issuance of the building permit.

Kern County Health Department: The Taco Bell food preparation and operation falls under the jurisdiction of the Kern County Health Department. Compliance and clearance will be required as final clearance prior to the operation and opening.

Landscaping and Irrigation: The site plan provides a preliminary landscape design, however, complete landscaping and irrigation plan shall be required and installed per City approval prior to the issuance of a Certificate of Occupancy. The applicant shall join the City’s Landscape and Lighting District.

On-Site Lighting: On-site lighting fixtures shall match existing street lights on Bear Mountain Boulevard.

Sign Program: A sign application and city approval shall be required prior to installation of any signs.

Development Impact Fees: The new construction of the Taco Bell and the retail buildings will require the payment of the most current City of Arvin Development Impact Fees at the time of building permit issuance. 2015 Fee Schedule provides for the following:

The Project: Project Site 33,033 square feet /.76 Acres; Taco Bell seating capacity greater than 35 and 2,070 sq. ft.; retail building 6,429 Square feet.							
Type of Land Use	IMPACT FEE						
	Police	Parks	Sewer	Schools	Traffic	Water	
Commercial	\$350 Per Acres	\$0		Contact Arvin Union School District (661)854-6500		Contact Arvin Community Services District (661) 854-2127	
Restaurants (35 Seats or larger)	.76 ac X \$350 = \$273.00	\$0	\$25,080 per building X 2 Buildings = \$50,160.00	Contact the School District	\$7,874/1000 sq. ft. X 2.07 = \$16,299.18	Contact the Arvin Community Services District (661) 854-2127	
Small retail shops/offices	\$0 The building is on the same parcel as the Taco Bell	\$0	\$4,400 per building	Contact the School District	\$7,874/1000 sq. ft. X 6.429 = \$50,621.95	Contact Arvin Community Services District (661) 854-2127	

NOTE: Fees are adjustable and if an adjustment is made prior to the issuance of the building permit, the project shall be subject to the adjusted fee.

II. PUBLIC NOTIFICATION AND CONSULTATION:

The City properly noticed the June 22, 2017 hearing before the Planning Commission for the proposed Site Plan Review 2017-330BMB, Taco Bell and Retail Building, pursuant to Government Code sections 65090 and 65091 by publication in the newspaper and provided notice to all property owners within 300 feet of the proposed project.

The Community Development Department consulted with the City of Arvin City Manager, Public Works Department; City Engineer; Building Division; and Police Services, as well as from Kern County and State offices requesting comments and recommendations. No negative comments were received regarding the proposed project. All comments received are incorporated within the proposed Conditions of Approval.

III. GENERAL PLAN AND ZONING CONFORMITY:

General Plan Designation: Commercial

Zoning: C-2, General Commercial

Ordinance Compliance: The project is subject to Chapter 17.60 Site Development Permit and requires approval prior to issuance of a building permit. Section 17.60.010 Intent and purpose establishes the following: the Site Development Permit process will insure that the proposed development will serve to achieve a group of facilities which will be well related one to another and will result in a well-composed design, and to meet city ordinances. Section 17.60.060 specifies the attachment of conditions that are reasonable and necessary to fulfill the intent and purpose of the code.

A site development permit shall expire in twelve (12) months if not implemented and will be subject to a new application and fees.

Site development permit conditional approval shall consider and require the following:

1. Project to be in compliance with all applicable laws and ordinances;
2. Project to be in compliance with all applicable city policies duly adopted by a majority vote of the planning commission or the city council;
3. Project to be in conformance to latest accepted planning and engineering standards covering the following area: site layout, building appearance and structural design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking.

Before approving or conditionally approving the application, approving authority shall find that under the circumstances of the particular case, the proposed use or buildings will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

The project as conditioned meets the requirements of Section 17.60040.

IV. ENVIRONMENTAL CONSIDERATIONS

An initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. With all applicable project specific mitigation imposed, there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are significant. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of Public Resources Code Section 21157.5(a)(2) and CEQA Guidelines section 15070(b)(1) and (2). The Initial Study and Negative Declaration were timely and properly published and notices as required by CEQA, and no comments were received by the City within the 20 day comment period. Accordingly, staff recommends the Planning Commission adopt the Mitigated Negative Declaration prepared for Environmental Assessment (EA) For Site Plan Review 2017-330BMB.

V. FISCAL IMPACT

The approval of the Site Plan Review 2017-330BMB – Taco Bell and Retail Building as requested by the applicant does not create any negative fiscal impact to the City.

EXHIBITS AND ATTACHMENTS

- Resolution Of The City Of Arvin Planning Commission Approving I) Site Plan Review 2017-330BMB – Taco Bell And Retail Building With Conditions; And II) Adopting A Mitigated Negative Declaration (with attached Conditions of Approval)
- Aerial Map, Site Plan, and Proposed Elevations
- Site Plan Notations
- Parking Review and Analysis
- Design Compliance
- Public Hearing Notice
- Initial Study and Exhibit A, Figures 1-8, and Attachment 1
- Notice of Intent - Mitigated Negative Declaration – Filed with Kern County Clerk on May 17, 2017
- Mitigation Agreement Signed May 4, 2017

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN APPROVING I) SITE PLAN REVIEW 2017-330BMB – TACO BELL AND RETAIL BUILDING WITH CONDITIONS ; AND II) ADOPTING A MITIGATED NEGATIVE DECLARATION

WHEREAS, Raji Brar, on behalf of Jhaj & Brar Investment Inc. (“Developer”), filed an application for Site Plan Review 2017- 330 BMB, which proposes the following project:

Two separate structures with common parking and vehicular circulation and access from and to State Hwy 223 (Bear Mountain Blvd.) and an existing semi-improved alley. The first structure is for a proposed one-story Quick Serve Retail, consisting of 2,070 square feet, currently planned for a Taco Bell. The second structure is a proposed two-story retail building consisting of 7,600 square feet. On-site parking is proposed along with landscaping and lighting. The project also includes a lot line adjustment to eliminate lot lines to accommodate the proposed development and/or the establishment of non-exclusive ingress and egress easement and parking easements. The total project size consists of 33,000 square feet or approximately .76 acres, and the application is consistent with the City’s General Plan and Zoning Ordinance.

WHEREAS, an Initial Study was prepared and concluded that with all applicable project specific mitigation imposed, there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are significant. Therefore a Mitigated Negative Declaration was prepared for the proposed Site Plan Review 2017-330BMB, for the proposed project in compliance with the Public Resources Code and the California Environmental Quality Act (CEQA); and

WHEREAS, the Developer has signed the Mitigation Agreement relating to Air Quality compliance and action plan should cultural resources be discovered during construction in accordance with CEQA.

WHEREAS, the City, as lead agency, provided all applicable notices required by CEQA including:

- On April 6, 2017, the Community Development Department distributed “Request for Comments, Conditions, Environmental Assessment, and Entitlement Application Review of” the proposed project to the appropriate lead agency, responsible agency, and interested persons for their review and comments.
- On May 10, 2017, the City distributed a Notice of Intent to Adopt a Mitigated Negative Declaration, with a review and comment period ending June 8, 2017. The Notice of Intent was also published on May 17, 2017, in Arvin Teller, and posted on the City’s website. Notice of the Planning Commission meeting anticipated for June 22, 2017, was also included.

- On June 7, 2017, the Planning Commission hearing date of June 22, 2017 for the proposed projects and the intent to adopt the Mitigated Negative Declaration was mailed to property owners within 300 feet of the proposed projects, on file at the City of Arvin, Community Development Department.

WHEREAS, public notice for the public hearing was also given by publication in the Arvin Tiller on June 7, 2017, and notices were mailed to individual property owners within 300-feet of the project site on June 7, 2017; and

WHEREAS, the Planning Commission opened the public hearing on June 22, 2017, has provided an opportunity for public testimony, and received testimony and other evidence at the meeting; and

WHEREAS, after review and consideration of all the information in the record, the Planning Commission of the City of Arvin desires to adopt a Mitigated Negative Declaration for the project and approve Site Plan Review 2017- 330BMB.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Arvin as follows:

1. The recitals are true and correct and are incorporated herein as if set forth in full.
2. The Planning Commission finds an initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. Based on this review and assessment, the Planning Commission finds in accordance with its own independent judgement that with all applicable project specific mitigation imposed, there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are significant. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of Public Resources Code Section 21157.5(a)(2) and CEQA Guidelines section 15070(b)(1) and (2). The Planning Commission further finds the Initial Study and Negative Declaration were timely and properly published and notices as required by CEQA, and no comments were received by the City within the 20 day comment period. Accordingly, the City, as the lead agency, adopts the Mitigated Negative Declaration prepared for Environmental Assessment (EA) For Site Plan Review 2017-330BMB. The Department of Community Development located at 200 Campus Dr, Arvin, CA 93203 shall serve as the custodian of all documents or other material which constitutes the record of proceedings upon which the Planning Commission's adoption of this Mitigated Negative Declaration is based. The Planning Commission authorizes the Director of the Department of Community Development, or designee,

to execute and file with the Kern County Clerk, within five business days of the adoption of this Resolution, an approval of the project a Notice of Determination that complies with CEQA Guidelines, Section 15075.

3. The Planning Commission of the City of Arvin hereby finds and adopts the following findings:
 - a. Notice has been given in the time and in the manner required by State law and the City of Arvin Municipal Code.
 - b. Site Plan Review 2017-330BMB is a permitted use.
 - c. The project is in compliance with all applicable laws and ordinances;
 - d. The project is in compliance with all applicable City policies duly adopted by a majority vote of the Planning Commission or the City Council;
 - e. The project is in conformance to latest accepted planning and engineering standards covering the following areas: site layout, building appearance and structural design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking.
 - f. The project and the proposed use and buildings will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

4. The Planning Commission conditionally approves Site Plan Review 2017-330BMB subject to the conditions of approval attached hereto.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 22nd day of June 2017 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTEST:

CECILIA VELA, Secretary

ARVIN PLANNING COMMISSION

By: _____
OLIVIA TRUJILLO , Chairperson

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, _____, Secretary of the Planning Commission of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of Arvin on the date and by the vote indicated herein.

Conditions of Approval
Site Plan Review 2017-330BMB
Taco Bell and Retail Building

Site Plan Review 2017- 330BMB: The site plan application proposes two separate developments with common parking and vehicular circulation and access from and to State Hwy 223 (Bear Mountain Blvd.) and an existing semi-improved alley. The proposed Taco Bell, a one story Quick Serve Retail, consisting of 2,070 square feet. The proposed two story retail building consisting of 7,600 square feet. On-site parking is proposed along with landscaping and lighting. A lot line adjustment will be required eliminating lot lines to accommodate the proposed development and/or the establishment of non-exclusive ingress and egress easement and parking easements.

COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL (G)

G-1 Hold Harmless Requirement: The applicant or applicant's successor in interest shall indemnify, defend and hold harmless the City of Arvin, its agents, officers and employees from any and all claims, actions or proceedings against the City of Arvin, its agents, officers and employees to attach, set aside, void or annul any approval by the City of Arvin and its advisory agency, appeal board or legislative body concerning this application which action is brought within applicable statutes of limitations. The City of Arvin shall promptly notify the applicant or applicants' successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicants' successor in interest shall not thereafter be responsible to defend, indemnify or hold the City of Arvin harmless. The condition may be placed on any plans or other documents pertaining to this application.

G-2 All exhibits and references identified in the following conditions and the resolution approving this project are conditions of approval unless otherwise waived. Therefore all requirements, conditions, mitigation measures, standards, policies are to be implemented by the project applicant and successors in interest unless specifically waived by the City of Arvin.

G-3 There may also be conditions that are incorporated in the project approval that are not specific and are subject to interpretation, review and approval or conditional approval by City staff that are not established by City ordinance, resolution, policy, etc. Those conditions give authority to City Staff to use their judgment in the final resolution of the issue identified. City Staff identified in the condition shall interpret the compliance of those condition(s) at their discretion. This may create costs to the project that are not otherwise clearly identified.

G-4 The projects are subject to the CEQA review process and Mitigation Measures are adopted for the project, those mitigation measures are conditions of approval and are the obligation of the project applicant to fully implement and comply with the requirements established.

G-5 Contractors and subcontractors shall obtain a business license from the City of Arvin prior to beginning any work.

G-6 The site shall be maintained in a clean, dust free, litter and weed-free fashion.

G-7 During development of the site, all construction contractors shall ensure that recyclable construction materials are recycled.

G-8 The project shall participate in the City's solid waste and recycling program.

G-9 Sign Application and clearance shall be required prior the installation of any signs.

MITIGATION MONITORING PROGRAM (MMP)

MPM-1 Implementation of the Mitigation Agreement as signed by the applicant on May 4, 2017 shall be subject to implementation prior to, concurrent with, and implementation and development of this project.

ARVIN MUNICIPAL CODE (AMC)

AMC-1 Noise during construction shall be mitigated to the fullest reasonable extent. Maximum noise levels at property lines shall not exceed 65 decibels. Construction shall be limited to daylight hours Monday through Saturday. If complaints are received, the City may impose further restrictions on hours of operation other appropriate and reasonable measures.

AMC-2 Site Development Standards, Chapter 17.70.010, shall be implemented prior to issuance of a Certificate of Occupancy. The applicant shall submit plans for review and approval to the Community Development Department. Upon final approval by the Community Development Department, improvements shall be completed prior to the Certificate of Occupancy.

AMC-3 Parking Spaces and Improvements Required: The project plan identifies a deficit of 10 parking spaces. The applicant shall be required to meet the parking space requirements prior to the construction of the retail building and mutually agreed between the City and the applicant.

AMC-4 Parking layout using alley access shall be at a 45 degree angle to insure adequate egress and ingress to parking spaces.

AMC-5 Chapter 17.70 Site Development Standards – requires parking lot improvements with lighting, on-site landscaping, irrigation systems, drainage plans and improvements, trash enclosures to be designed with trellis, and other improvements as cited under Chapter 17.70.

LANDSCAPING REQUIREMENTS AND LIGHTING AND LANDSCAPING DISTRICT FORMATION (LR)

LR-1 The applicant shall, at their own cost, be required to join Landscape and Lighting Maintenance District No. 1.

LR-2 The applicant shall submit a landscaping and irrigation plan for review and approval by the City Planner, prior to installation. All landscaping and irrigation shall be installed prior to occupancy. In addition to standard requirements, the landscape plan should include the following:

- a. An emphasis shall be placed on maximizing the number of shade trees on the site, particularly in the parking lot and along the streets.
- b. Climbing vines shall be established along all masonry block walls and exterior walls of trash enclosures.

LR-3 A lighting plan showing the location and type of lighting shall be prepared and submitted for review and approval by the City of Arvin City Planner. Proposed outdoor lighting is to be hooded and directed to not illuminate residences, other properties and roadways adjacent to and around the project site. The outdoor lighting shall be in design conformance with the existing street lighting along Bear Mountain Boulevard.

LR-4 The landscape plan shall include arbors in front of the Retail Building along the frontage of Bear Mountain Boulevard, and trash enclosure.

PUBLIC WORKS – CITY ENGINEER:

PW-CE – 1 **Traffic Access:** The proposed project will have direct access off of Bear Mountain Boulevard (SR 223) with right turn in only off of Bear Mountain Boulevard and right turn only for exiting the project site.

PW-CE – 2 Existing Curb, Gutter, and Sidewalk along the Bear Mountain Boulevard (SR 223) frontage where damaged shall be replaced meeting the standards of the State of California Department of Transportation, and require an encroachment permit from District 6. The applicant shall be required to provide construction drawings showing the improvements along with the drainage plans.

PW-CE – 3 The applicant shall apply for an encroachment permit from the City Engineer for the alley access. The alley way drive access and encroachment shall be constructed to City Standards.

FEE REQUIREMENTS (FR)

FR-1 The project shall be subject to those fees as established by the City of Arvin Development Impact Fees based upon the current adjusted fees at the time a building permit is issued.

FR-2 All fees due and payable to the City of Arvin shall be paid prior to issuance of a Certificate of Occupancy.

BUILDING DIVISION (BD)

BD-1 The City of Arvin shall receive clearance from the Kern County Fire Department.

BD-2 The City of Arvin shall receive clearance from the Kern County Health Department prior to the issuance of a Certificate of Occupancy.

BD-3 All improvements shall comply with American with Disabilities Act standards and regulations (ADA).

BUILDING DIVISION PERMIT ISSUANCE REQUIREMENTS (BPIR)

BPIR-1 All grading and excavation, shall be subject to Title 15 – Buildings and Construction code entire ordinance in effect and as may be amended from time to time. The grading plans shall be submitted to the City Engineer and Building Official for review and approval. No grading shall occur until such time as a grading permit is issued.

BPIR-2 A Soils Report shall be prepared and submitted to the City Engineer and Community Development Department, Building Official.

PUBLIC WORKS DEPARTMENT/CITY ENGINEER (PW/CE)

General Requirements

PW/CE-1 Prior to installation of any improvements or beginning of any construction, the property owner shall:

- a) Obtain an encroachment permit from the City Engineer and grading permit from the Building Division.
- b) Submit evidence of liability insurance with the City of Arvin being named as additional insured in the amount as required by the City of Arvin.

PW/CE-2 The Developer shall construct alley improvements extending from North A Street to North B Street. The required improvements include, but are not limited to,

roadway construction, striping, curb, gutter, sidewalk, drive approaches, access ramps, and signage.

PW/CE-3 All onsite and offsite utilities shall be installed underground in accordance with each of the utility company requirements. All offsite utilities to be relocated in accordance with each of the utility company requirements. Existing overhead utilities within the alley may remain, however all connections to the new construction shall be under ground.

PW/CE-4 All site improvements shall remain within the subject property

PW/CE-5 Access shall be restricted from entering/exiting properties located to the east and west of the subject property.

Lot Line Adjustment

LLA – 1. A Lot Line adjustment shall be required prior to the issuance of a Certificate of Occupancy combining the four lots into one.

GRADING (G)

G-1 A complete set of on- and off-site grading, drainage, sewer and street improvements plans shall be prepared by a licensed Civil Engineer and submitted for reviewed and approved by the City Engineer.

G-2 As Built drawings shall be submitted to the City of Arvin prior to acceptance of the improvements. Erosion control measures shall be incorporated into the construction plans.

G-3 The applicant shall comply with the Regional Water Quality Control Board Construction General Permit Order 2009-0009 DWQ as amended by 2010-0014 DWQ and 2012-006 DWQ. If the project requires a SWPPP or Erosivity Wavier the applicant will provide a waste discharge identification (WDID) number on the cover sheet of the grading plan.

G-4 Prior to the issuance of grading permits, the plans and specifications shall include reference and conformance to the SJVUAPCD dust control measures and shall be subject to District Regulation VIII, Rule 8010, 8020, 8030, 8060 and 8070 of Regulation VII. The following notes(s) shall appear on all grading plans:

1. During grading operations, the applicant for a grading permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM10 (particulate) emissions. Spraying water should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions.
2. During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions.
3. Construction speed limits will be posted at fifteen miles per hour (15 mph).

4. The applicant is prohibited from using any equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring property between 10:00 p.m. and 7:00 a.m. (AMC §12.04.200)

STREETS (STREETS)

Streets - 1 Bear Mountain Boulevard (SR 223) frontage improvements to remain, however any damaged, cracked, or upgrade for ADA compliance shall be replaced at applicants expenses.

Streets-2 The alley access drive ways shall be improved to city standards and the alleyway from North A Street to North B Street shall be improved to City Standards.

Streets-3 All construction plans shall be submitted to the City Engineer for review and approval prior to construction. All utilities to be constructed within the on-site and off-site shall be installed prior to pavement placement.

Streets-4 Parking Stalls fronting alley shall be 45° angled in the direction of the one way alley.

STORM DRAINAGE (SD)

SD-1 All drainage shall be surface flow and shall be directed to existing storm drainage facilities on Bear Mountain Boulevard (SR223) or the alley unless otherwise retained on site and approved by the City Engineer.

KERN COUNTY FIRE DISTRICT - (KCFPD)

KCFPD-1 Project shall comply with the current California Fire Code requirements.

KCFPD-2 Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department.

KCFPD-3 Per Local Fire Department ordinance, all "A" occupancies will require a full fire alarm system.

KCFPD-4 If the occupant load in the "A" exceeds 100, fire sprinklers will be required.

KCFPD-5 Exiting will depend on the occupant load. Follow the California Fire Code requirements for proper exit widths, number of exits, and exit illumination.

**CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM -
ARCHEOLOGICAL AND HISTORICAL (CHR)**

CHR-1 The City of Arvin General Plan has not identify any resources of archaeological significance identified on the site.

CHR-2 If during the course of project-related activities, unknown archaeological or cultural resources are discovered, work shall be stopped in the immediate vicinity. A qualified archaeologist shall be contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the City of Arvin Community Development Department and any measures recommended by the archeologist shall be implemented prior to resumption of the work in the area.

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

END

www.google.com

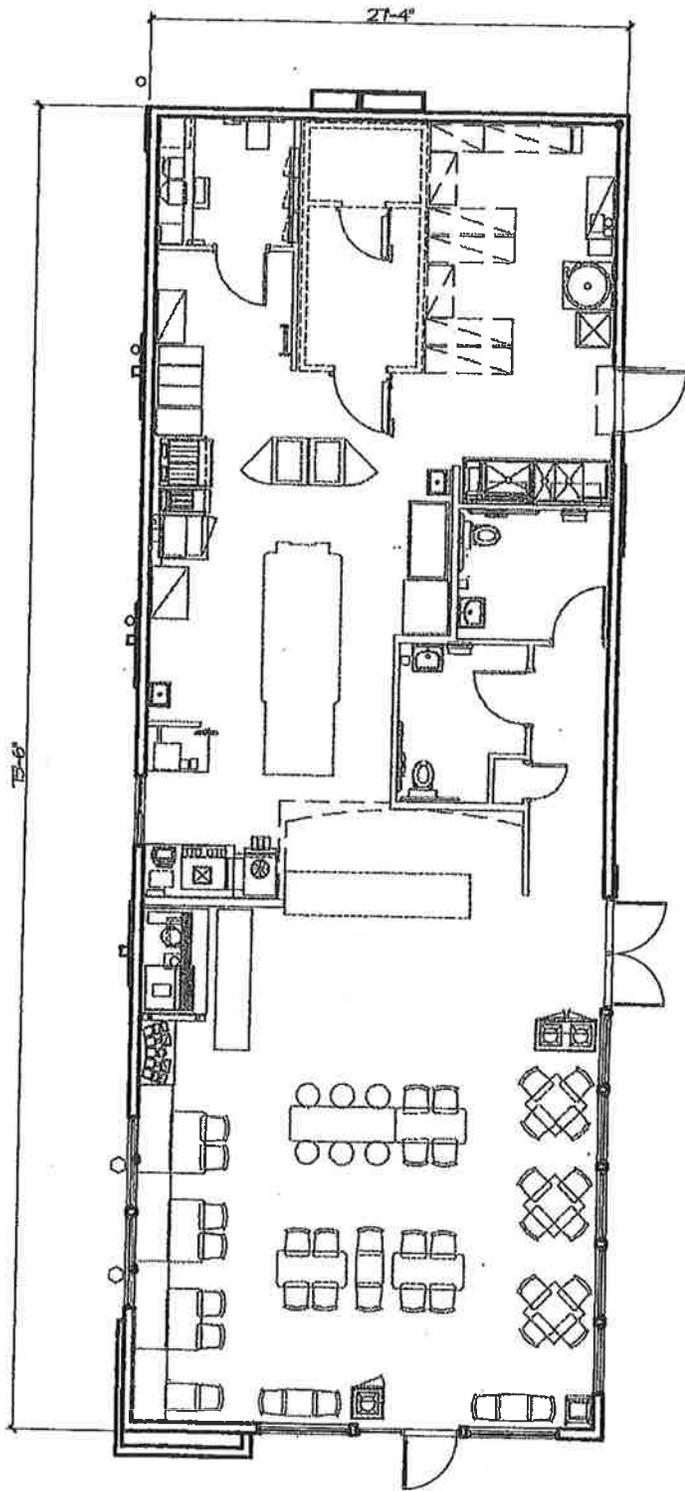
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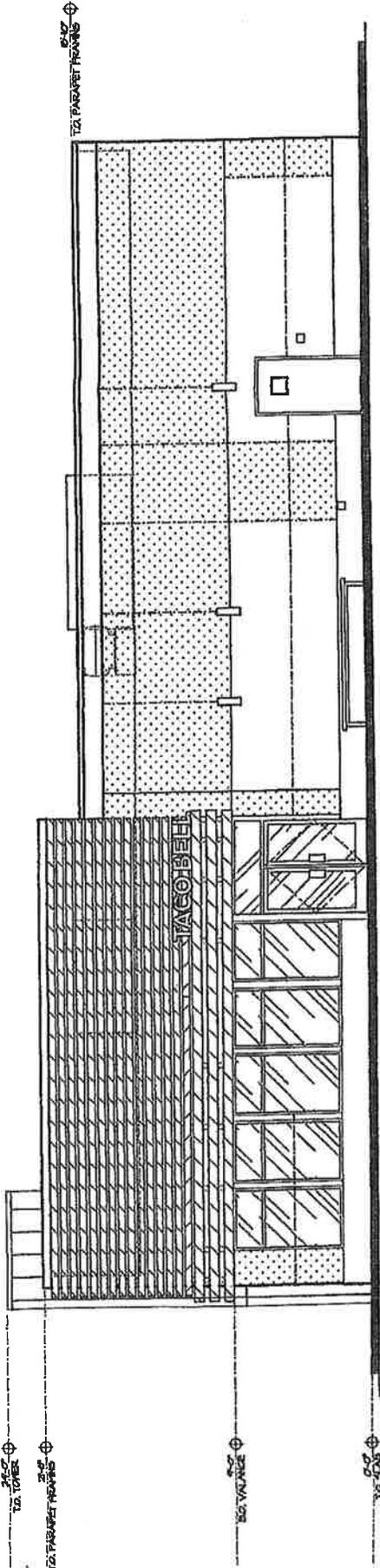
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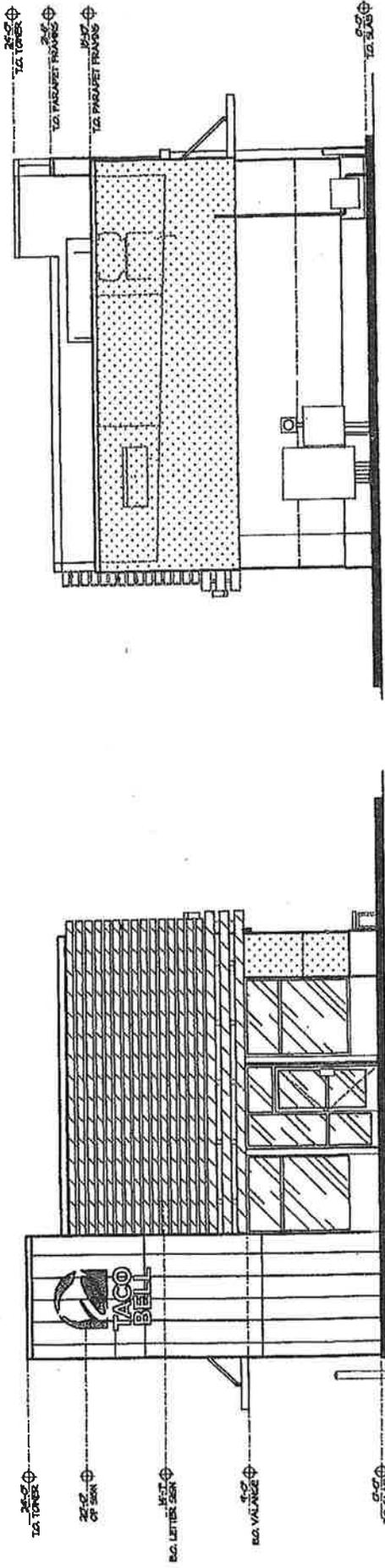
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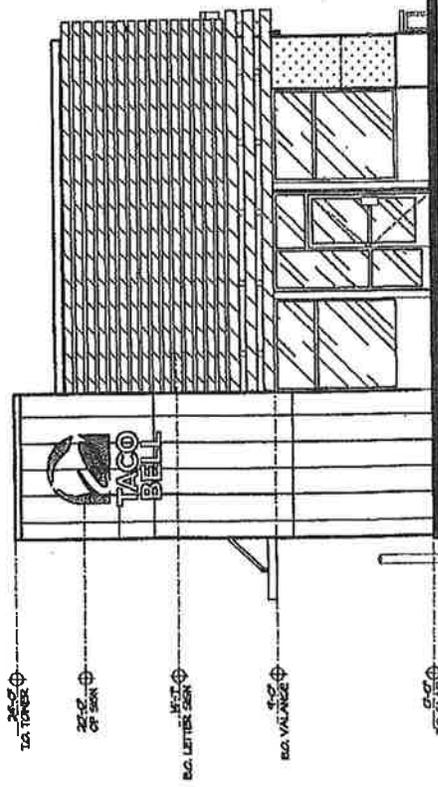
TACO BELC FLOOR PLAN



EAST

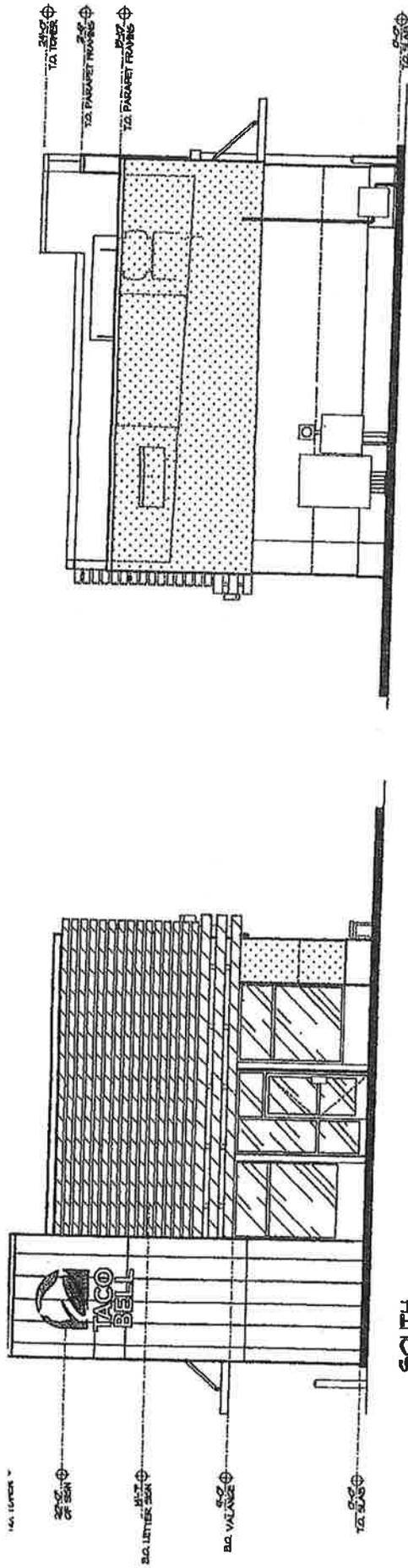


NORTH

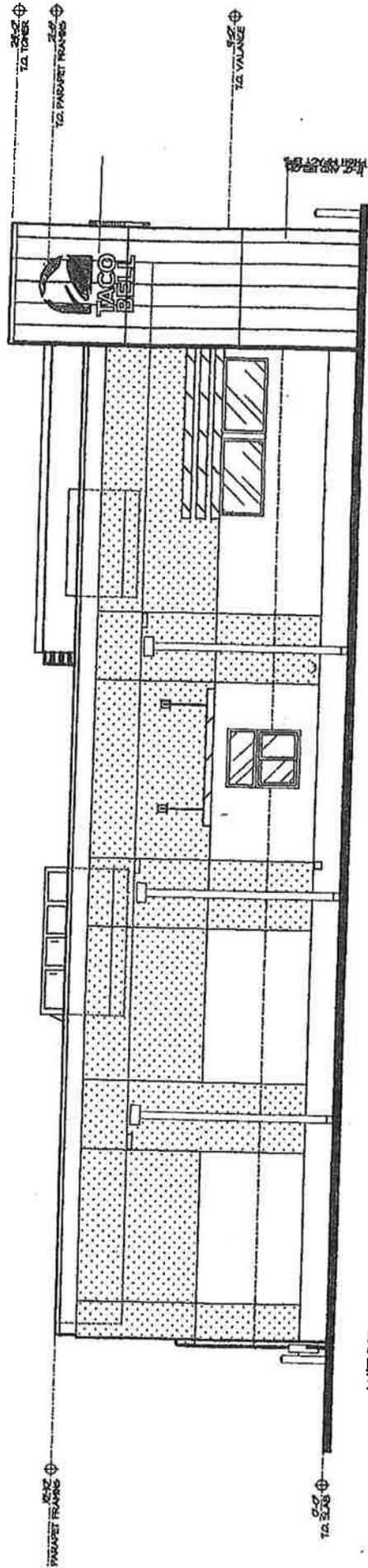


SOUTH

TACO BELL ELEVATIONS 1 OF 2



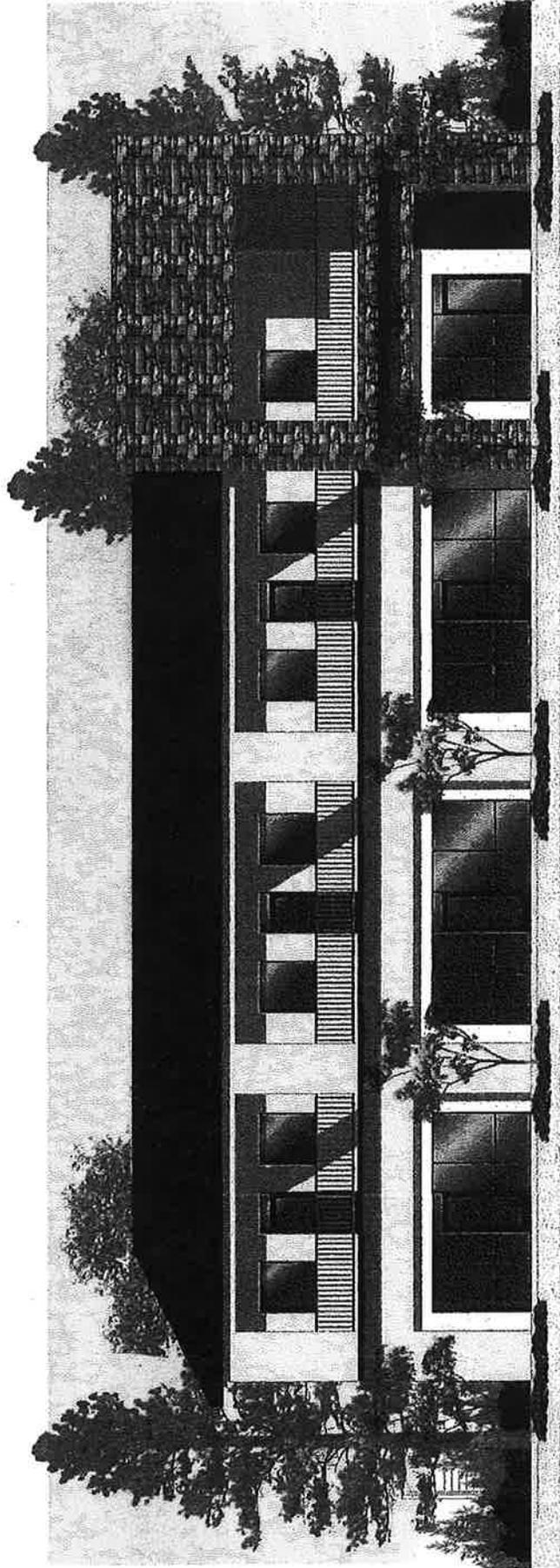
NORTH



EXTERIOR ELEVATIONS

TACO BELL ELEVATION 1

ZOE 2



330 Bear Mountain Blvd

Date: April 24, 2017

Taco Bell - 330 Bear Mountain Blvd, Arvin, CA 93203

PARKING REVIEW AND ANALYSIS:

SUMMARY: In reviewing the proposed Site Plan and City of Arvin's Parking Ordinance, the project site has a deficit of 21 off-street parking spaces.

OPTIONS:

1. As provided by Section 17.48.070 - Separate lot from main building, as noted below may be provided off-site; or
2. As provided by Section 17.48.050 - In lieu payments may be explored with the City, or
3. The project may be modified by reducing the square footage of the proposed buildings to provide for on-site parking.

Parking Review:

Lot Size			33,033 sq. ft.
Parking- Noted on Site Plan	Office Bldg	Total 7,844 Sq. Ft. 1 st Fl = 3,960 Sq. Ft. 2 nd Fl = 3,884 Sq. Ft.	
Parking- Noted on Site Plan	Office Bldg. Usable Areas	Total 6,385 Sq. Ft.	
Parking- Noted on Site Plan	Taco Bell	2,070 Sq. Ft.	
Parking- Noted on Site Plan	Taco Bell – Usable Area	1,985 Sq. Ft.	
Parking Ratio as noted on Site Plan	Taco Bell 1/90	22 spaces	
Parking Ratio as noted on Site Plan	Office Bldg 1/250	26 spaces	
Parking Provided- as noted on Site Plan	Standard Parking Spaces Handicap Drive-Thru	34 Spaces 4 Spaces 4 Spaces	
Total Parking Provided - as noted on Site Plan		42 Parking Spaces identified	

Arvin Parking Ordinance - Parking Required 17.48.010	
one (1) space per two hundred fifty (250) square feet of gross floor area of buildings intended for mixed uses	Total Gross Floor Area: 7,844 Sq. Ft. 7,844/250= 31 parking spaces required

plus one space per three hundred (300) square feet of storage and/or gross office floor area	Storage area? = 1,459 Sq.Ft. 1,459/300 = 5 Spaces
Restaurant standard: one (1) space per three (3) patron seats or one (1) space per one hundred (100) square feet of gross floor area, whichever is greater, plus one (1) space per employee on the largest work shift.	Total Gross Area: 2,070 Sq. Ft. 2,070 (Taco Bell) / 100 = 21 parking spaces plus 20 Employees Highest Shift/1 space = 20 parking spaces for shift employees. Total Required for TACO Bell = 41 spaces 30 Full Time Employees - Highest Shift 20 Employees as noted by applicant.
Loading Spaces.	On the same premises with every building, structure, or part thereof erected or occupied for manufacturing, storage, warehouse, goods displayed, department store, wholesale or retail market, hotel, restaurant, hospital, laundry, dry-cleaning plant, or other uses similarly involving the receipt or distribution of vehicles carrying, materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading and unloading services in order to avoid undue interference with the public use of the streets or alleys. Required loading space may be included within the required parking space adjacent to a building.
Total Parking Required by City Ordinance	Retail Sales Office: 36 spaces; Taco Bell: 41 spaces; Total Parking: 77 Parking Spaces Required.
Total Parking Shown by Applicant	42 Parking Spaces Shown on Site Plan.
Parking Space Deficit	(35 Deficit Parking Spaces)
17.48.070 - Separate lot from main building. When the required off-street parking space is provided on a separate lot from the main building, there shall be recorded in the office of the county recorder, a covenant by the owner or owners of such lot for the benefit of the city to the effect that such owner or owners will continue to maintain such parking space so long as such building is maintained.	
17.48.050 - In lieu payments. In the C-2 district within the development plan area of the downtown revitalization element of the general plan in lieu of providing parking facilities required by the provisions of this chapter, the requirements may be satisfied by payment to the city, prior to the approval of the site permit, of an amount per parking space, prescribed by the city council, for each parking space required by this chapter, but not provided. The payment shall be deposited with the city in a special fund and shall be used exclusively for the purpose of acquiring and developing off-street parking facilities located, insofar as practical, in the vicinity of the use for which the payment was made.	
17.48.090 - Use of side or front yard. Neither a required side yard abutting a street nor a front yard shall be used for off-street parking, which provision shall not apply in the P zone; provided, however, that if there is no alley allowing access to the rear of the lot, then in order to allow access to the property, parking with a limit of two (2) cars per lot shall be allowed for off-street parking in the front of the lot, such parking area to be covered with minimum pavement.	

EXCERPTS FROM TITLE 17.48 PARKING

7.48.010 - Definitions.

The term "capacity" as used herein means the maximum number of persons which may be accommodated by the use as determined by its design or by fire code regulations, whichever is greater.

Reference herein to "employee(s) on the largest work shift" means the maximum number of employees employed at the facility regardless of whether any such person is full-time employee. The largest work shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.

C. Commercial and entertainment uses.

1. Except as specifically designated below: one (1) space per two hundred fifty (250) square feet of gross floor area of buildings intended for mixed uses. For buildings with single occupant, one (1) space per two hundred fifty (250) [square feet] of gross floor area of customer sales and service, plus one space per three hundred (300) square feet of storage and/or gross office floor area, or, if the use has at least one hundred thousand (100,000) square feet of gross floor area, five and one-half spaces per one thousand (1,000) square feet of gross floor area.
2. Other commercial and entertainment uses:
 - h. Restaurant standard: one (1) space per three (3) patron seats or one (1) space per one hundred (100) square feet of gross floor area, whichever is greater, plus one (1) space per employee on the largest work shift.

J. Office uses:

1. one (1) space per two hundred and fifty (250) square feet of gross floor area.
2. Other office uses:
 - a. Beauty and barber shops: three (3) spaces per operator or one (1) space per one hundred (100) square feet of gross floor area, which ever is larger, plus one (1) space per employee on the largest shift.
 - b. Medical offices: five (5) spaces per doctor.
 - c. Personal services: one (1) space per two hundred (200) square feet of basement and first floor gross floor area, plus one space per three hundred (300) square feet of any additional floor area for customer service, plus one (1) space per employee on the largest shift.

17.48.030 - Collective use of space.

Nothing in this title shall prohibit the collective use of space for off-street parking; provided, that such collectively used space is equal to the sum of the requirements of each individual establishment participating in such collective use.

17.48.040 - Existing uses.

- A. No existing use of land or structure shall be deemed to be nonconforming solely because of the lack of off-street parking facilities prescribed in this chapter; provided, that facilities being used for off-street parking at the time of adoption of this title shall not be reduced in capacity to less than the number of spaces prescribed in this chapter or reduced in area to less than the minimum standards prescribed in this chapter.

- B. Nothing in this chapter shall be deemed to prevent the voluntary establishment of off-street parking facilities to serve any existing use of land or structure, provided that all regulations of this title governing design, construction, and operation of such facilities are adhered to.

17.48.050 - In lieu payments.

In the C-2 district within the development plan area of the downtown revitalization element of the general plan in lieu of providing parking facilities required by the provisions of this chapter, the requirements may be satisfied by payment to the city, prior to the approval of the site permit, of an amount per parking space, prescribed by the city council, for each parking space required by this chapter, but not provided. The payment shall be deposited with the city in a special fund and shall be used exclusively for the purpose of acquiring and developing off-street parking facilities located, insofar as practical, in the vicinity of the use for which the payment was made.

17.48.060 - Loading space.

On the same premises with every building, structure, or part thereof erected or occupied for manufacturing, storage, warehouse, goods displayed, department store, wholesale or retail market, hotel, restaurant, hospital, laundry, dry-cleaning plant, or other uses similarly involving the receipt or distribution of vehicles carrying, materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading and unloading services in order to avoid undue interference with the public use of the streets or alleys. Required loading space may be included within the required parking space adjacent to a building.

17.48.070 - Separate lot from main building.

When the required off-street parking space is provided on a separate lot from the main building, there shall be recorded in the office of the county recorder, a covenant by the owner or owners of such lot for the benefit of the city to the effect that such owner or owners will continue to maintain such parking space so long as such building is maintained.

17.48.080 - Surface treatment and appurtenances.

- A. All off-street automobile parking areas, including their means of ingress and egress, including automobile sales lots, service stations and other drive-in establishments, shall be surfaced with a bituminous surface treatment or other surfacing of a higher type.
- B. The conditions for fences, walls, hedges, planting driveways, bumper guards, lighting, setback and drainage shall be as provided for in the P zone.

17.48.090 - Use of side or front yard.

Neither a required side yard abutting a street nor a front yard shall be used for off-street parking, which provision shall not apply in the P zone; provided, however, that if there is no alley allowing access to the rear of the lot, then in order to allow access to the property, parking with a limit of two (2) cars per lot shall be allowed for off-street parking in the front of the lot, such parking area to be covered with minimum pavement.

Chapter 17.38 - P AUTOMOBILE PARKING ZONE

Sections:

17.38.010 - Alternative classification—Applicability of provisions.

Land classified in a P automobile parking zone may also be classified in either an A, E, or R zone and the regulations set forth in this chapter shall apply in the P automobile parking zone unless otherwise provided in this title.

(Ord. 51 §2301, 1965).

17.38.020 - Permitted uses.

Uses permitted in a P zone are as follows:

- A. Any use permitted in the A, E, or R zone in which the land is classified and when so used subject to all of the provisions contained in the sections defining such zone;
- B. Open air temporary parking of transient automobiles, except trucks of over fifteen hundred (1,500) pounds capacity.

(Ord. 51 §2301 (part), 1965).

17.38.030 - Parking lot requirements.

- A. In a P zone all such parking areas as are authorized by this chapter, and their means of ingress and egress shall be surfaced with a bituminous surface treatment or other surfacing of a higher type, and adequate drainage shall be provided. In commercially zoned areas and where such parking area abuts property classified for R or E uses, it shall be separated therefrom by a solid masonry wall, or other approved fence, six (6) feet in height; provided such wall, from the front property line to a depth equal to the required front yard on the abutting R or E classified property, shall be four (4) feet in height. Where such parking area abuts a street, it shall be separated therefrom by an ornamental fence, wall or compact eugenia or other evergreen hedge having a height of not less than two (2) feet and maintained at a height of not more than four (4) feet. Such fence, wall or hedge shall be maintained in good condition.
- B. Each entrance and exit to a parking lot shall be constructed and maintained so that any vehicle entering or leaving the parking lot shall be clearly visible at a distance of not less than ten (10) feet to a person approaching such entrance or exit on any pedestrian walk or foot path.

Exits from parking lots shall be clearly posted with "Stop" signs and it is unlawful for a motorist to fail to stop at such sign before leaving the parking lot. Appropriate bumper guards, entrance and exit signs and directional signs shall be maintained where needed. Any lights used to illuminate such parking area shall be so arranged as to reflect the light away from adjoining premises and streets.

April 25, 2017

TACO BELL and Retail Buildings – Design Compliance Chapter 25 Commercial Development Design Guidelines:

The Development and Disposition Agreement between the City of Arvin Acting as Successor Agency to the Arvin Community Redevelopment Agency and JHAH & Brar Investment Inc. imposed the requirement that the development comply with the City of Arvin's proposed Commercial Development Design Guidelines. The Design Guidelines are attached.

SUMMARY AND CONCLUSIONS: The project is in need of redesign to gain compliance with the proposed Chapter 25 Commercial Development Guidelines as is required by the Development and Disposition Agreement. The site location of buildings, parking design and landscaping, Architectural treatment, etc. as noted below needs modification.

REVIEW AND ANALYSIS OF DESIGN COMPLIANCES – Small Commercial Development on One Acre (1) or less:

TACO BELL and RETAIL 2 STORY STRUCTURE:

1. **Site Location of Buildings:** The preferred location of new commercial structures is to the front of the site nearest to the street with parking in the rear of the building. This design lessens the dominance of off-street parking. The acceptable design places the building to the front of the parking lot but also provides parking toward the front.
Section G – Small Commercial Sites.
 - **Summary and Conclusion:** The Taco Bell and Retail Structures do not meet the locational preference as identified in the proposed Commercial Design Ordinance.
 - **Analysis:** Both the Taco Bell structure and the Retail Structure are placed to the rear of the site – directly opposite as to the Preferred and Acceptable Site layout as provided in Chapter 25 – Commercial Design. The proposed site layout creates the dominance of the off-street parking for this development.
 - **Recommendation:**
 - **Taco Bell Site:** Taco Bell with its proposed drive-through creates a design challenge to fully comply with the building location to the front of the property. However, the Commercial Design Guide, Section 17.25.2 Design Guidelines, Subsection L Special Uses, 4 Drive Thrus – identify that screening and/or arbors be incorporated in the design to lessen the visual impact of automobiles. The project architect or designer should incorporate arbor design on the southern portion of the building and the exiting of the drive-thru. Outside dining is encourage to be designed in this area as well.
 - **Retail Structure Site:** The retail structure is placed toward the rear of the property creating a off-street parking area directly off of the existing easterly drive way. This is in direct conflict with Section G. It is recommended that the project architect or designer consider moving the building forward toward Bear Mountain Blvd and incorporate design elements into the building frontage. Parking should be placed at

the rear of the building utilizing the alley way as an access point for the off-street parking.

2. Parking Lot Strategies: Subsection B outlines the strategies to be incorporated in a parking lot for commercial uses. The various elements include:

- Shade Trees;
- Parking lot pathways, shaded with arbors;
- Store front pedestrian areas with seating;
- Fountains and statuary;
- Effective pedestrian connections with adjoining properties;
- Low level screening walls;
- Earthen berms.

2a. Summary and Conclusions: Subsection K identifies five (5) techniques that promote attractive visual environment.

1. Landscaping or mounding shall be provided in the area between a parking lot and the street right of way. Alternately, a low screening hedge or wall with climbing vegetation shall be provided.

Conclusion: The site plan shows a 10'-0" landscape area at the front of the project site, with the exception of the two existing driveways. This landscape design meets the recommendation of the Design Guidelines.

2. For each four spaces, one shade tree shall be provided within a planter not less than four feet by four feet wide, surrounded by protective curbing. In general, shade trees shall be provided to obtain shading of 50% of the parking lot within fifteen years.

Conclusion: Trees are proposed within the site plan but does not comply with the techniques recommended. Trees are shown toward the front of the project site within the proposed landscape area adjacent to the street and within the parking lot, creating a tree line that lessens the impact of the off-street parking. A recommendation that may lessen the visual impact of the parking lot is to design and construct an arbor in the front landscape area with climbing vegetation. The proposed pedestrian access to the proposed structures from the street combined with the suggested arbor and climbing vegetation would lessen the visual impact of the proposed parking lot. Should the arbor associated with the exit of the drive-thru in front of Taco Bell and moving the retail building forward would certainly bring the site design and the concept of lessening the visual impact of the parking lot into significant compliance with the Commercial Design Concepts.

3. Landscaping should be situated so that it does not interfere with vehicle sight-lines, not with the front end of parked vehicles.

Conclusion: The proposed design complies with this technique.

4. Landscape planters should be provided along masonry walls and along building walls. Climbing vines should be established to screen masonry walls and prevent graffiti.

Conclusion:

- a. Existing wall to the west SUBWAY and adjacent to the proposed drive-thru is in need of repair. There is a small pedestrian access point from the SUBWAY site

to the proposed drive-thru – this conflict will need to be resolved. To comply with this design technique climbing vegetation would need to be included in the landscape and irrigation plans.

- b. Retail structure front will need to incorporate this design technique in the landscape and irrigation plans.
 - c. Retail structure rear and east elevation will need to incorporate this design technique in the landscape and irrigation plans.
5. Landscaping should emphasize drought tolerant/low water using species.

Conclusion: Require as a condition on Landscape and Irrigation plans for the project

3. Architectural Strategies to utilize the following design techniques and mechanisms:

1. Preferred commercial styles include Spanish and Mediterranean see design concepts pages 25-9, 25-10 and 25-11.

Conclusion and Recommendations: TACO BELL: The proposed elevations do not meet the design styles of the Spanish or Mediterranean design concepts for Commercial development.

Conclusion and Recommendation: Retail Structure: The proposed elevations do not meet the design styles of the Spanish or Mediterranean design concepts for Commercial development.

2. **Taco Bell and Retail Structures:** The proposed developments currently have two different architectural styles – neither meeting the Spanish nor the Mediterranean design concepts. Since the proposed developments have common ingress and egress and off-street parking, trash facility and enclosures, and other features, the architectural design should complement each other and contain similar components of design.

4. Signage for TACO BELL and RETAIL STRUCTURE:

Conclusion: No sign package has been presented. However, Subsection I. Signs identify design guidelines for the future signs.

5. **Trash Enclosures:** Subsection M. Design Details – 1 Trash Enclosures provide four design concepts to be considered.

1. Trash enclosures should be considered as an architectural element of the overall project.
2. Walls should receive architectural detailing; climbing vines and shrubbery can be used to screen;
3. Additional details such as a trellis can be used to improve the attractiveness of a trash enclosure
4. Trash enclosures should be designed with a separate pedestrian entrance – to preclude front doors from being left open.

Analysis and Comments: The project is proposing one-trash enclosure, 10'-0" X 20'-0" for the project. The design shows the doors swing outward into the alley and illustrates four containers. Disposal issues include the normal trash generated by the commercial operations but also grease disposal.

1. The proposed design of the Trash enclosure is recommended to be redesigned as follows:
 - a. Opening and access shall be into the parking lot and not the alley.
 - b. Comply with design concept No. 4 so that employees may enter into the trash area to dispose of the trash without opening the doors.
 - c. Comply with design concept No. 3 by designing the trash area with a trellis or arbor as was recommended in **Site Location of Buildings** above.
 - d. Comply with design concept No. 1 by designing the enclosure to match the architectural design of the buildings.
 - e. Design the access from the sides of the trash enclosure so that service may be provided from the alley.
6. **LIGHTING – Subsection 4 a. Lighting should be an integral part of the architectural style of a project. Cobra-head style lights or other basic utility styles should be avoided.**

Review and Conclusion: The project site plan identifies on-sight lighting with what appears to be Cobra-head style lighting. The Street Scape lighting is preferred – refer to photo capturing the Street Lighting and street landscaping that exists along Bear Mountain Blvd. It is recommended that the interior lighting complement the existing street lighting.

NOTICE OF PUBLIC HEARING
Site Plan Review 2017-330BMB
Taco Bell and Retail Building
330 Bear Mountain Blvd, Arvin, CA 93203

Notice is hereby given that the Planning Commission of the City of Arvin, California, will conduct a public hearing, at which time you may be present and be heard to consider the following:

- A Site Plan Review (SPR) No. 2017-330BMB, which proposes the development of a 2,070 square foot Quick Serve Restaurant (Taco Bell) and a 6,429 square foot commercial retail building.
- Adoption of a mitigated negative declaration under the California Environmental Quality Act (CEQA) for the project.

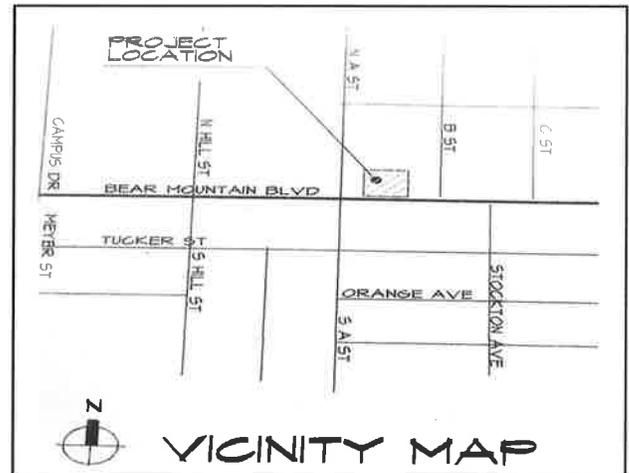
Arvin Planning Commission Hearing Information

Date: June 22, 2017

Time: 6:00 PM or as the Agenda permits

Place: City of Arvin Council Chambers,
200 Campus Drive, Arvin, CA 93203

The project site is located at 330 Bear Mountain Boulevard, East of North A Street and West of B Street, in Arvin, California. (See diagram.) The project applicants are Raji Brar, Representative for Jhaj & Brar Investment Inc., 21959 Hwy 46, Lost Hills, CA 93249. Additional information on the proposed project, including a copy of the proposed environmental findings as a hard copy or in electronic format, may be obtained from the City of Arvin, City Hall, 200 Campus Drive, Arvin, California, 93203, or the City's web site at www.arvin.org.



All persons interested in this topic who have questions, would like to provide feedback, or ask questions are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council, at or prior to, the public hearing. Address any communications or comments regarding the project to Marti Brown, Community Development Director, City of Arvin, Community Development Department, 141 Plumtree Drive, Arvin, CA 93203, (661) 854-2822, mbrown@arvin.org.

Cecilia Vela, City Clerk

May 31, 2017

Published: May 31, 2017, Arvin Tiller



**City of Arvin Community Development Department
141 Plumtree Drive, Arvin, CA 93203
(661) 854-6183 Office
(661)854-2969 FAX**

Initial Study – Site Plan Review No. 2017-330 Bear Mountain Blvd.

A. BACKGROUND

Project Title: Site Plan Review 2017-330 Bear Mountain Blvd.

Lead Agency Name and Address: City of Arvin, Community Development Department, City of Arvin, 141 Plumtree Drive, Arvin, CA 93203

Contact Person and Phone Number: Marti Brown, Community Development Director, (661) 854-6183 Bus; 661-854-2969 Fax; or mbrown@arvin.org E-Mail

Study Prepared By: Community Development Department, Marti Brown, Community Development Director, mbrown@arvin.org JAS Contract Planner, Jake Raper Jr., AICP Community Development Department, City of Arvin, 141 Plumtree Drive, Arvin, CA 93203 jraper@arvin.org Email

Date Prepared: April 28, 2017

Project Location: 330 Bear Mountain Blvd., Arvin, CA 93203, Assessor Parcel Numbers: 190-130-14, -15, and -27. Legal Description is Lots 18-21, Block 7, Townsite of Arvin, City of Arvin, County of Kern, and State of California. Figure 1 - Assessor Parcel No. 190-130-14, 15, and 27. Figure 1a – Regional Perspective – City of Arvin General Plan Update.

Project Sponsor's Name and Address: Raji Brar, 1994 Brimhall Road, Bakersfield, CA 93314, 661-703-5832, email: rajibrar@gmail.com. Representative for Jhaj & Brar Investment Inc., 21959 Hwy 46, Lost Hills, CA 93249.

General Plan Designation: General Commercial – Figure 2 – General Plan Land Use Map

Zoning: C-2 General Commercial Zone District - Figure 3 – Zoning Designation

Description of Project:

Site Plan Review 017- 30: The site plan application proposes two separate developments with common parking and vehicular circulation and access from and to State Hwy 223 (Bear Mountain Blvd.) and an existing semi-improved alley. The proposed Taco Bell, a one story Quick Serve Retail, consisting of 2,070 square feet. The proposed two story retail building consisting of 7,600 square feet. On-site parking is proposed along with landscaping and lighting. A lot line adjustment will be required eliminating lot lines to accommodate the proposed development and/or the establishment of non-exclusive ingress and egress easement and parking easements. Exhibit A Site Plan and Elevations, Pages 1 thru 7.

Surrounding Land Uses and Setting:

- North: Residential Uses – Single Family north of the proposed project
- South: Commercial Uses – Various Commercial Uses
- East: Commercial Uses - Chevron Service Station and Convenience Store
- West: Commercial Uses – Subway Deli

Refer to Figure 4 – Aerial Photo of Project Site and Photos dated April 2017 from project site to adjacent uses.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Possible encroachment permit from Cal Trans District 6

EXHIBITS AND FIGURES FOR SITE PLAN REVIEW 2017-330BMB

Exhibit A – Site Plan and Preliminary Elevations Pages 1 thru 7

Figure 1 - Assessor Parcel No. 190-130-14, 15, and 27

Figure 1a – Regional Perspective – City of Arvin General Plan Update.

Figure 2 – Land Use Designation Diagram

Figure 3 – Zoning Designation Map

Figure 4 – Aerial photo of site and Site Photos dated April 2017

Figure 5 - Active Faults.

Figure 6 – Location of Schools and Parks – Excerpt General Plan Environmental Assessment.

Figure 7- FEMA Flood Map – City of Arvin

Figure 8 – Site Location Map for Oil and Gas wells in relation to the proposed project.

Attachment 1 – Background Discussion - Air Quality – Excerpt from General Plan Environmental Assessment

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Aesthetics	Agriculture	Air Quality
Biological Resources	Cultural Resources	Geology/Soils
Hazards & Hazardous Materials	Hydrology/Water Quality	Land Use/Planning
Mineral Resources	Noise	Population/Housing
Public Services	Recreation	Transportation/Traffic
Utilities/Service Systems	Mandatory Findings of Significance	

C. DETERMINATION: (To be completed by the Lead Agency)

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.

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

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

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

I find that although the proposed project could have significant effect on the environment, because all potentially significant effect (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standard, 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.

Signature

Date
April 28,, 2017

Marti Brown,
Community Development Director

Printed Name

City of Arvin

For

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

Notes:

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

1. AESTHETICS – Would the Project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Have a substantial adverse effect on a scenic vista?

X

Comments: NOT Applicable. The proposed project is not located within any designated scenic corridor and will not restrict any public views. However, the proposed project will be required to underground all new and existing electrical lines located on the property.

The southern Sierra, Tehachapi, and San Emigdio mountain ranges surround the eastern and southern sides of the San Joaquin Valley around the City of Arvin. The project site is surrounded by commercial development and residential homes and is not anticipated to significantly obstruct the scenic vista or create incompatible structures. The proposed development will not have an impact on scenic vistas in the Arvin area.

Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

X

Comments: NOT Applicable. There are no trees, rock outcroppings, and/or historic building located within or on the project site. The project fronts on Highway 223, Bear Mountain Blvd. The California Department of Transportation does not designate Hwy. 223 as a State Scenic Highway.

Substantially degrade the existing visual character or quality of the site and its surroundings?

X

Comments: The visual character and quality of the site will not be impacted. The proposed development of the Quick Serve Restaurant and Retail buildings are in harmony with surrounding commercial and residential development.

Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

X

Comments: All on-site lighting installed as a result of the proposed project will be done so in accordance with the City of Arvin Standards and Specifications. All lights standards are to be of such design to direct the light downward onto the parking lot and buildings.

2. AGRICULTURE RESOURCES:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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:

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 Resource Agency, to non-agricultural use?

X

Comments: NOT Applicable. The City of Arvin General Plan and Zoning designations established the site for commercial development and has a land use designation of General Commercial with the corresponding zoning classification of C-2 Commercial and Residential. Surrounding properties to the north, east, south and west are designated as commercial with residential designation and development to the north of the project.

Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

X

Comments: NOT Applicable. The proposed project area is not under the provisions of a Williamson Act Contract – The City of Arvin General Plan designates the site for commercial development and has a land use designation of General Commercial with the corresponding zoning classification of C-2 Commercial.

Involve other changes in the existing environment which, due to their location or nature, could result on conversion of Farmland, to non-agricultural use?

X

Comments: NOT Applicable. See item 2-b above.

3. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Conflict with or obstruct implementation of the applicable air quality plan?

X

Comments: Email received on Tuesday February 14, 2017, from the San Joaquin Valley Unified Air Pollution Control District, on file at the Arvin Community Development Department, reviewed the proposed project and had no comments to offer at this time. The project sponsor will be required to meet with the "District" staff and comply with the Districts' Permit Requirements prior to construction activities. Clearance shall be required prior to issuance of grading permits or building permits. See Attachment 1 for background information on Air Quality – excerpt from General Plan Environmental Assessment. See d) below.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

X

Comments: Refer to a) above.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursor)?

X

Comments: See answer to 3(d) below.

- d) Expose sensitive receptors to substantial pollutant concentrations?

X

Comments: MM AQ 1: The project will be required to fully comply with San Joaquin Valley Air Pollution Control District Rules and Regulations including but not limited to Regulation VIII concerning fugitive dust emissions and Rule 9510 Indirect Source Review.

- e) Create objectionable odors affecting a substantial number of people?

X

Comments: Not Applicable.

4. BIOLOGICAL IMPACTS: Would the Project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 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 regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

X

Comments: The site is a vacant and bare of any vegetation. No native natural habitat exists. No threatened and endangered plant species or habitats of concern are known to be present on the site, nor general occur in the adjacent properties within the vicinity of the project. The site is a reuse site, previous buildings were removed while under the authority of the City of Arvin Redevelopment Agency. The site is surrounded by urban development. Figure 4 – Aerial photo of site and Site Photos from project site of surrounding uses - dated April 2017

- 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

Comments: See Item 4(a) above.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

X

Comments: The site is void of any protected wetlands.

- 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

Comments: See Item 4(a) above.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

X

Comments: The proposed project will not conflict with any local policies or regulations protecting biological resources.

- 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

Comments: No such plans exist that govern the project.

5. CULTURAL RESOURCES – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

- a) Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?

X

Comments: The City of Arvin General Plan does not identify any resources of historical significance to be located on the site. Previous environmental documents, such as the EIR for redevelopment projects in the city indicated that there were no listed historic properties or archaeological sites within the project area which represented the major portion of the city's development area.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?

X

Comments: The City of Arvin General Plan does not identify any resources of archaeological significance identified on the site. However, to mitigate any potential impacts to significant archaeological resources identified during project construction, an archaeological assessment shall be conducted for the site if archaeological resources are identified. The site shall then be formally recorded, and archaeologist's recommendations shall be made to the City regarding further site investigations or site avoidance/preservation measures.

MM –CR 1: All Construction is to be stopped within 50'-0" of the uncovered site to avoid and to mitigate any potential impacts to significant archaeological resources identified during project construction. Prior to commencement of work at the site, an archaeological assessment shall be conducted for the site. If archaeological resources are identified, the site shall then be formally recorded, and archaeologist's recommendations shall be made to the City regarding further site investigations or site avoidance/preservation measures.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

X

Comments: The City of Arvin General Plan does not identify any unique paleontological resources or unique geological features to be located within the proposed project area. Should an undetermined site be uncovered, the project sponsor shall implement the mitigation measure listed in 5 b) above.

- d) Disturb any human remains, including those interred outside of formal cemeteries?

X

Comments: Not Applicable. It is not anticipated that the proposed project will disturb human remains.

However, if during construction human remains are identified, the Kern County Coroner shall be contacted immediately. If the remains or other archaeological materials are possible of Native American in origin, the Native American Heritage Commission shall be contacted immediately.

MM-CR 2: If during construction human remains are identified, all work within 50'-0" of the find shall be stopped. The Kern County Coroner shall be contacted immediately. If the remains or other archaeological materials are possible of Native American in origin, the Native American Heritage Commission shall be contacted immediately. Work shall not be continued until such time as clearance is received by the City.

6. GEOLOGY AND SOILS – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

X

1) 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

Comments: The Initial Study for the City of Arvin General Plan Update, 2012, Section VI. Geology and Soils provides the overview of potential risks associated with earth quakes and liquefaction seismic related risk. To lessen this potential impact, all new construction must meet earthquake safety standards set forth in the Uniform Building Code and geotechnical engineering, and soils engineering investigations shall be required. No structures intended for human habitation shall be constructed over or within 50 feet of an identified fault. See Figure 5, Active Faults.

2) Strong seismic ground shaking?

X

Comments: See Item 6(a)(1) above.

3) Seismic-related ground failure, including liquefaction?

X

Comments: See Item 6(a) (1) above. In addition, the City of Arvin General Plan indicates there is no history of land subsidence within the City of Arvin.

4) Landslides?

X

Comments: The proposed project area and surrounding areas are relatively flat and therefore, any chances of landslides are minimal.

b) Result in Substantial soil erosion or the loss of topsoil?

X

Comments: The City of Arvin General Plan 2012, "The potential for soil erosion is low to moderate. New development in the City may require some grading to provide for building pads, parking facilities, utilities and drainage. Lose of top soil is slight, due to the low degree of slope of the land and to the highly permeable nature of the soil.

6. GEOLOGY AND SOILS CONT'D– Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 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

Comments: There is no history of land subsidence within the City of Arvin. The shall require all construction and development to adhere to the California Building Code and standard building practices, policies, and guidelines to ensure that any geologic impacts including on- and off-site landslides, lateral spreading, subsidence and expansive soils are less than significant. .

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? X

Comments: See comments in c) above.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? X

Comments: NOT Applicable. The proposed project does not include the installation of septic tanks or alternative wastewater disposal systems. All infrastructure improvements, including storm, sewer, and water services will be served by the City of Arvin or Special Districts.

7. GREENHOUSE GAS EMISSIONS – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the X

environment?

Comments: The General Plan Update 2012, Section VII Greenhouse Gas Emissions examined the effects of Greenhouse Gas Emissions for the City upon build out.

Mitigations are listed as previously adopted: While the analysis indicates there will be an increase of GHG emissions resulting from the buildout capacity of the General Plan, (General Plan Buildout), there are currently no GHG emission thresholds adopted by the City, State or SJVAPD and, therefore, the level of impact cannot be determined. In the absence of regulatory standards for GHG emissions, and to ensure that project impacts are minimized and to exercise an abundance of caution, it is recommended that the capacity buildout of the General Plan include mitigation measures, such as those recommended by the California Air Pollution Control Officers Association (CAPCOA) and the California Office of the Attorney General. See Section 3 Air Quality for further comments.

The City of Arvin adopted a Climate Action Plan for municipal projects. No plan has been adopted for private projects. The Climate Action Plan establishes strategies to guide the City's efforts for reducing GHG emissions.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

X

Comments: The environmental assessment for the General Plan Update 2012, Section VII Greenhouse Gas Emissions examined the effects of Greenhouse Gas Emissions for the City upon build out. See Comments in a) above.

8. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

X

Comments: The transport of any hazardous materials will comply with all Federal, State, and local policies and regulations.

- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

X

Comments: The only foreseeable upset and accident condition that may occur as a result of the proposed project may or may not occur during construction. However, it is anticipated that all safety procedures and policies will occur in full compliance with Federal, State, and local policies and regulations.

- 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

Comments: The proposed project is not within one-quarter mile of a school. The closest school is approximately one-half mile north from the project site. Refer to Figure 6 – Location of Schools and Parks – Excerpt General Plan Environmental Assessment.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environments?

X

Comments: Site research on Envirostor, Department of Toxic Substance Control concluded the site is not located on a hazardous site as defined by Section 65962.5 of the Government Code. Report on file at Arvin Community Development Department, 141 Plumtree Drive, Arvin, CA 93203.

8. HAZARDS AND HAZARDOUS MATERIALS CONT'D

– Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

X

Comments: The nearest public use airport is the Bakersfield Municipal Airport which is located approximately 18 miles to the northwest, and the nearest private airport is the agricultural (crop dusting) landing strip located approximately on quarter mile to the southwest of the city limits. The City is not located within the limits of the airport impact zone.

CMLUCA NOTIFICATION: Government Code Sections 65352, 65404, 65940, and 65944 requires local planning agencies to notify the military whenever a propose development project or general plan amendment meets criteria requiring notification. Website research and resulting information from the CMLUCA determined that all of Kern County is not subject to the required notification(s) to the military as noted in the above Government Code sections.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? X

Comments: See Item 8(e) above.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? X

Comments: The proposed project does not propose any changes to the roadway system or evacuation routes designed by the City that will interfere or have a negative impact on emergency response. Evacuations of people will proceed according to the City's policies related to emergency preparedness. In addition, the City will coordinate emergency response and relief services with the county, state, federal and volunteer agencies, when needed. In addition, recommendations from the Kern County Fire Department and Arvin's Police Department are established as conditions imposed on the proposed development. The installation of improvements per City Standards, and upon the issuance of building permits meeting current building and fire codes, further reduce the potential for conflicts.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? X

Comments: 2012 General Plan Update environmental assessment, identified the entire City is shown as "unzoned" on the Fire Hazard Severity Zone map for Kern County. This document was produced by the California Department of Forestry and Fire Protection (CalFire) and is not identified as a high risk area. Furthermore, the existing General Plan Safety Element includes a policy which ensures the safety of the residents of the City through proper consideration of location of earthquakes faults and their relationship to development, natural flooding hazards from storm runoff slope development and related problems of earth slippages and hazards for fire in brush or grasslands. See Item 7(g) above.

9. HYDROLOGY AND WATER QUALITY – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Violate any water quality standards or waste discharge requirements? X

Comments: The proposed project will comply with all Federal, State, and local policies and regulations related to water quality.

- b) Substantially deplete groundwater supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? X

Comments: The General Plan Update 2012 identified the depletion of ground water as Less Than Significant Impact as a result of the efforts of Arvin-Edison Water Storage District engagement in programs of groundwater replenishment, which resolved any depletion of ground water supply or quality of ground water.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in *substantial erosion or siltation on- or off-site*? X

Comments: The proposed project will alter the existing drainage pattern of the site by the construction of project. The necessary improvements to support such development will be constructed by the project sponsor and those improvements will be constructed in accordance with the City of Arvin’s Standards and Specifications, and therefore, impacts to the existing drainage patterns are less than significant.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in *flooding on- or off-site*? X

Comments: See Comment c) above.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? X

Comments: The proposed project will contribute runoff water due to new impervious parking lot and structures. This will in turn contribute additional storm water to the City of Arvin’s storm water system. The implementation of the storm water master plan and any improvements required by City of Arvin Public Works Department and City Engineer will lessen the impact to less than significant.

9. HYDROLOGY AND WATER QUALITY – CONT’D –

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) Otherwise substantially degrade water quality? X

Comments: The proposed project will comply with all Federal, State, and local policies and regulations related to water quality.

- g) Place within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?

X

Comments: The proposed project is within Zone AO as identified by the FEMA Flood Map of the City. The City is in the 100-year flood zone with designation zones A, AO, and X. Figure 8-FEMA Flood Map of the City. The Flood Zones are defined as:

Zone A – Areas subject to flooding by the one percent annual change flood (100-year storm) with no base flood elevation determined.

Zone AO - Areas subject to flooding by the one percent chance flood with flood depths of one to three feet with an average depth and flood velocity determined.

Zone X (Shaded) - Areas of aa 0.2 percent annual chance flood, areas subject to the one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees for the one percent annual chance flood.

Figure 7 – FEMA Flooding Map

Because the City is in the 100-year flood zone, mandatory flood insurance purchase requirements and floodplain management standards apply.

Chapter 15.32 (Floodplain Management) of the Arvin Municipal Code establishes flood-resistant standards for building anchoring, construction materials and methods, storage of materials, utilities and land subdivisions. In addition FEMA requires that for all new construction, the ground floor must be raised at least 24 inches above the highest adjacent grade.

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

X

Comments: See Comments g) above.

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

X

Comments: The nearest dam, Isabella Dam, is located approximately 55 miles to the southwest. The City of Arvin General Plan indicates that failure of the Isabella Dam would not have a significant impact on the City of Arvin.

9. HYDROLOGY AND WATER QUALITY – CONT'D –

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- j) Inundation by seiche, tsunami, or mudflow?

X

Comments: Two manmade lakes located in the southern portion of the City are relatively small in size and any seiche-related phenomena (A seiche is a standing wave in and enclosed or partially enclosed body of water) and due to relatively small size of the lakes, seiche would not cause a significant impact on the homes in the area.

Arvin is located in the Central Valley, hundreds of miles from the California coastline (Pacific

Ocean), and due to the city's location a tsunami event is less than significant.

The possibility of mudflows is extremely low, given the absence of hillside and mountainous terrain with the City

10. LAND USE AND PLANNING – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Physically divide an established community?

X

Comments: The proposed project will not physically divide the established community by the development of the proposed project. The project site is surrounded by existing commercial development and residential development. Therefore this impact is less than significant.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

X

Comments: The proposed project does not conflict with the City of Arvin's General Plan. The City's General Plan currently designates the site for General Commercial land use and is zoned as C-2 Commercial uses. Development proposed will further implement the goals and policies of the General Plan.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan? **X**

Comments: No such plan governs the proposed project.

11. MINERAL RESOURCES – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 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**

Comments: The City of Arvin is located within the Division of Oil, Gas, and Geothermal Resources' (DOGGR) Mountain View Oil Field Boundaries (DOGGR, 2007, Map 433), "one of the most highly productive oil fields in Kern County", (Master Environmental Impact Report for the City of Arvin General Plan, 1988, November). According to the Master Environmental Impact report for the City of Arvin General Plan (November 1988), petroleum is the principal mineral resource in the Planning area and proposed build-out will impact present production and potential exploration. Such development restricts future oil operations, requires additional unanticipated expenditures, and creates safety and public nuisance problems (City of Arvin 1988).

The project has been reviewed by the DOGGR and as per letter dated April 18, 2017, "there are no active or plugged-and-abandoned wells located with project boundaries". Figure 8- Locational Map for Oil and Gas Wells to the proposed project.

- 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**

Comments: See Comments a). The City of Arvin General Plan does not identify any mineral resources of local importance within the proposed project area.

12. NOISE – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? **X**

Comments: The project and existing businesses will be exposed to noise from construction activities and traffic on the City's roadway system. Construction-related noise is generally short-term and temporary and is acceptable provided it is limited to the hours established in Municipal Code Chapter 9.08 (Noise Disturbance Ordinance), which states the times allowed for construction to be between 6:00 a.m. and 9:00 p.m. except with urgent cases of health and safety of the public, which would need approval by the City Manager.

Development brought about by the project will be consistent with the existing General Plan Noise Element policies and the noise ordinance in the Municipal Code, which will minimize noise exposure for sensitive land uses.

- b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? **X**

Comments: See Item 12(a) above.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **X**

Comments: See Item 12(a) above. The proposed project will increase permanent ambient noise levels upon buildout of the project. Ambient noise levels will increase due to increased commercial and retail activity.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **X**

Comments: See Item 12(a) above.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? **X**

Comments: The nearest public use airport to the proposed project area is the Bakersfield Municipal Airport which is located approximately 18 miles to the northwest and the nearest private airport is the agricultural (crop dusting) landing strip located approximately one quarter mile to the southwest of the city limits.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? **X**

Comments: See Item 11(e) above.

13. POPULATION AND HOUSING – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? **X**

Comments: The proposed project does induce population growth in the City of Arvin by proposing the construction of the project. The City of Arvin's General Plan identified the site for future commercial development by designating the area for General Commercial and Commercial zoning. Therefore, it is not anticipated that the proposed project will substantially induce population growth, not anticipated by the General Plan.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? **X**

Comments: The proposed project will not displace any existing residences, in as much as the site is devoid of any structures.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

X

Comments: The proposed project will not displace residents. As indicated above in Item 13(b), the site is devoid of any structures.

13. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 1) Fire protection?

X

Comments: The proposed project will not create the need for additional City of Arvin Fire Stations nor impact the Kern County Fire Department. The General Plan Update 2012 adequately addresses the need for and planned facilities to meet the buildout of the general plan holding capacity. Prior to the issuance of a building permit, or prior to the issuance of a Certificate of Occupancy Permit or as agreed between the City and the project sponsor, the City will require clearance from the Kern County Fire District.

- 2) Police protection?

X

Comments: The proposed project will not create the need for additional police stations within the City of Arvin. The General Plan Update 2012 adequately addresses the need for and planned facilities to meet the buildout of the general plan holding capacity. The City has adopted police impact fees imposed on new development. The development of the

proposed project would contribute to a cumulative need for additional sworn officers, but will not create a significant burden on police services or adversely impact present levels of service. The proposed project would not create the need for unusual or significant new police equipment. Prior to issuance of building permits or issuance of a Certificate of Occupancy Permit or as agreed to between the City and the project sponsor, the Police development impact fees are required to be paid. This fee is subject to annual adjustments and may differ at the time fees are actually collected.

3) Schools?

X

Comments: The proposed development will not impact school facilities within the City of Arvin by bringing new commercial and retail development in accordance with the General Plan. The project site is located within the Arvin Union School District. The District has justified the collection of Statutory School Fees and have adopted school impact fees as allowed by state law. Prior to the issuance of building permits or prior to final occupancy, a clearance letter is required from the School District. Should the School District fail to provide the clearance letter, the project sponsor may seek resolution and gain the permit from the City based upon payment of the established fee.

4) Parks?

X

Comments: The proposed project is a commercial project and is not anticipated to create a demand for parks. Park impact fees are not collected on commercial projects.

5) Other public facilities?

X

Comments: The City has adopted Traffic Impact fees. The proposed project would not create the need for unusual or significant new road improvements. Prior to issuance of a building permit or occupancy permit or as agreed to between the City and the project sponsor, the Traffic Impact Fees is required to be paid. This fee is subject to annual adjustment and may differ at the time fees are actually collected.

14. RECREATION

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

X

Comments: The proposed project is a commercial project and is not anticipated to result in an increased demand for neighborhood and regional parks or other recreational facilities.

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

Comments: The proposed project would not require the construction or expansion of additional recreational facilities.

15. TRANSPORTATION/TRAFFIC – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the

X

street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Comments: Comments: The proposed project would result in new automobile trips per day, utilizing the Institute of Transportation Engineers trip generation rate. Refer to 13-a-5 for discussion.

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? **X**

Comments: The project will not further degrade the level of service standard as established by the county congestion management agency for designated roads or highways.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? **X**

Comments: See 15 a) above.

15. TRANSPORTATION/TRAFFIC – CONT'D – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? **X**

Comments: The construction of all improvements will be done in accordance with the City of Arvin's Standards and Specifications and any work within Hwy 223 shall comply with the State of California Department of Transportation standards and specifications.

- e) Result in inadequate emergency access? **X**

Comments: Emergency access into the proposed development will be maintained. The proposed project would not result in a change in air traffic patterns.

- f) Result in inadequate parking capacity? **X**

Comments: The proposed project does include on-site parking that will accommodate commercial and retail activity. However, the proposed development does not meet the parking ratio established by the City of Arvin's municipal code. Several options are available to the project sponsor when implemented will resolve this conflict.

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? **X**

Comments: The proposed project does not conflict with the City of Arvin General Plan Circulation Element. The project sponsor has provided both short term and long term bicycle parking within the proposed development.

16. UTILITIES AND SERVICE SYSTEMS – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

X

Comments: The City of Arvin, in partnership with Veolia Water Inc., is responsible for sewer service in the City. Wastewater treatment will be met in accordance with all Federal, State, and local policies and regulations.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

X

Comments: The project will be required to fund design and construction of sewer, water, and storm drainage infrastructure to City of Arvin's and the appropriate special district standards for domestic use and for fire services standards. The Arvin Community Services District provides domestic water for the City of Arvin.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

X

Comments: The proposed project will be required to fund, design and construction of water drainage infrastructure to City Standards. The City of Arvin maintains existing drainage facilities and as development occurs, the project sponsor are required to fund, design, and construct needed facilities to accommodate the project service needs.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? **X**

Comments: Arvin Community Services District has indicated that sufficient water supplies are available to the project.

- e) 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's projected demand in addition to the provider's existing commitments? **X**

Comments: The project has been reviewed by representatives of the Veolia Water (sewer) and has indicated that sufficient capacity exists to serve the project. The project will be required to fund, design, and construct infrastructure to service the projects service needs.

16. UTILITIES AND SERVICE SYSTEMS – CONT'D –

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? **X**

Comments: The City of Arvin's solid waste is serviced by Mountainside Disposal, a private solid waste disposal company. The General Plan Update 2012, Section 17 environmental assessment provides an appropriate analysis of the solid waste disposal and the capacity to service the capacity for the City of Arvin's build out.

- g) Comply with federal, state, and local statutes and regulations related to solid waste? **X**

Comments: All Federal, State, and local policies and regulations related to solid waste will be complied with.

MANDATORY FINDINGS OF SIGNIFICANCE

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

X

Comments: Based upon the findings of the initial study and documented through previous environmental documents as noted in the reference list, the project will not degrade the quality of the environment nor reduce the habitat of a fish or wildlife species, nor cause a fish or wildlife population to drop below self-sustaining levels, nor other degradation as identified above.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

X

Comments: Based upon the findings of the initial study the project will have incremental effects however with mitigation measures as identified those impacts are less than significant.

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

X

Comments: Based upon the findings of the initial study and documented through previous environmental documents as noted in the reference list, the project will not cause substantial adverse effects on human beings.

E. REFERENCES

1. City of Arvin General Plan – Land Use Element, Conservation and Open Space Element, Air Quality Element Community Health Element, and Implementation Plan – 2012

1a. City of Arvin General Plan – Land Use Element, Conservation and Open Space Element, Air Quality Element Community Health Element, and Implementation Plan – 2012 – Initial Study and adopted Mitigated Negative Declaration.

2. City of Arvin General Plan.– Circulation Element adopted August 21, 2012

2a. City of Arvin General Plan – Circulation Element adopted August 21, 2012 - Initial Study and adopted Mitigated Negative Declaration - 2010.

3. City of Arvin General Plan – Noise Element adopted 1988, Safety Element adopted 1988, and Economic Development Element adopted 1988

3a. City of Arvin General Plan – Noise Element adopted 1988, Safety Element adopted 1988, and Economic Development Element adopted 1988 – Master Environmental Impact Report.

4. City of Arvin Zoning Ordinance

5. City of Arvin Standards and Specifications

6. City of Arvin Drainage Master Plan Update – August 2009

7a. Enterprise Zone EIR dated 2009;

7b. Initial Study and Mitigated Negative Declaration for the City of Arvin Wastewater Treatment Plant Expansion Project August 2007;

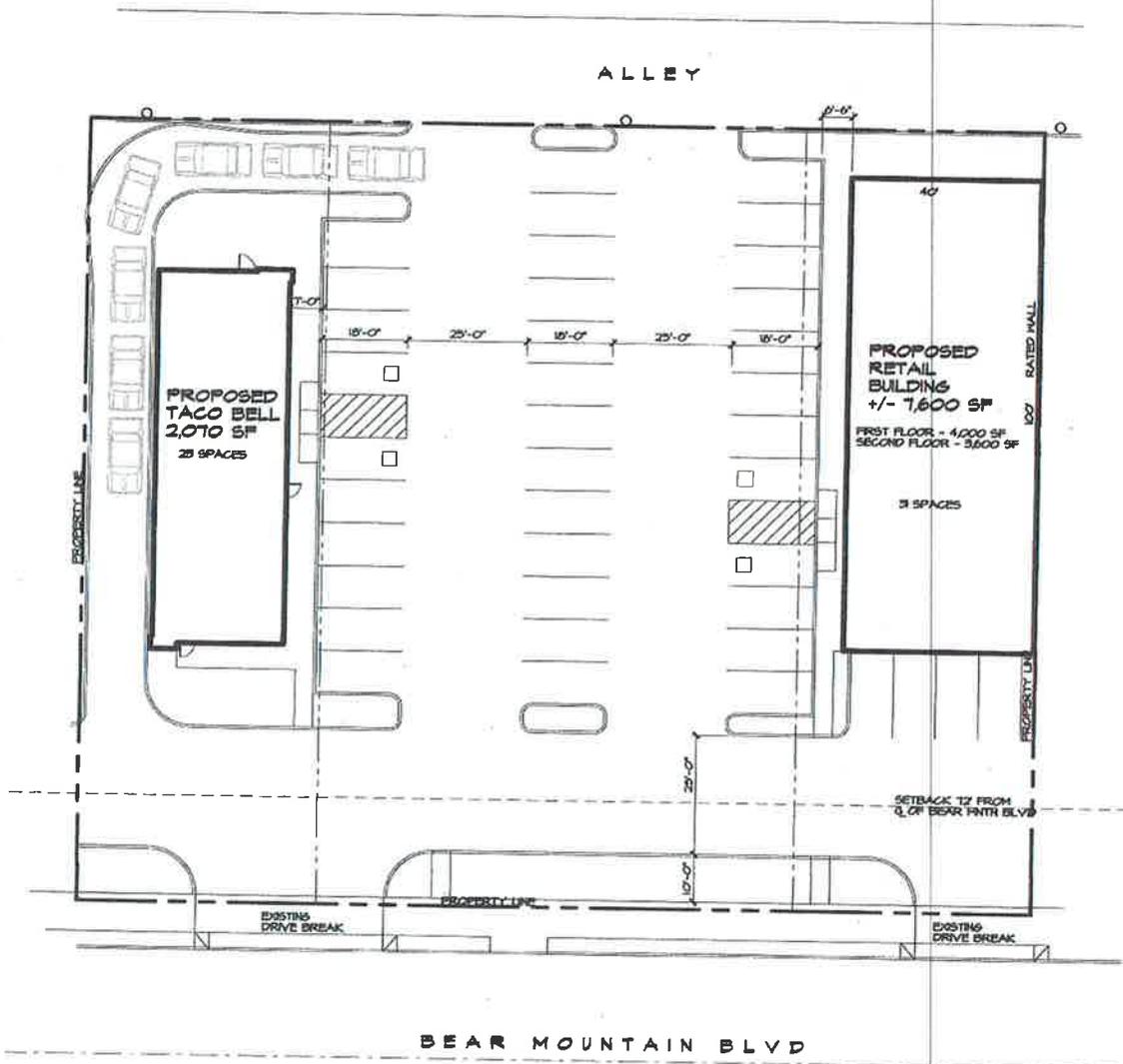
All reference material may be reviewed at the City of Arvin, Community Development Department, 141 Plumtree Drive, Arvin, CA 93203



City of Arvin Community Development Department
 141 Plumtree Drive, Arvin, CA 93203
 (661) 854-6183 Office
 (661)854-2969 FAX

Initial Study – Site Plan Review No. 2017-330 Bear Mountain Blvd.

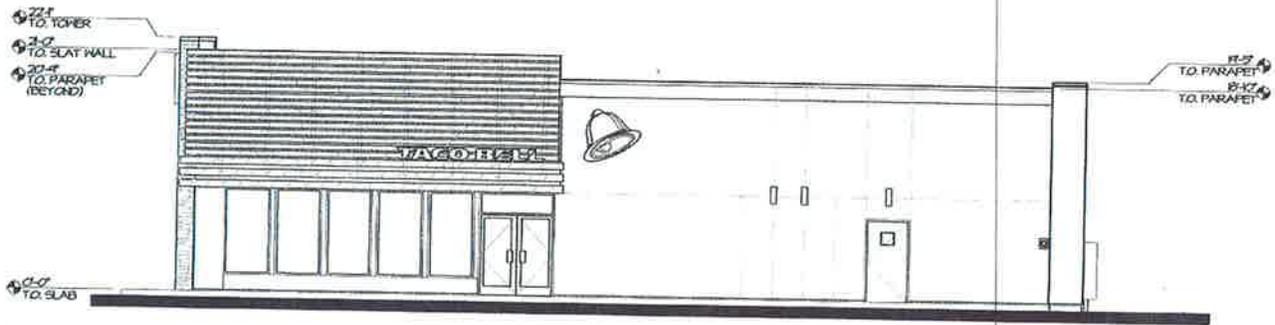
<u>EXHIBITS, FIGURES ATTACHMENTS</u>		
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SCHEME 'B-2'
PDA INC. 8-16

54 STALL REQUIRED
34 STALL PROVIDED

TACO BELL & OFFICE BLDG
SPR 2017-330 BMB

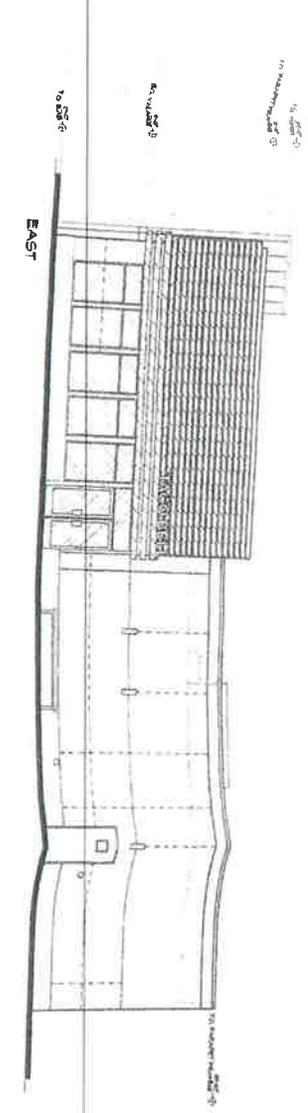
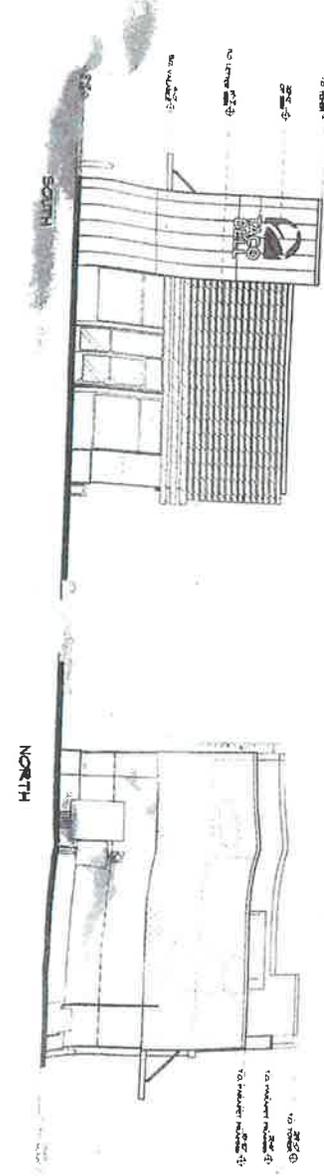
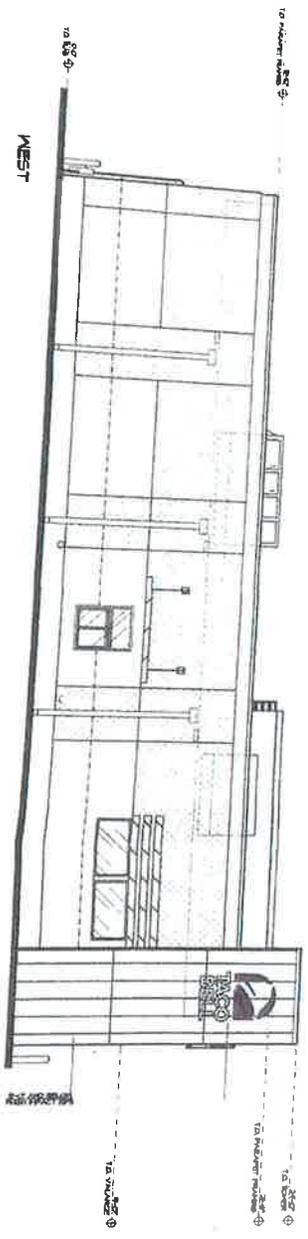


TACO BELL
 EXTERIOR ELEVATION
 PDA INC. 7-29-16

TACO BELL & OFFICE BLDG.
 SPR 2017. 330 BMB

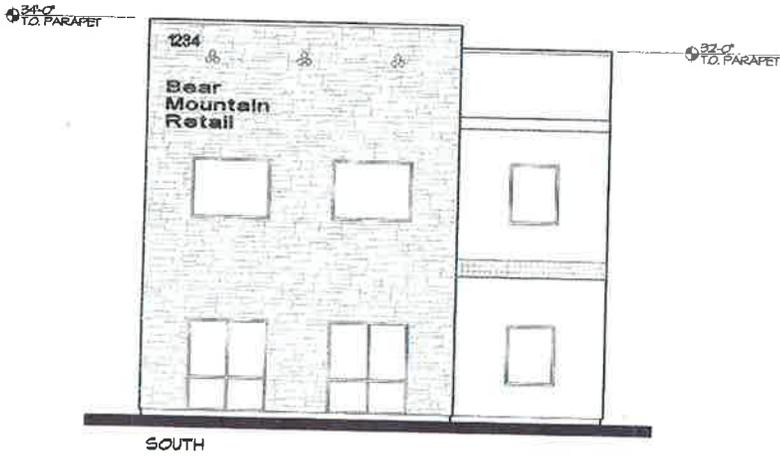
EXTERIOR ELEVATIONS

1/8"



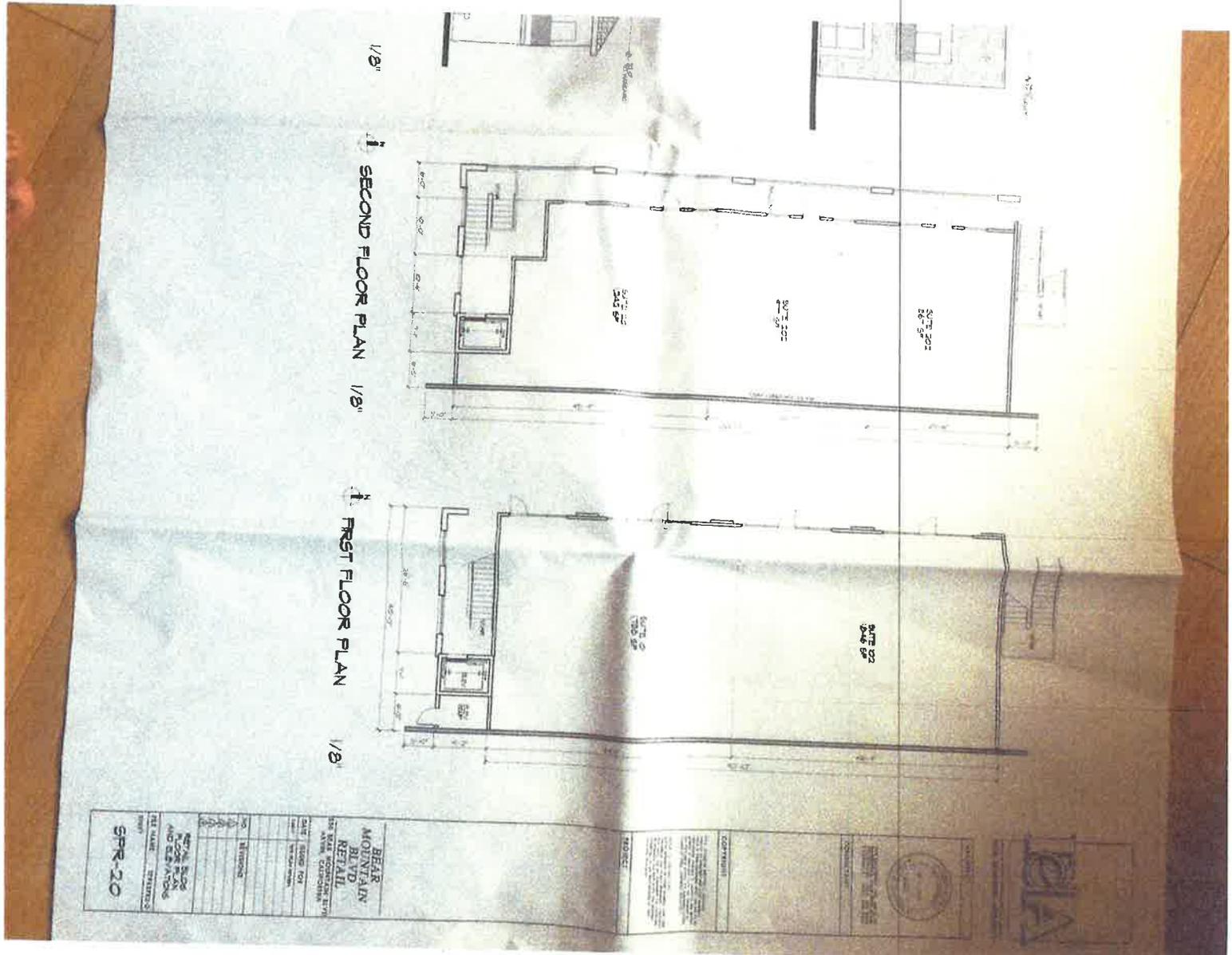
4

4057



WEST
BEAR MOUNTAIN BLVD RETAIL
 PROPOSED EXTERIOR ELEVATION, SCHEME 'B'
 PDA INC. 1-24-16

TACO BELL & OFFICE BLDG.
 SPR 2017- 330 BMB



1/8"

SECOND FLOOR PLAN

1/8"

FIRST FLOOR PLAN

1/8"

BEAR MOUNTAIN BLVD RETAIL

10000 BEAR MOUNTAIN BLVD
 WYOMING

DATE: 10/10/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]

NO.	REVISIONS

SCALE: 1/8" = 1'-0"

PROJECT: BEAR MOUNTAIN BLVD RETAIL

DATE: 10/10/10

DRAWN BY: [Name]

CHECKED BY: [Name]

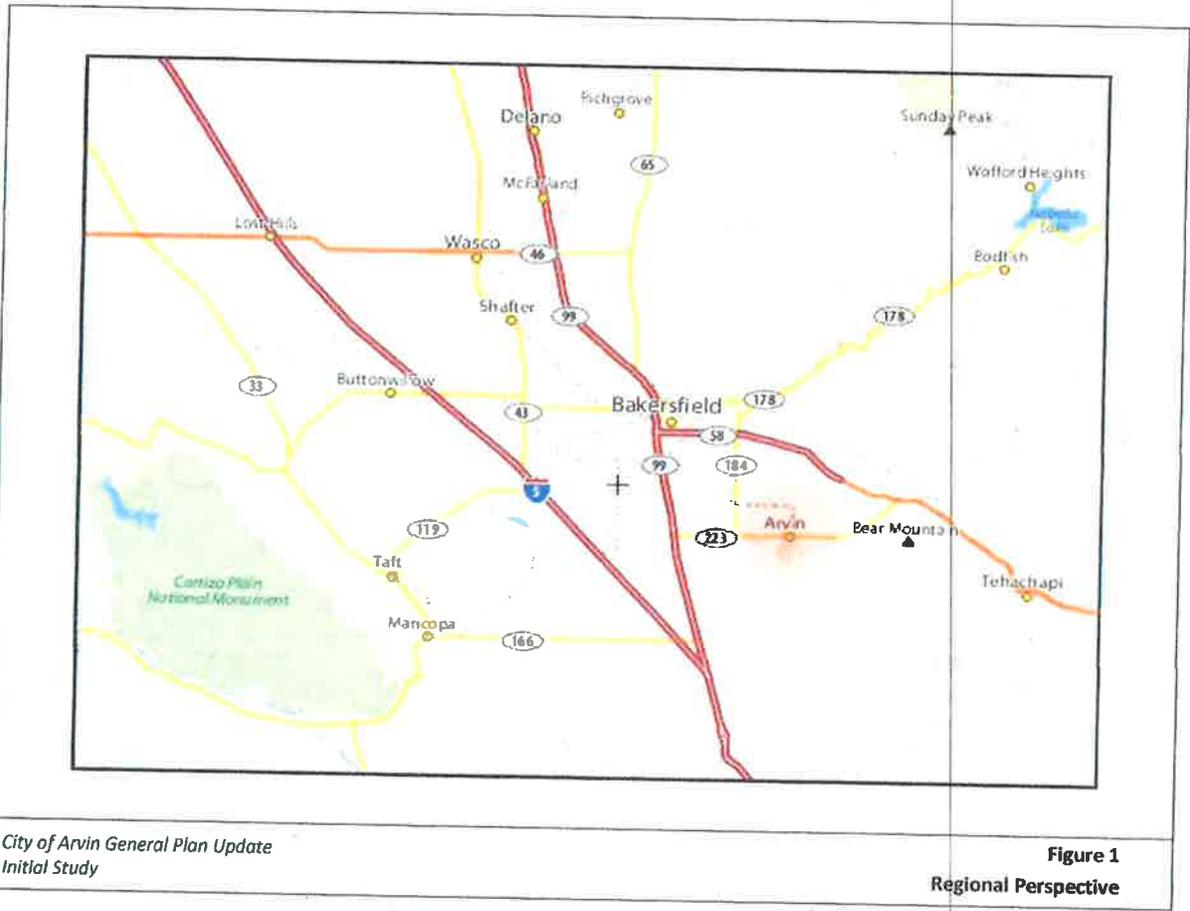
SCALE: 1/8" = 1'-0"

PROJECT: BEAR MOUNTAIN BLVD RETAIL

DATE: 10/10/10

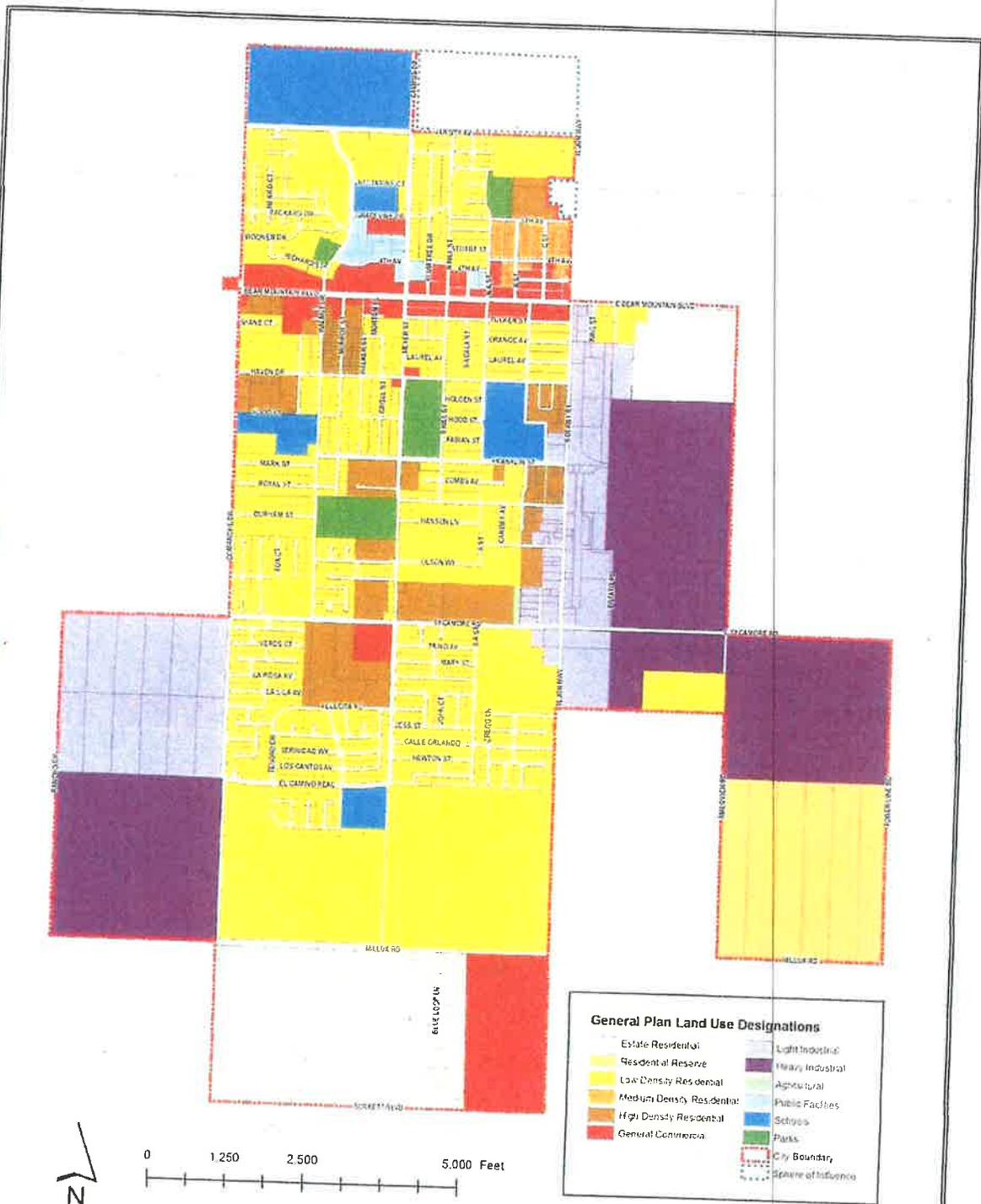
DRAWN BY: [Name]

CHECKED BY: [Name]



City of Arvin General Plan Update
Initial Study

Figure 1
Regional Perspective



Arvin General Plan

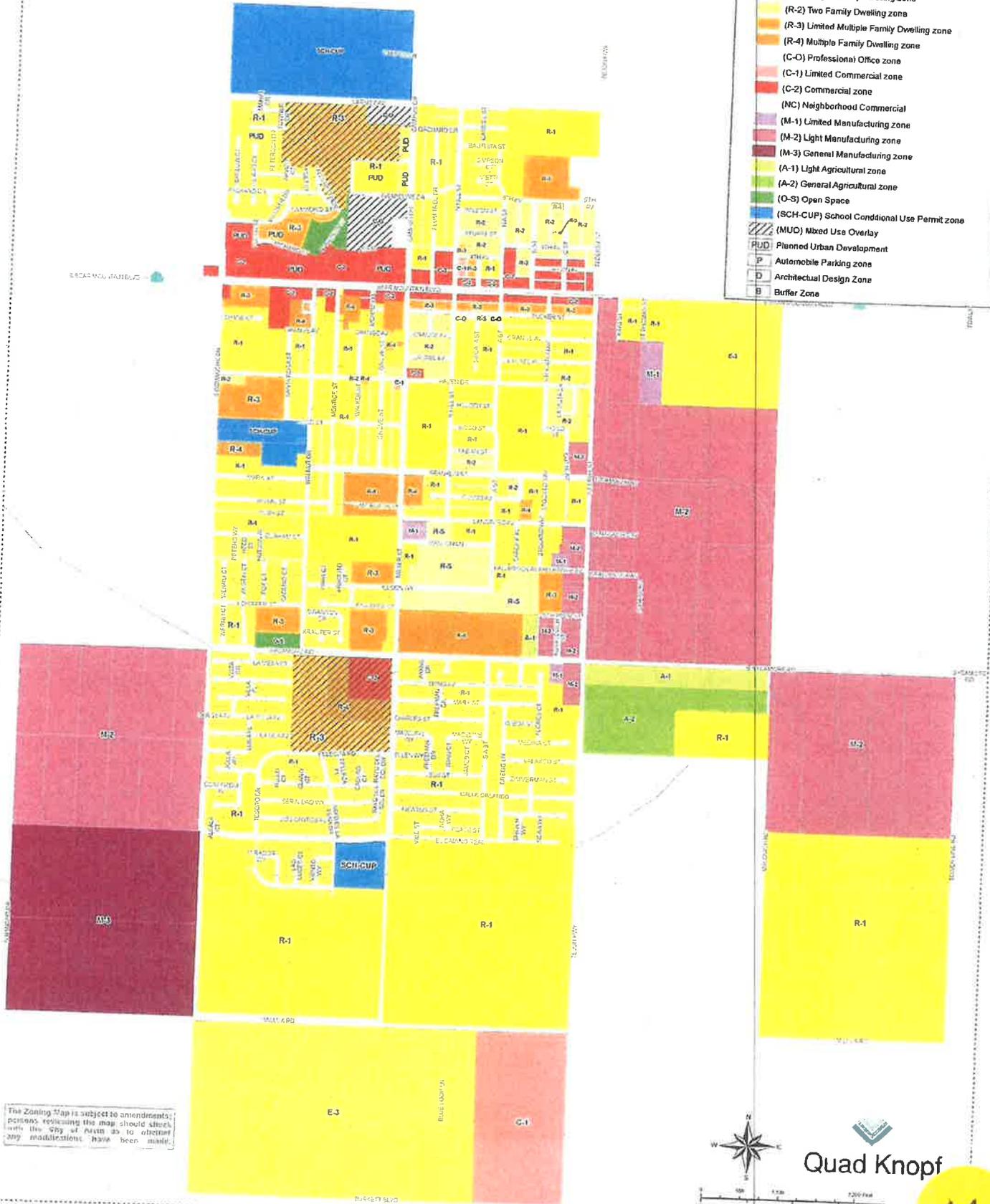
Figure LU-2
GENERAL PLAN LAND USE MAP

Arvin Zoning Map

CITY OF ARVIN

Zoning Description

- (E-3) Estate zone
- (R-S) Suburban Residential zone
- (R-1) Single Family Dwelling zone
- (R-2) Two Family Dwelling zone
- (R-3) Limited Multiple Family Dwelling zone
- (R-4) Multiple Family Dwelling zone
- (C-O) Professional Office zone
- (C-1) Limited Commercial zone
- (C-2) Commercial zone
- (NC) Neighborhood Commercial
- (M-1) Limited Manufacturing zone
- (M-2) Light Manufacturing zone
- (M-3) General Manufacturing zone
- (A-1) Light Agricultural zone
- (A-2) General Agricultural zone
- (O-S) Open Space
- (SCH-CUP) School Conditional Use Permit zone
- (MUD) Mixed Use Overlay
- Planned Urban Development
- Automobile Parking zone
- Architectural Design Zone
- Buffer Zone



The Zoning Map is subject to amendments; persons reviewing this map should check with the City of Arvin to obtain any modifications that have been made.



Quad Knopf



City of Arvin Community Development Department
 141 Plumtree Drive, Arvin, CA 93203
 (661) 854-6183 Office
 (661)854-2969 FAX

Initial Study – Site Plan Review No. 2017-330 Bear Mountain Blvd.

EXHIBITS, FIGURES ATTACHMENTS		
Exhibit #	Description	Page
Exhibit A	Site Plan and Preliminary Elevations	1 thru 7
Figure 1	Assessor Parcel No. 190-130-14, 15, and 27	8
Figure 1a	Regional Perspective – City of Arvin General Plan Update.	9
Figure 2	Land Use Designation Diagram	10
Figure 3	Zoning Designation Map	11
Figure 4	Aerial photo of site and Site Photos dated April 2017	12 thru 19
Figure 5	Active Faults	20
Figure 6	Location of Schools and Parks – Excerpt General Plan Environmental Assessment.	21
Figure 7	FEMA Flood Map – City of Arvin	22
Figure 8	Site Location Map for Oil and Gas wells in relation to the proposed project.	23 thru 26
Attachment 1	Background Discussion - Air Quality – Excerpt from General Plan Environmental Assessment	24 thru 31



Google Earth





APRIL 2017
VIEW - SOUTH



APRIL 2017
VIEW - NORTH
EAST



APRIL 2017
VIEW - NORTH
EAST

APRIL 2017
VIEW - EAST



APRIL - 2017
VIEW - NORTH

17



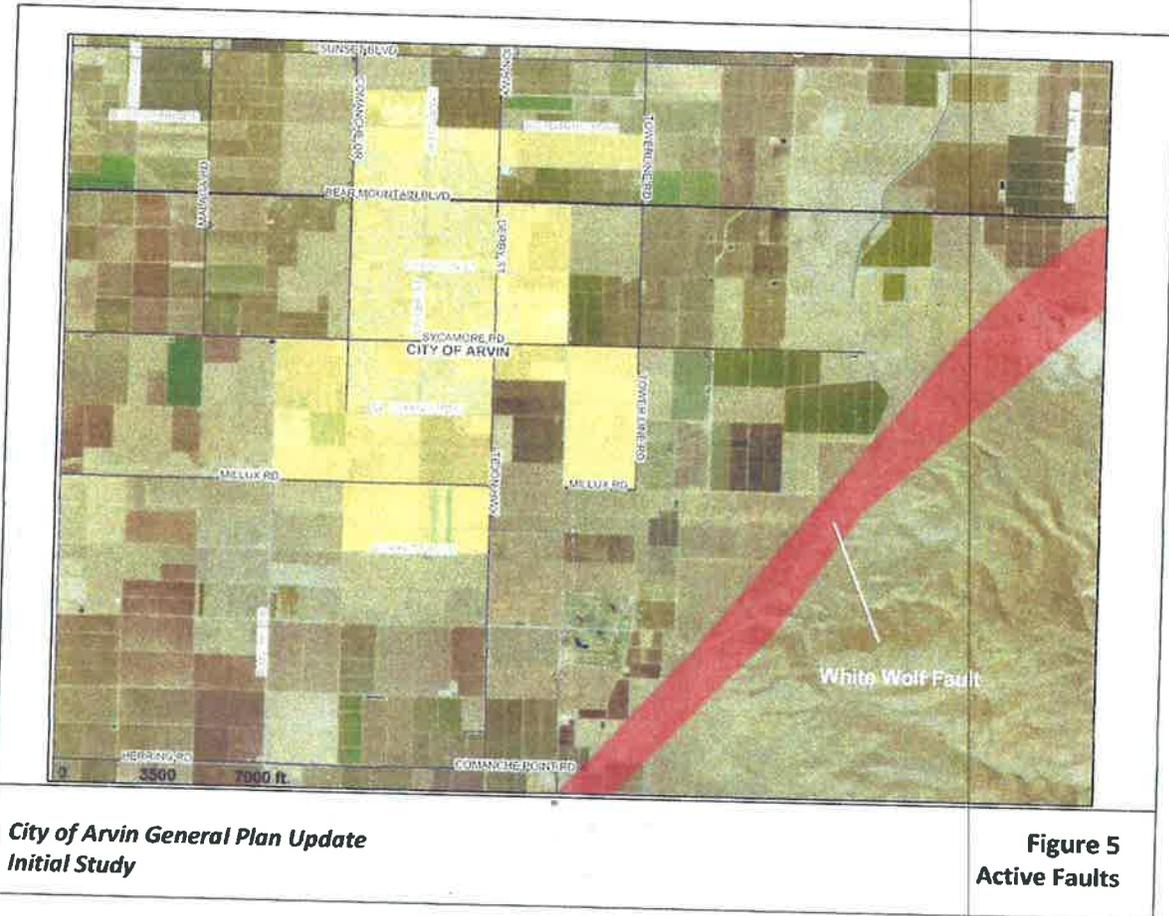
DONUTS

APRIL 2017
VIEW - WEST



APRIL 2017
VIEW - WEST

slope of the land and to the highly permeable nature of the soil. Policy 1.1.3 of the General Plan Safety Element requires all proposed development to adhere to safe and accepted practices for minimizing hazards from adverse soil, subsidence or erosion conditions.

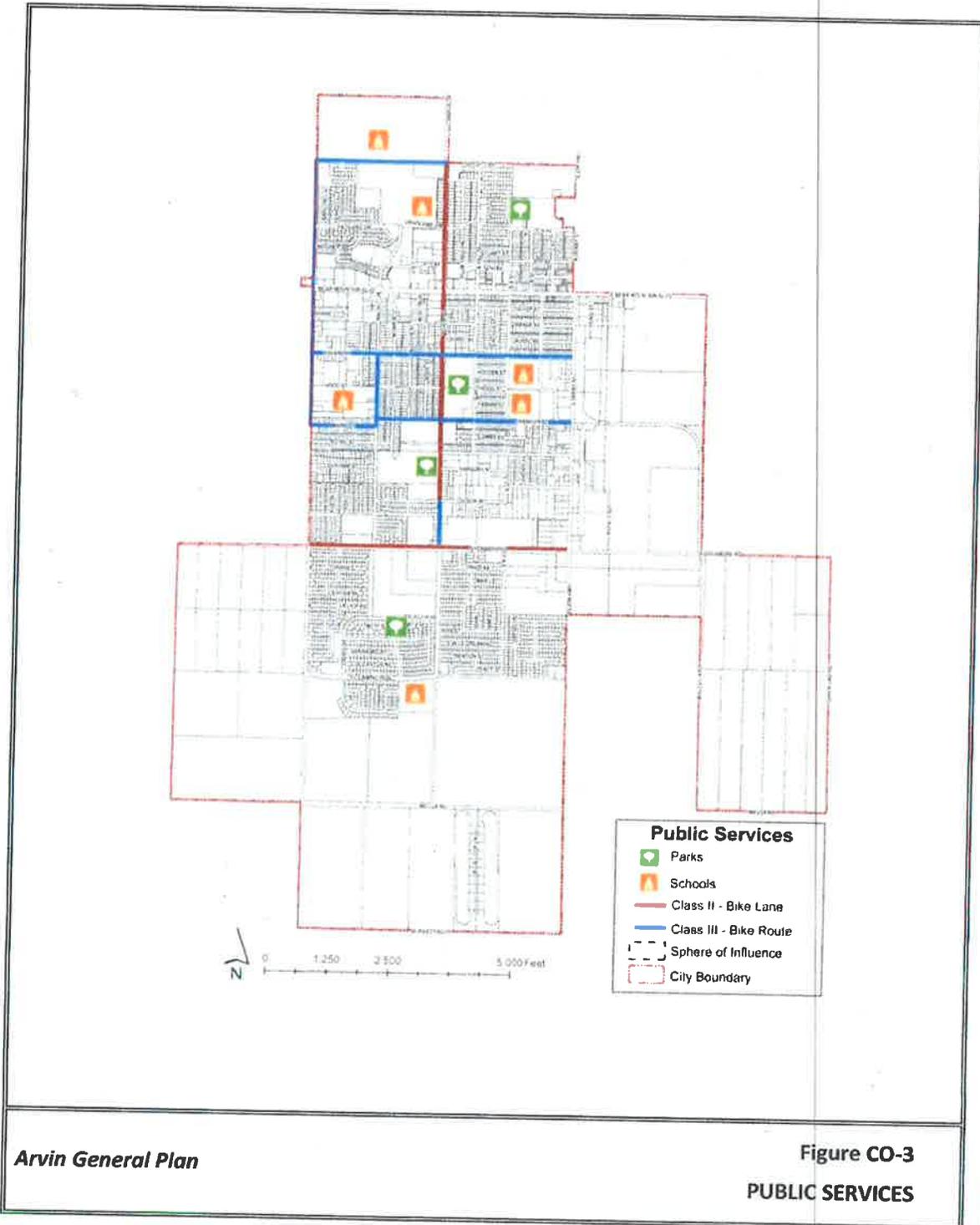


**City of Arvin General Plan Update
Initial Study**

**Figure 5
Active Faults**

Items (c) and (d): Less Than Significant Impact. All construction and development in the City will adhere to the California Building Code and standard building practices, policies and guidelines to ensure that any geologic impacts including on- and off-site landslides, lateral spreading, subsidence and expansive soils are less than significant.

Item (e): Less Than Significant Impact. Currently there are approximately 30 parcels within the City that are still dependent on septic tanks for sewer disposal. According Veolia Water, the existing system is adequate to meet the needs of the City and any future housing development will connect to the existing wastewater disposal system.



21

**EXHIBIT B – NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION – FILED
MAY 17, 2017 WITH KERN COUNTY**

MAY 17 2017

CITY OF ARVIN

MARY B. BEDARD
AUDITOR-CONTROLLER
CITY OF ARVIN
KERN COUNTY CLERK
DEPUTY

NOTICE OF INTENT TO ADOPT
FINDING OF A MITIGATED NEGATIVE DECLARATION

FILED WITH:

Environmental Assessment (EA) For Site Plan Review 2017-330BMB

APPLICANT:

Jhaj & Brar Investment Inc.
21959 Hwy 46
Lost Hills, CA 93249

KERN COUNTY CLERK
1115 Truxtun Avenue
Bakersfield, CA 93301-4639

PROJECT LOCATION: 330 Bear Mountain Blvd., East of A Street and West of B Street, Arvin, CA 93203.

Site Latitude: 35.209455
Site Longitude: -118.828354
Assessor's Parcel Numbers: 190-130-14, 190-130-15, and 190-130-27

PROJECT DESCRIPTION

Raji Brar, on behalf of Jhaj & Brar Investment Inc., has filed an application for Site Plan Review 2017- 330 BMB, which proposes two separate structures with common parking and vehicular circulation and access from and to State Hwy 223 (Bear Mountain Blvd.) and an existing semi-improved alley. The first structure is for a proposed one-story Quick Serve Retail, consisting of 2,070 square feet, currently planned for a Taco Bell. The second structure is a proposed two-story retail building consisting of 7,600 square feet. On-site parking is proposed along with landscaping and lighting. The project also includes a lot line adjustment to eliminate lot lines to accommodate the proposed development and/or the establishment of non-exclusive ingress and egress easement and parking easements. The total project size consists of 33,000 square feet or approximately .76 acres, and the application is consistent with the City's General Plan and Zoning Ordinance.

SUMMARY OF FINDINGS: The City of Arvin has conducted an environmental analysis for the above-described project. Based upon this analysis, the City of Arvin, as the lead agency, proposes to adopt a Mitigated Negative Declaration for this project. See the attached Property Vicinity Map below.

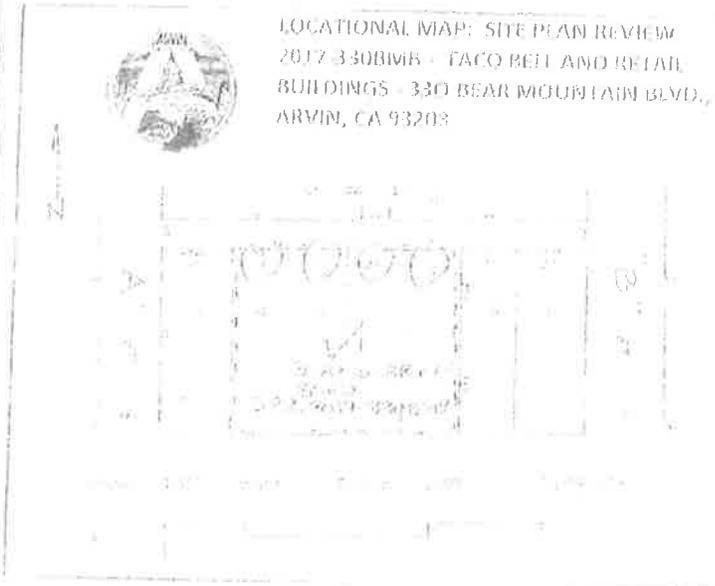
The completed environmental impact checklist, its associated narrative, and any proposed mitigation measure(s) reflect any applicable comments of responsible and trustee agencies, as well as research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist and initial study narrative combine to form the record indicating that an initial study has been completed in compliance with the California Environmental Quality Act and the CEQA Guidelines.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in nature and magnitude of the project. The completed environmental checklist form indicated whether an impact would be less than significant, or less than significant with mitigation. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the

7708

extent feasible

The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substance Statement required under subdivision (f) of that Section.



The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

With the mitigation imposed, there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are significant. Therefore, the City, as the lead agency, intends to find that the project is consistent with the General Plan, and proposes to adopt a mitigated negative declaration for this project.

Additional information on the proposed project, including a copy of the proposed environmental findings as a hard copy or in electronic format, may be obtained from the City of Arvin, City

Hall, 200 Campus Drive, Arvin, California, 93203, or the City's Web Site at www.arvin.org.

This Notice is not an application or form requiring response from you. However, ANY INTERESTED PERSON may comment on the proposed environmental finding. Written comments may be submitted at any time between the publication date of this notice and close of business on **June 7, 2017**. Please direct comments to:

Marti Brown, Community Development Director
City of Arvin, Community Development Department,
141 Plumtree Drive, Arvin, CA 93203
Telephone (661) 854-2822
FAX (661) 854-2969
mbrown@arvin.org

The Planning Commission of the City of Arvin is anticipated to consider the project at its meeting of June 22, 2017, starting at 6:00 p.m. at the City Council Chambers located at City Hall, 200 Campus Drive, Arvin, California, 93203.

INITIAL STUDY PREPARED BY:
Jake Raper

SUBMITTED BY:

DATE: May 15, 2017

Marti Brown
Community Dev. Director

CEQA Transmittal Memorandum

Attach one transmittal memorandum to the front of the original CEQA document. Clip copies in back.
 - If notice requires F&W receipt, you must provide a minimum of 3 copies of the document.
 - If notice does not require F&W receipt, you must provide a minimum of 2 copies of the document.

**FILED
KERN COUNTY**

MAY 17 2017

TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF ARVIN
 PROJECT TITLE ARVIN TACO BELL, SITE PLAN REVIEW 2014-330BMB
APN 190-130-14, 190-130-15, AND 190-130-27

MAY 17 2017
 MARY G. BEDARD
 AUDITOR/CONTROLLER-COUNTY CLERK

PROJECT APPLICANT JHAJ & BRAR INVESTMENT INC.
 PHONE NUMBER (661) 703-5832

PROJECT APPLICANT ADDRESS 21959 HWY 46
 CITY LOST HILLS STATE CA ZIP CODE 93249

WORK ORDER # _____ ²⁰30-Day Posting 35-Day Posting 45-Day Posting

CONTACT PERSON MARTI BROWN PHONE NUMBER (661) 854-2822

CHECK DOCUMENT BEING FILED:

- Notice of Availability.....No Fee
- Notice of Intent.....No Fee
- Notice of Preparation.....No Fee
- Notice of Public Hearing.....No Fee
- Other _____ No Fee
- Environmental Impact Report (EIR).....\$3078.25
 - Previously paid (must attach receipt) Receipt Number # _____
 - DFG No Effect Determination (F&W letter must be attached).....No Fee
 - County Administrative Fee.....\$50.00
- Mitigated Negative Declaration or Negative Declaration.....\$2216.25
 - Previously paid (must attach receipt) Receipt Number # _____
 - DFG No Effect Determination (F&W letter must be attached).....No Fee
 - County Administrative Fee.....\$50.00
- Notice of Exemption.....No Fee
 - County Administrative Fee.....\$50.00

TOTAL \$ 0.00

*Additional copies to be returned to: City Clerk, PO Box 548, Arvin, CA 93203

*Method of return: Hold for pick-up/Call # _____ Interoffice Mail

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

- Cash/Money Order JV - Dept _____ Fund _____ Expense Key _____
- Check
- Credit Card

7708

Return of Environmental Document
 to City Clerk on _____
 and to _____ thereafter, Pursuant to
 Section 21132(C), Public Resources Code



**CITY OF ARVIN
MITIGATION AGREEMENT
141 Plumtree Drive, P.O. Box 548
Arvin, California 93203
661-854-2822 Office
661-854-2969 Fax**

Property owners or applicants with projects requiring mitigation measures (as typically identified in an initial study resulting in the preparation of a Mitigated Negative Declaration or an EIR, to reduce potential impacts to a level less than significant, **must** sign this form and submit it **prior to project consideration**, in order for the City to process the environmental document for the project.

I, Raji Brar, representing Jhaj & Bear Investment, Inc., 21959 Hwy 46, Lost Hills, CA 93249, am applying to the City of Arvin for Site Plan Review 2017-330BMB Taco Bell Project.

Project Location: City of Arvin, 330 Bear Mountain Blvd, Parcel No. 190-130-14, -15, and -27 – north side of Bear Mountain Blvd, east of A Street and west of B street. .

Check one of the following and complete, if applicable:

My application materials specifically identify impacts and mitigation as Identified in the Initial Study resulting in the issuance of a Mitigated Negative Declaration.

Air Quality compliance with San Joaquin Valley Air District and action plan should cultural resources are discovered during construction.

(Refer to Initial Study, Mitigated Negative Declaration or EIR – Mitigation Monitoring Program.)

I hereby agree to incorporate all of the mitigation measures referenced in the materials identified above and from any other applicable environmental documents into this project.

Raji Br
Property Owner's or Applicant's Signature

May 4 2017
Date

NOTE: In order for your project to be advertised and set for hearing with an environmental document, this properly executed form must be submitted prior to consideration of the project by the City. **Although you may sign and submit this form with your application, it is not required until such time during processing when mitigation has been identified and will be required to become part of the project.** Staff can provide further assistance and advice regarding this document as the project moves forward.

References: Section 21080© Public Resources Code and Section 15070(b) of the California Environmental Quality Act (CEQA)



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Mitigation Monitoring Program and Applicable Programs
Site Plan Review 2017-330BMB – Taco Bell – May 4, 2017

Those mitigation Monitoring Programs which are applicable to the Site Plan Review 2017-330BMB Taco Bell project, are described in the Initial Study – Mitigated Negative Declaration and/or EIR as listed below.

The applicable mitigation measures are incorporated as conditions on the Site Plan Review 2017-330BMB Taco Bell Project located at 339 Bear Mountain Blvd, Arvin, CA 93203.

Project Sponsor's Name and Address: Raji Brar, representative for Jhaj & Brar Investment Inc., 21959 Hwy 46, Lost Hills, CA 93249. Contact information: 661-703-5832.

Introduction

All public agencies are required by State law (AB 3180) to adopt monitoring programs when they approve proposed projects subject to environmental impact reports (EIR) or negative declarations (Negative Declaration) that include mitigation measures to avoid significant adverse environmental impacts. The mitigation monitoring program is designed to ensure compliance with mitigation measures during project implementation in order to avoid significant adverse environmental impacts.

The law was passed in response to statewide historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. Monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of mitigation measures would include enough detailed information and enforcement procedures to ensure compliance with the mitigation measures. This mitigation monitoring program is designed to provide a mechanism to ensure compliance with both existing and proposed mitigation measures.



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Arvin, California 93203
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661-854-2969 Fax

Monitoring Program Procedures

It is required that the City of Arvin use this mitigation monitoring program for the proposed project. The mitigation monitoring program should be implemented as follows:

The Community Development Department, or its designee, shall be responsible for coordination of the mitigation monitoring program. The Community Development Department shall be responsible for completing the mitigation monitoring program and distributing the mitigation monitoring program to the responsible individuals or agencies for their use in monitoring the mitigation measures. It is the responsibility of the Community Development Department to convey to all individuals and agencies who will use this program, that it must be thoroughly read and understood in order to properly implement its mitigations.

Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring program have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency shall submit a copy of the mitigation monitoring program to the Community Development Department to be placed in the project file. If the mitigation measure has not been complied with, the mitigation monitoring program shall not be returned to the Community Development Department.

Prior to the completion of the proposed project, the Community Development Department shall review the mitigation monitoring program to ensure that all mitigation measures and additional conditions of project approval included in the mitigation monitoring program have been complied with.

If a responsible individual or agency determines that a non-compliance has occurred, a written notice shall be delivered by certified mail to the entity or individual responsible for the project within 10 days, with a copy to the Community Development Department, describing the non-compliance and specifying the manner in which compliance within a specified period of time will be attained. If a non-compliance still exists at



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the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the city.

Monitoring Program

The basis for this mitigation monitoring program is the existing mitigation measures contained in the ***Mitigated Negative Declaration for Site Plan Review 2017-330BMB Taco Bell project*** prepared by **City of Arvin Community Development Department**. The applicable mitigation measures become conditions of project approval which the project proponent is required to complete before, during, and after implementation of the proposed project. Mitigation Measures are listed below and as noted incorporated into the proposed Conditions of Approval for the Site Plan Review 2017-330BMB Taco Bell Project.

MITIGATION 1: MM AQ1: Air Quality - Expose sensitive receptors to substantial pollutant concentrations? The project will be required to fully comply with San Joaquin Valley Air Pollution Control District Rules and Regulations including but not limited to Regulation VIII concerning fugitive dust emissions and Rule 9510 Indirect Source Review.

Agency/Individual

Responsible for Implementation: Developer of project site

Agency/Individual Responsible for Implementation: Developer – Current and/or Future

Implementation Timing: Prior to issuance of grading permits for any phase of the project.

Mitigation Specifications: Requires clearance for the San Joaquin Valley Air Pollution Control Districts Rules - prior to grading

Agency/Individual Responsible for Monitoring: Current or Future Developer and Building Official

Action by Monitor: Verify compliance with Air District Rules and Regulations

Mitigation Specifications: The most current UBC shall be applicable

Agency/Individual Responsible for Monitoring: Building Inspector

Action by Monitor: Review plans for conformance with the latest UBC



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MITIGATION 2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5

MM –CR 1: All Construction is to be stopped within 50'-0" of the uncovered site to avoid and to mitigate any potential impacts to significant archaeological resources identified during project construction. .

Agency/Individual Responsible for Implementation: Current or Future developers

Implementation Timing: During disturbance of soil via grading, trenching, boring, etc for any phase of the project.

Mitigation Specifications: Prior to recommencement of work at the site, an archaeological assessment shall be conducted for the site. If archaeological resources are identified, the site shall then be formally recorded, and archaeologist's recommendations shall be made to the City regarding further site investigations or site avoidance/preservation measures

Agency/Individual Responsible for Monitoring: Current or Future Development / City Engineer / Building Official

Action by Monitor: Verify during soil disturbance



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MITIGATION 3: Disturb any human remains, including those interred outside of formal cemeteries?

MM-CR 2: It is not anticipated that the proposed project will disturb human remains. However, if during construction human remains are identified, the Kern County Coroner shall be contacted immediately. If the remains or other archaeological materials are possible of Native American in origin, the Native American Heritage Commission shall be contacted immediately.

Agency/Individual Responsible for Implementation: Current or Future Developer / City Engineer / Building Official

Implementation Timing: During disturbance of soil via grading, trenching, boring, etc for any phase of the project.

Mitigation Specifications: If during construction human remains are identified, all work within 50'-0" of the find shall be stopped. The Kern County Coroner shall be contacted immediately. If the remains or other archaeological materials are possible of Native American in origin, the Native American Heritage Commission shall be contacted immediately. Work shall not be continued until such time as clearance is received by the City.

Agency/Individual Responsible for Monitoring: Current or Future Developer / City Engineer / Building Official City Engineer

Action by Monitor: Verify during soil disturbance

ATTACHMENT 1
NOTICE OF PUBLIC HEARING
Site Plan Review 2017-330BMB
Taco Bell and Retail Building
330 Bear Mountain Blvd, Arvin, CA 93203

Notice is hereby given that the Planning Commission of the City of Arvin, California, will conduct a public hearing, at which time you may be present and be heard to consider the following:

- A Site Plan Review (SPR) No. 2017-330BMB, which proposes the development of a 2,070 square foot Quick Serve Restaurant (Taco Bell) and a 6,429 square foot commercial retail building.
- Adoption of a mitigated negative declaration under the California Environmental Quality Act (CEQA) for the project.

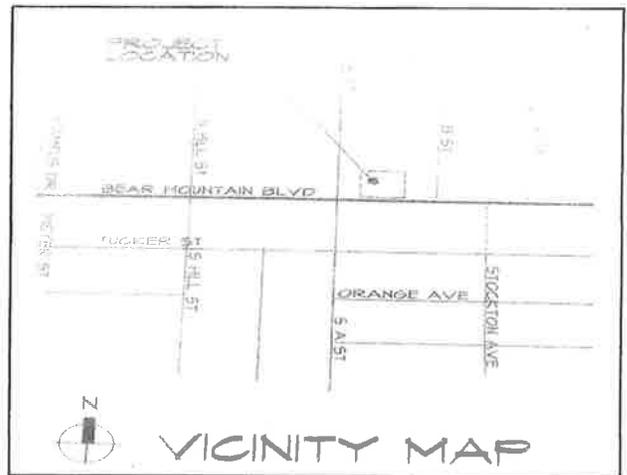
Arvin Planning Commission Hearing Information

Date: June 22, 2017

Time: 6:00 PM or as the Agenda permits

Place: City of Arvin Council Chambers,
200 Campus Drive, Arvin, CA 93203

The project site is located at 330 Bear Mountain Boulevard, East of North A Street and West of B Street, in Arvin, California. (See diagram.) The project applicants are Raji Brar, Representative for Jhaj & Brar Investment Inc., 21959 Hwy 46, Lost Hills, CA 93249. Additional information on the proposed project, including a copy of the proposed environmental findings as a hard copy or in electronic format, may be obtained from the City of Arvin, City Hall, 200 Campus Drive, Arvin, California, 93203, or the City's web site at www.arvin.org.



All persons interested in this topic who have questions, would like to provide feedback, or ask questions are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council, at or prior to, the public hearing. Address any communications or comments regarding the project to Marti Brown, Community Development Director, City of Arvin, Community Development Department, 141 Plumtree Drive, Arvin, CA 93203, (661) 854-2822, mbrown@arvin.org.

Cecilia Vela, City Clerk

May 31, 2017

Published: May 31, 2017, Arvin Tiller



**CITY OF ARVIN
Agenda Report**

Meeting Date: June 22, 2017

TO: Planning Commission

FROM: Marti Brown, Community Development Director

SUBJECT: Initial Study and Mitigated Negative Declaration for Conditional Use Permit 2017-125EBMB – Event Center – 125 East Bear Mountain Blvd.

RECOMMENDATION

Motion to Approve a Resolution of the Arvin Planning Commission i) Adopt Mitigated Negative Declaration for Site Plan Review 2017-125EBMB.

BACKGROUND

An Initial Study, Exhibit A, was prepared and completed by the City of Arvin Community Development Department for the proposed projects as described herein:

Project Description: Conditional Use Permit No. 2017-125EBMB: The conditional use permit application proposes the establishment of an event center (Rental Hall and Party Events) within an existing building of approximately 3,200 square feet of gross floor area. The site has an outside area for guest and activities. Activities or hours of operation are proposed to be as follows: Saturday from 12:00 Noon to 11:00 P.M.; Sunday from 10:00 A.M. to 5:00 P.M.; and Monday through Friday from 4:00 P.M. to 11:00 P.M.. Traffic access to the site is off of Hwy 223 and off of King Street into the proposed unimproved parking lot. A Site Development Permit was considered, Administrative Permit 2016-01, was provided but no signed document has been provided. The Administrative Permit erroneously identifies that Section 17.60 Site Development Permits allows the proposed activity. Site Development Permits are for new construction or re-use of structures to insure compliance with the development requirements. The use activity on and of property is regulated by the Zoning Code and uses that are identified within each zone district and by the municipal code. Exhibit A Site Plan and Elevations, Pages 1 thru 5 and Exhibit B – Administrative Permit No. 2016-01 – not signed nor dated.

Environmental – Initial Study:

The preparation of the Initial Study utilized a number of resources which included but not limited to previous environmental documents prepared for various projects. Outreach and consultation with responsible agencies and interested persons and incorporation of appropriate comments and requirements into the document. Reference documents are on file at the Community Development Department and may be reviewed during normal business hours. All reference documents are cited in the Initial Study. Some documents cited are: Initial Studies and Mitigated Negative Declarations for the General Plan updated in 2012, Circulation Element, Housing Element, Wastewater Treatment Plant, etc. Upon completion of the Initial Study and incorporating comments received during the consultation and opportunities for comment, Staff concluded that the projects would not have a significant effect on the environment by incorporating existing standards and criteria as well as proposing mitigation measures into the project.

Public Review and Comment Opportunity:

Prior to concluding that a Mitigated Negative Declaration was the appropriate environmental document, a number of consultation steps were completed as is required by the California Environmental Quality Act and state law. As noted in Attachment 2 - Public Outreach And Noticing - CUP 2017-125EBMB – Event Center, are the steps taken to assist in and support of public outreach and in the determination of no significant environmental impact on the environment.

In summary, no comments of a negative nature were received.

Prior to the Planning Commission taking action on the proposed project, California Environmental Quality Act requires the applicant to agree to the implementation of mitigation measures identified in the Initial Study and acceptance of the Mitigated Negative Declaration as the appropriate Environmental Document for the project.

On May 17, 2017, the applicant signed and returned the Mitigation Agreement and is on file at the Community Development Department, Exhibit C.

ENVIRONMENTAL ANALYSIS – CONCLUSION:

The environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. The proposed project could have a potentially significant effect on the environment. Feasible mitigation measures or alternatives have been incorporated in order to avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment will occur. The project specific mitigation measures included in the project to avoid potentially significant effects are set forth in the attached Initial

Study, which is incorporated into the Mitigated Negative Declaration. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have a significant direct, indirect or cumulative effects on the environment. (CEQA Guidelines sections 15071(e) and 15369.5.)

The Developer has, as required by CEQA, signed the Mitigation Agreement relating to Air Quality compliance and action plan should cultural resources be discovered during construction.

Therefore, based on the attached environmental assessment and the list of identified mitigation measures, staff have determined the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Guidelines sections 15071(e) and 15369.5.

A public notice of the attached mitigated negative declaration finding for the Initial Study and Mitigated Negative Declaration was published on May 17, 2017, Exhibit C, with no comments received within the 20 day comment period.

The proposed project, Conditional Use Permit 2017-125EBMB, Event Center project, do not create any significant environmental impacts.

- i) The Initial Study and Proposed Mitigated Negative Declaration identifies issues that are mitigated below the threshold of significant impact to the environment.
- ii) The project applicant has, as required by the California Environmental Quality Act, signed the Mitigation Agreement relating to Air Quality compliance and action plan should cultural resources be discovered during construction.

Staff is recommending that the Planning Commission adopt the resolution accepting the Mitigated Negative Declaration, Exhibit B, as the appropriate environmental document for the proposed project.

EXHIBIT

Resolution accepting and recommending acceptance of a Mitigated Negative Declaration

- A. Initial Study and Exhibits A, B, Figures 1 – 8, and Attachment 1.
- C. Notice of Availability for Mitigated Negative Declaration – Filed with Kern County Clerk on May 17, 2017
- D. Mitigation Agreement Signed May 31, 2017

ATTACHMENT:

2. Public Outreach And Noticing - CUP 2017-125EBMB – Event Center,
3. Public Hearing Notices to Newspaper and Property Owners, May 31, 2017

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN ADOPTING 1) MITIGATED NEGATIVE DECLARATION FOR CONDITIONAL USE PERMIT 2017-125EBMB EVENT CENTER.

WHEREAS, an Initial Study with exhibits, Exhibit A, was prepared and completed by the City of Arvin Community Development Department for the proposed projects; and as described herein;

WHEREAS, the proposed project - Conditional Use Permit 2017-125EBMB, Event Center is proposing the establishment of an event center (Rental Hall and Party Events) within an existing building of approximately 3,200 square feet of gross floor area; and

WHEREAS, the site has an outside area for guest and activities; and

WHEREAS, activities or hours of operation are proposed to be as follows: Saturday from 12:00 Noon to 11:00 P.M.; Sunday from 10:00 A.M. to 5:00 P.M.; and Monday through Friday from 4:00 P.M. to 11:00 P.M.; and

WHEREAS, traffic access to the site is off of Hwy 223 and off of King Street into the proposed unimproved parking lot; and

WHEREAS, a Site Development Permit was considered, Administrative Permit 2016-01, was provided but no signed document has been provided. An Administrative Permit erroneously identifies that Section 17.60 Site Development Permits allowing an event center as a permitted use. Site Development Permits are for new construction or re-use of structures to insure compliance with the development requirements. The use activity on and of property is regulated by the Zoning Code and uses that are identified within each zone district and by the municipal code; and

WHEREAS, the preparation of the Initial Study utilized existing resources which included but not limited to previous environmental documents prepared for various projects and those resource documents are on file at the Community Development Department and may be reviewed during normal business hours; and

WHEREAS, the environmental assessment initial study was prepared for the projects in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

WHEREAS, preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. The proposed project could have a potentially significant effect on the environment. Feasible mitigation measures or alternatives have been incorporated to avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment will occur.

WHEREAS, the project specific mitigation measures included in the project to avoid potentially significant effects are set forth in the attached Initial Study, which is incorporated into the Mitigated Negative Declaration.

WHEREAS, with the project specific mitigation imposed, there is no substantial evidence in the record that this project may have a significant direct, indirect or cumulative effects on the environment. (CEQA Guidelines sections 15071(e) and 15369.5.)

WHEREAS, the Developer has, as required by CEQA, signed the Mitigation Agreement relating to Air Quality compliance and action plan should cultural resources be discovered during construction.

WHEREAS, based on the attached environmental assessment and the list of identified mitigation measures, staff have determined the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Guidelines sections 15071(e) and 15369.5.

WHEREAS, prior to concluding that a Mitigated Negative Declaration was the appropriate environmental document, a number of consultation steps were completed as is required by the California Environmental Quality Act and state law

WHEREAS, prior to the Planning Commission taking action on the proposed project, California Environmental Quality Act requires the applicant to agree to the implementation of mitigation measures identified in the Initial Study and acceptance of the Mitigated Negative Declaration as the appropriate Environmental Document for the project(s); and

WHEREAS, on May 31, 2017, the applicant signed and returned the Mitigation Agreement, **Exhibit C**, and is on file at the Community Development Department.

WHEREAS, the City properly noticed the June 22, 2017 hearing before the Arvin Planning Commission for the proposed project – Conditional Use Permit 2017-125EBMB – Event Center pursuant to Government Code sections 65090 and 65091 by publication in the newspaper and provided notice to all property owners within 300 feet of the proposed projects.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Arvin as follows:

1. The above recitals are true and correct.
2. The Planning Commission:
 - a. Find the Initial Study/Mitigated Negative Declaration reflects the Planning Commission's independent judgement and analysis.
 - b. Find, since the whole record before the Planning Commission, including the Initial Study, and any comments received and the responses to said

- comments, that there is not substantial evidence that the project will have a significant, adverse effect on the environment.
- c. Find that the project mitigation imposed, as described in the Initial Study and support documents, will avoid any potentially significant effects to a point where clearly no significant adverse impact on the environment would occur.
 - d. Adopt the Mitigated Negative Declaration for the project as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed.
 - e. Authorize and direct the Community Development Director to file the Notice of Determination with the Kern County Clerk noting actions taken by the City.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 22nd day of June 2017, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTEST:

CECILIA VELA, Secretary

ARVIN PLANNING COMMISSION

By: _____
OLIVIA TRUJILLO, Chairperson

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, General Counsel
 Aleshire & Wynder, LLP

I, _____, Secretary of the Planning Commission of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of Arvin on the date and by the vote indicated herein.

EXHIBITS – All exhibits are on file at the City Clerk’s office:

Resolution accepting and recommending acceptance of a Mitigated Negative Declaration

- A. Initial Study and Exhibits A, B, Figures 1 – 8, and Attachment 1.
- C. Notice of Availability for Mitigated Negative Declaration – Filed with Kern County Clerk on May 17, 2017
- D. Mitigation Agreement Signed May 31, 2017



City of Arvin Community Development Department
141 Plumtree Drive, Arvin, CA 93203
(661) 854-6183 Office
(661)854-2969 FAX

Initial Study – Conditional Use Permit 2017-125EBMB, 125 East Mountain Blvd. – Proposed Event Center

<u>EXHIBITS, FIGURES ATTACHMENTS</u>		
Exhibit #	Description	Page
Exhibit A	Site Plan and Preliminary Elevations	1 thru 5
Exhibit B	Administrative Permit 2016-01	6 thru 9
Figure 1	Assessor Parcel No. 193-140-02	10
Figure 1a	Regional Perspective – City of Arvin General Plan Update.	11
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Figure 8	Site Location Map for Oil and Gas wells in relation to the proposed project.	33 thru 36
Attachment 1	Background Discussion - Air Quality – Excerpt from General Plan Environmental Assessment	37 thru 41

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Item (a): Less Than Significant Impact. The City of Arvin lies within the southern portion of the San Joaquin Air Basin. Air quality has been a serious issue in the San Joaquin Valley because of its topography, climate, and growing population. There are three mountain ranges that surround the southern head of the basin; the southern portion of the Sierra Nevada to the east, the Tehachapi Mountains to the south, and the southern portion of the Coast Ranges to the west. The physiography of the southern San Joaquin Valley is a significant factor in the air basin's limited ability to dilute and disperse air contaminants.

The San Joaquin Valley Air Pollutant Air District (SJVAPD) is the public health agency in charge of improving and managing the air quality within that region. The SJVAPD is made up of eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the San Joaquin Valley Air Basin portion of Kern, which includes the City of Arvin.

To ensure continued progress toward clean air and comply with state and federal requirements, the District has worked closely with the California Air Resources Board (CARB), KernCOG and the U.S. Environmental Protection Agency (EPA) on comprehensive strategies. In addition, the proposed General Plan is consistent with forecast numbers prepared by KernCOG and the recently adopted Housing Element includes policies and programs to accommodate the level of housing growth allocated to the City through the Regional Housing Needs Assessment. To further ensure that air quality impacts are less than significant, the proposed policies of the General Plan Update incorporate the principals of sustainable communities and SB 375 which aim to reduce greenhouse gas (GHG) emissions through transportation and land use planning. The proposed policies include the principles of sustainability developed by the Strategic Growth Council (SGC) for the Sustainable Community Strategy. Furthermore, the proposed Air Quality Element and Land Use Element policies presented below conform the Sustainable Community Strategy:

ATTACHMENT 1
PAGES 37 THRU 41

37 of 41

- LU-2.1 Require new development, wherever possible, to provide convenient, direct and safe bicycle and pedestrian connections.
- LU-2.2 Create active neighborhood districts that cluster jobs, services, goods and cultural and recreational uses within walking distance of residences to create a focus for community activity.
- LU-2.3 Develop the Jewett Square and Meyer/Sycamore opportunity sites as walkable neighborhoods, with assets and amenities that contribute positively to Arvin's quality of life and civic identity.
- LU-2.4 Work with the Arvin Union School District to identify and pursue opportunities to accommodate instructional activities and other District operations within the Jewett Square site, including the creation of a one-stop center for educational and community services.
- AQ-1.1 Encourage strategic land use patterns for businesses that reduce the number and length of motor vehicle trips, and that encourage alternative modes of travel.
- AQ-1.2 Encourage employment-intensive development with a high number of jobs per unit of land area within walking or bicycling distance of existing neighborhoods, and discourage such development in more remote areas.

Item (b): Less Than Significant Impact. According to the District, Joaquin Valley is not in compliance with State and Federal Ambient Air Quality Standards. Table 4 shows that the San Joaquin Valley is not in compliance with Federal standards in Ozone-(eight hour) and PM2.5. Under State standards, the San Joaquin Valley is out of compliance in Ozone (one and eight hour), PM10, and PM2.5.

Table 4

San Joaquin Valley Attainment Status		
Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone-One Hour	No Federal Standard	Nonattainment/Severe
Ozone- Eight Hour	Nonattainment/Serious	Nonattainment
PM 10	Attainment	Nonattainment
PM 2.5	Nonattainment	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

SOURCE: San Joaquin Valley Air Pollutant Control District www.valleyair.org

Air quality impacts associated with the adoption of the General Plan Update potentially could stem from: 1) pollutants generated during demolition and construction activity; and 2) pollutants generated from operational activities, which includes transportation and energy uses. Adoption of the General Plan Update could facilitate future residential, commercial and industrial development in the City. Therefore, development intensities encouraged by the proposed project, when considered in conjunction with other cumulative growth, may contribute to a net increase in criteria pollutants which would violate applicable federal or state standards.

The air quality emissions analysis was prepared using the California Emissions Estimator Model (CalEEMod) to establish quantitative measurements of the amount of air emissions produced, including greenhouse gasses (GHG) that may have direct or indirect impacts on the environment. Assuming standard project design and operation features, buildout of the City according to the General Plan Land Use could result in 4,523 more residential units and approximately 13.8 million square feet of commercial and industrial building spaces over a 20-year period. The model results are summarized in Table 5 and estimated criteria pollutant emission levels anticipated for the proposed project are compared to the air emission thresholds established by the SJVAPC Guide for Assessing the Mitigating Air Quality Impacts (GAMAQI).

As shown in Table 4, project-related air quality emissions will be less than the daily significance thresholds for Reactive Organic Gases (ROG), Carbon Monoxide (CO), Oxides of Nitrogen (NO_x), Oxides of Sulfur (SO_x) and, therefore, impacts are considered less than significant.

**Table 5
Emissions**

	Criteria Pollutants (Tons per Year)					
	ROG	NO _x	PM10	PM2.5	CO	SO _x
Proposed Project	52	104	19	6	202	<1
GAMAQI Significant Thresholds	10	10	15	Formal thresholds have not been established by the SJVAPCD		
Exceedence of Threshold (Y/N)	YES	YES	YES	NA	NA	NA

* The model input assumed that project completion within one year.

Source: SJVAPCD, Guide for Assessing and Mitigating Air Quality Impacts 2002 and CalEEMod Emission Estimates.

The proposed project is in compliance with SB 375, and aims to reduce the GHG emissions, which will mitigate contributions to emissions or the violation of air quality standards.

Compliance with SB 375, Sustainable Community Strategy, and the proposed General Plan policies presented below will further ensure that impacts on air quality will be less than significant:

LU-2.1 Require new development, wherever possible, to provide convenient, direct and safe bicycle and pedestrian connections.

LU-2.2 Create active neighborhood districts that cluster jobs, services, goods and cultural and recreational uses within walking distance of residences to create a focus for community activity.

- LU-2.3 Develop the Jewett Square and Meyer/Sycamore opportunity sites as walkable neighborhoods, with assets and amenities that contribute positively to Arvin's quality of life and civic identity.
- LU-2.4 Work with the Arvin Union School District to identify and pursue opportunities to accommodate instructional activities and other District operations within the Jewett Square site, including the creation of a one-stop center for educational and community services.
- AQ-1.1 Encourage strategic land use patterns for businesses that reduce the number and length of motor vehicle trips, and that encourage alternative modes of travel.
- AQ-1.2 Encourage employment-intensive development with a high number of jobs per unit of land area within walking or bicycling distance of existing neighborhoods, and discourage such development in more remote areas.

Item (c): Less Than Significant Impact With Mitigation Incorporated. As discussed above, Arvin is located in the San Joaquin Valley Air Basin and monitored by the San Joaquin Valley Air Pollution Control District. San Joaquin Valley is not in compliance with State and Federal Ambient Air Quality Standards. The San Joaquin Valley Air Basin is currently in serious nonattainment for the eight-hour federal standard for ozone, and nonattainment for the federal PM2.5 standard. Under State standards, the San Joaquin Valley Air Basin is out of compliance in Ozone (one- and eight- hour), PM10, and PM2.5. Compliance with SB 375, Sustainable Community Strategy, and the proposed General Plan policies presented below will reduce the potential air emissions impacts; however the Basin will still be out of compliance with federal and state standards. Therefore the following mitigation measure is recommended:

Mitigation

Implement Transportation Control Measures (TCM) included in the current Air Quality Management Plan and comply with the rules and regulations that have been adopted by the AVAPCD.

Item (d): Less Than Significant Impact. A sensitive receptor is defined as populations such as children, athletes, and elderly and sick persons that are more susceptible to the effects of air pollution than the population at large. The City includes numerous schools and other facilities frequented by sensitive receptors. Compliance with SB 375, Sustainable Community Strategy, and the proposed General Plan policies presented below will further ensure that air quality impacts on sensitive receptors will be less than significant:

- LU-2.1 Require new development, wherever possible, to provide convenient, direct and safe bicycle and pedestrian connections.
- LU-2.2 Create active neighborhood districts that cluster jobs, services, goods and cultural and recreational uses within walking distance of residences to create a focus for community activity.
- LU-2.3 Develop the Jewett Square and Meyer/Sycamore opportunity sites as walkable neighborhoods, with assets and amenities that contribute positively to Arvin's quality of life and civic identity.
- LU-2.4 Work with the Arvin Union School District to identify and pursue opportunities to accommodate instructional activities and other District operations within the Jewett

Square site, including the creation of a one-stop center for educational and community services.

AQ-1.1 Encourage strategic land use patterns for businesses that reduce the number and length of motor vehicle trips, and that encourage alternative modes of travel.

AQ-1.2 Encourage employment-intensive development with a high number of jobs per unit of land area within walking or bicycling distance of existing neighborhoods, and discourage such development in more remote areas.

Item (d): Less Than Significant Impact. Future development would mainly include residential, commercial and industrial uses. All these uses could potentially create odors. Odors could come from household trash, foods preparation and garbage, auto repair, and the manufacturing, processing and treatment of products. The City will adhere with applicable codes and standard identified Municipal Code Chapter 8 (Health and Safety) and Chapter 17 (Zoning). For example, according to Municipal Code Section 17.05.030(A)(1) Grant of Application, the planning director may grant an application for administrative approval as the permit if the use will not involve any process, equipment or materials which, in the opinion of the planning director, will be objectionable to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, etc. Furthermore, the City of Arvin has weekly trash pickup, which would further reduce any odor caused by garbage and trash.



City of Arvin Community Development Department
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Initial Study – Conditional Use Permit No. 2017-125EBMB, Event Center, 125 East Bear Mountain Blvd, Arvin, CA.

A. BACKGROUND

Project Title: Conditional Use Permit 2017-125EBMB, 125 East Bear Mountain Blvd.

Lead Agency Name and Address: City of Arvin, Community Development Department, City of Arvin, 141 Plumtree Drive, Arvin, CA 93203

Contact Person and Phone Number: Marti Brown, Community Development Director, (661) 854-6183 Bus; 661-854-2969 Fax; or mbrown@arvin.org E-Mail

Study Prepared By: Community Development Department, Marti Brown, Community Development Director, mbrown@arvin.org JAS Contract Planner, Jake Raper Jr., AICP Community Development Department, City of Arvin, 141 Plumtree Drive, Arvin, CA 93203 jraper@arvin.org Email

Date Prepared: May 1, 2017

Project Location: 125 East Bear Mountain Blvd., Arvin, CA 93203, Assessor Parcel Numbers: 93-140-02. The project site is located east of King Street and west of South Derby Street. Figure 1 - Assessor Parcel No. 193-140-02. Figure 1a – Regional Perspective – City of Arvin General Plan Update.

Project Sponsor's Name and Address: Guillermo Garcia and Juan Orozco, 9909 Myrtle Ave., Lamont CA 93241, Contact Number: 661-619-3770. Alternate Contact: Joes – Email ingrato31@hotmail.com.

General Plan Designation: Light Industrial – Figure 2 – General Plan Land Use Map

Zoning: M-2, Industrial Zone District - Figure 3 – Zoning Designation

Description of Project: **Conditional Use Permit No. 2017-125EBMB:** The conditional use permit application proposes the establishment of an event center (Rental Hall and party Events) within an existing building of approximately 3,200 square feet of gross floor area. The site has an outside area for guest and activities. Activities or hours of operation are proposed to be as follows: Saturday from 12:00 Noon to 11:00 P.M.; Sunday from 10:00 A.M. to 5:00 P.M.; and Monday through Friday from 4:00 P.M. to 11:00 P.M.. Traffic access to the site is off of Hwy 223 and off of King Street into the proposed unimproved parking lot. A Site Development Permit was considered, Administrative Permit 2016-01, was provided but no signed document has been provided. The Administrative Permit erroneously identifies that Section 17.60 Site Development Permits allows the proposed activity. Site Development Permits are for new construction or re-

use of structures to insure compliance with the development requirements. The use activity on and of property is regulated by the Zoning Code and uses that are identified within each zone district and by the municipal code. Exhibit A Site Plan and Elevations, Pages 1 thru 5 and Exhibit B – Administrative Permit No. 2016-01 – not signed nor dated.

Surrounding Land Uses and Setting:

North: Agricultural Lands – Unincorporated Area – Kern County
 South: Industrial Uses- – Various Industrial Developments and Uses
 East: Residential Uses – Single Family Homes
 West: SPPR & AT & SF Rail Lines; South Derby Street; Residential and Commercial Uses – Subway Deli

Refer to Figure 4 – Aerial Photo of Project Site and Photos dated April 2017 from project site to adjacent uses.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Possible encroachment permit from Cal Trans District 6, City of Arvin Encroachment Permit; ABC Licenses, and other State, County, and City Clearances.

EXHIBITS AND FIGURES FOR CONDITIONAL USE PERMIT 2017-125EBMB

Exhibit A – Site Plan and Preliminary Elevations- Pages 1 thru 5

Exhibit B – Administrative Permit 2016-01 not signed nor dated – Noted April 2016- Pages 1 thru 4.

Figure 1 - Assessor Parcel No. 193-140-02

Figure 1a – Regional Perspective – City of Arvin General Plan Update.

Figure 2 – Land Use Designation Diagram

Figure 3 – Zoning Designation Map

Figure 4 – Aerial photo of site and Site Photos dated April 2017

Figure 5 - Active Faults.

Figure 6 – Location of Schools and Parks – Excerpt General Plan Environmental Assessment.

Figure 7- FEMA Flood Map – City of Arvin

Figure 8 – Site Location Map for Oil and Gas wells in relation to the proposed project.

Attachment 1 – Background Discussion - Air Quality – Excerpt from General Plan Environmental Assessment

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Aesthetics	Agriculture	Air Quality
Biological Resources	Cultural Resources	Geology/Soils
Hazards & Hazardous Materials	Hydrology/Water Quality	Land Use/Planning
Mineral Resources	Noise	Population/Housing
Public Services	Recreation	Transportation/Traffic
Utilities/Service Systems	Mandatory Findings of Significance	

C. DETERMINATION: (To be completed by the Lead Agency)

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.

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

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

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

I find that although the proposed project could have significant effect on the environment, because all potentially significant effect (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standard, 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.

Signature

Marti Brown,
Community Development Director
Printed Name

Date:

May 4, 2017

City of Arvin

For

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

Notes:

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

1. AESTHETICS – Would the Project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

Have a substantial adverse effect on a scenic vista?

X

Comments: NOT Applicable. The proposed project is not located within any designated scenic corridor and will not restrict any public views. However, the proposed project will be required to underground all new and existing electrical lines located on the property.

The southern Sierra, Tehachapi, and San Emigdio mountain ranges surround the eastern and southern sides of the San Joaquin Valley around the City of Arvin. The project site is surrounded by commercial development and residential homes and is not anticipated to significantly obstruct the scenic vista or create incompatible structures. The proposed development will not have an impact on scenic vistas in the Arvin area.

Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

X

Comments: NOT Applicable. There are no trees, rock outcroppings, and/or historic building located within or on the project site. The project fronts on Highway 223, Bear Mountain Blvd. The California Department of Transportation does not designate Hwy. 223 as a State Scenic Highway.

Substantially degrade the existing visual character or quality of the site and its surroundings?

X

Comments: The visual character and quality of the site will not be impacted. The proposed development of the Quick Serve Restaurant and Retail buildings are in harmony with surrounding commercial and residential development.

Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

X

Comments: All on-site lighting installed as a result of the proposed project will be done so in accordance with the City of Arvin Standards and Specifications. All lights standards are to be of such design to direct the light downward onto the parking lot and buildings.

2. AGRICULTURE RESOURCES:

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:

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 Resource Agency, to non-agricultural use?

X

Comments: NOT Applicable. The City of Arvin General Plan and Zoning designations established the site for industrial development and has a land use designation of Light Industrial with the corresponding zoning classification of M-1 Industrial. Surrounding properties to the north, east, south and west are designated as Agricultural – Unincorporated area of Kern County, R-1 Single Family residential development, M-2 Heavy Industrial development and Single Family Residential and Commercial designations and development.

Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

X

Comments: NOT Applicable. The proposed project area is not under the provisions of a Williamson Act Contract – The City of Arvin General Plan designates the site for Light Industrial development and has a land use designation of Light Industrial with the corresponding zoning classification of M-1 Light Industrial.

Involve other changes in the existing environment which, due to their location or nature, could result on conversion of Farmland, to non-agricultural use?

X

Comments: NOT Applicable. See item 2-b above.

3. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

- a) Conflict with or obstruct implementation of the applicable air quality plan?

X

Comments: Email received on Tuesday February 14, 2017, from the San Joaquin Valley Unified Air Pollution Control District, on file at the Arvin Community Development Department, reviewed the proposed project and had no comments to offer at this time. The project sponsor will be required to meet with the "District" staff and comply with the Districts' Permit Requirements prior to construction activities. Clearance shall be required prior to issuance of grading permits or building permits. See Attachment 1 for background information on Air Quality – excerpt from General Plan Environmental Assessment. See d) below.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

X

Comments: Refer to a) above.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursor)?

X

Comments: See answer to 3(d) below.

- d) Expose sensitive receptors to substantial pollutant concentrations?

X

Comments: MM AQ 1: The project will be required to fully comply with San Joaquin Valley Air Pollution Control District Rules and Regulations including but not limited to Regulation VIII concerning fugitive dust emissions and Rule 9510 Indirect Source Review.

- e) Create objectionable odors affecting a substantial number of people?

X

Comments: Not Applicable.

4. BIOLOGICAL IMPACTS: Would the Project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 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 regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

X

Comments: The site is a vacant and bare of any vegetation. No native natural habitat exists. No threatened and endangered plant species or habitats of concern are known to be present on the site, nor general occur in the adjacent properties within the vicinity of the project. The site is currently developed with an approximate 3,200 square foot building proposed as an event center-rental hall. The site is surrounded by urban development on the south side of Hwy 223 (Bear Mountain Blvd.), east residential development, north agricultural lands within the unincorporated area of Kern County, and to the west Railroad tracks and residential and commercial. Figure 4 – Aerial photo of site and Site Photos from project site of surrounding uses - dated April 2017

- 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

Comments: See Item 4(a) above.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

X

Comments: The site is void of any protected wetlands.

- 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

Comments: See Item 4(a) above.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

X

Comments: The proposed project will not conflict with any local policies or regulations protecting biological resources.

- 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

Comments: No such plans exist that govern the project.

5. CULTURAL RESOURCES – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?

X

Comments: The City of Arvin General Plan does not identify any resources of historical significance to be located on the site. Previous environmental documents, such as the EIR for redevelopment projects in the city indicated that there were no listed historic properties or archaeological sites within the project area which represented the major portion of the city's development area.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?

X

Comments: The City of Arvin General Plan does not identify any resources of archaeological significance identified on the site. However, to mitigate any potential impacts to significant archaeological resources identified during project construction, an archaeological assessment shall be conducted for the site if archaeological resources are identified. The site shall then be formally recorded, and archaeologist's recommendations shall be made to the City regarding further site investigations or site avoidance/preservation measures.

MM-CR 1: All Construction is to be stopped within 50'-0" of the uncovered site to avoid and to mitigate any potential impacts to significant archaeological resources identified during project construction. Prior to commencement of work at the site, an archaeological assessment shall be conducted for the site. If archaeological resources are identified, the site shall then be formally recorded, and archaeologist's recommendations shall be made to the City regarding further site investigations or site avoidance/preservation measures.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

X

Comments: The City of Arvin General Plan does not identify any unique paleontological resources or unique geological features to be located within the proposed project area. Should an undetermined site be uncovered, the project sponsor shall implement the mitigation measure listed in 5 b) above.

- d) Disturb any human remains, including those interred outside of formal cemeteries?

X

Comments: Not Applicable. It is not anticipated that the proposed project will disturb human remains.

However, if during construction human remains are identified, the Kern County Coroner shall be contacted immediately. If the remains or other archaeological materials are possible of Native American in origin, the Native American Heritage Commission shall be contacted immediately.

MM-CR 2: If during construction human remains are identified, all work within 50'-0" of the find shall be stopped. The Kern County Coroner shall be contacted immediately. If the remains or other archaeological materials are possible of Native American in origin, the Native American

Heritage Commission shall be contacted immediately. Work shall not be continued until such time as clearance is received by the City.

6. GEOLOGY AND SOILS – Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
1) 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	

Comments: The Initial Study for the City of Arvin General Plan Update, 2012, Section VI. Geology and Soils provides the overview of potential risks associated with earth quakes and liquefaction seismic related risk. To lessen this potential impact, all new construction must meet earthquake safety standards set forth in the Uniform Building Code and geotechnical engineering, and soils engineering investigations shall be required. No structures intended for human habitation shall be constructed over or within 50 feet of an identified fault. See Figure 5, Active Faults. The proposed use activity is within an existing structure.

2) Strong seismic ground shaking?			X	
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Comments: See Item 6(a)(1) above.

3) Seismic-related ground failure, including liquefaction?			X	
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Comments: See Item 6(a) (1) above. In addition, the City of Arvin General Plan indicates there is no history of land subsidence within the City of Arvin.

4) Landslides?			X	
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Comments: The proposed project area and surrounding areas are relatively flat and therefore, any chances of landslides are minimal.

b) Result in Substantial soil erosion or the loss of topsoil?			X	
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Comments: The City of Arvin General Plan 2012, "The potential for soil erosion is low to moderate. New development in the City may require some grading to provide for building pads, parking facilities, utilities and drainage. Lose of top soil is slight, due to the low degree of slope of the land and to the highly permeable nature of the soil.

6. GEOLOGY AND SOILS CONT'D– Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 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

Comments: There is no history of land subsidence within the City of Arvin. The shall require all construction and development to adhere to the California Building Code and standard building practices, policies, and guidelines to ensure that any geologic impacts including on- and off-site landslides, lateral spreading, subsidence and expansive soils are less than significant. .

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

X

Comments: See comments in c) above.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

X

Comments: NOT Applicable. The proposed project does not include the installation of septic tanks or alternative wastewater disposal systems. All infrastructure improvements, including storm, sewer, and water services will be served by the City of Arvin or Special Districts.

7. GREENHOUSE GAS EMISSIONS – Would the project:

Less Than
Significant
With

Potentially Significant Impact	Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

X

Comments: The General Plan Update 2012, Section VII Greenhouse Gas Emissions examined the effects of Greenhouse Gas Emissions for the City upon build out.

Mitigations are listed as previously adopted: While the analysis indicates there will be an increase of GHG emissions resulting from the buildout capacity of the General Plan, (General Plan Buildout), there are currently no GHG emission thresholds adopted by the City, State or SJVAPD and, therefore, the level of impact cannot be determined. In the absence of regulatory standards for GHG emissions, and to ensure that project impacts are minimized and to exercise an abundance of caution, it is recommended that the capacity buildout of the General Plan include mitigation measures, such as those recommended by the California Air Pollution Control Officers Association (CAPCOA) and the California Office of the Attorney General. See Section 3 Air Quality for further comments.

The City of Arvin adopted a Climate Action Plan for municipal projects. No plan has been adopted for private projects. The Climate Action Plan establishes strategies to guide the City's efforts for reducing GHG emissions.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

X

Comments: The environmental assessment for the General Plan Update 2012, Section VII Greenhouse Gas Emissions examined the effects of Greenhouse Gas Emissions for the City upon build out. See Comments in a) above.

8. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

X

Comments: The transport of any hazardous materials will comply with all Federal, State, and local policies and regulations.

- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

X

Comments: The only foreseeable upset and accident condition that may occur as a result of the proposed project may or may not occur during construction. However, it is anticipated that all safety procedures and policies will occur in full compliance with Federal, State, and local policies and regulations.

- 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

Comments: The proposed project is not within one-quarter mile of a school. The closest school is approximately one-half mile north from the project site. Refer to Figure 6 – Location of Schools and Parks – Excerpt General Plan Environmental Assessment.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environments?

X

Comments: Site research on Envirostor, Department of Toxic Substance Control concluded the site is not located on a hazardous site as defined by Section 65962.5 of the Government Code. Report on file at Arvin Community Development Department, 141 Plumtree Drive, Arvin, CA 93203.

8. HAZARDS AND HAZARDOUS MATERIALS CONT'D

– Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? X

Comments: The nearest public use airport is the Bakersfield Municipal Airport which is located approximately 18 miles to the northwest, and the nearest private airport is the agricultural (crop dusting) landing strip located approximately on quarter mile to the southwest of the city limits. The City is not located within the limits of the airport impact zone.

CMLUCA NOTIFICATION: Government Code Sections 65352, 65404, 65940, and 65944 requires local planning agencies to notify the military whenever a propose development project or general plan amendment meets criteria requiring notification. Website research and resulting information from the CMLUCA determined that all of Kern County is not subject to the required notification(s) to the military as noted in the above Government Code sections.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? X

Comments: See Item 8(e) above.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? X

Comments: The proposed project does not propose any changes to the roadway system or evacuation routes designed by the City that will interfere or have a negative impact on emergency response. Evacuations of people will proceed according to the City's policies related to emergency preparedness. In addition, the City will coordinate emergency response and relief services with the county, state, federal and volunteer agencies, when needed. In addition, recommendations from the Kern County Fire Department and Arvin's Police Department are established as conditions imposed on the proposed development. The installation of improvements per City Standards, and upon the issuance of building permits meeting current building and fire codes, further reduce the potential for conflicts.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? X

Comments: 2012 General Plan Update environmental assessment, identified the entire City is shown as "unzoned" on the Fire Hazard Severity Zone map for Kern County. This document was produced by the California Department of Forestry and Fire Protection (CalFire) and is not identified as a high risk area. Furthermore, the existing General Plan Safety Element includes a policy which ensures the safety of the residents of the City through proper consideration of location of earthquakes faults and their relationship to development, natural flooding hazards from storm runoff slope development and related problems of earth slippages and hazards for fire in brush or grasslands. See Item 7(g) above.

9. HYDROLOGY AND WATER QUALITY – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Violate any water quality standards or waste discharge requirements?

X

Comments: The proposed project will comply with all Federal, State, and local policies and regulations related to water quality.

- b) Substantially deplete groundwater supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

X

Comments: The General Plan Update 2012 identified the depletion of ground water as Less Than Significant Impact as a result of the efforts of Arvin-Edison Water Storage District engagement in programs of groundwater replenishment, which resolved any depletion of ground water supply or quality of ground water.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in *substantial erosion or siltation on- or off-site*?

X

Comments: The proposed project will alter the existing drainage pattern of the site by the construction of project. The necessary improvements to support such development will be constructed by the project sponsor and those improvements will be constructed in accordance with the City of Arvin's Standards and Specifications, and therefore, impacts to the existing drainage patterns are less than significant.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in *flooding on- or off-site*?

X

Comments: See Comment c) above.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

X

Comments: The proposed project will contribute runoff water due to new impervious parking lot and structures. This will in turn contribute additional storm water to the City of Arvin's storm water system. The implementation of the storm water master plan and any improvements required by City of Arvin Public Works Department and City Engineer will lessen the impact to less than significant.

9. HYDROLOGY AND WATER QUALITY – CONT'D –

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) Otherwise substantially degrade water quality?

X

Comments: The proposed project will comply with all Federal, State, and local policies and regulations related to water quality.

- g) Place within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?

X

Comments: The proposed project is within Zone AO as identified by the FEMA Flood Map of the City. The City is in the 100-year flood zone with designation zones A, AO, and X. Figure 8- FEMA Flood Map of the City. The Flood Zones are defined as:

Zone A – Areas subject to flooding by the one percent annual chance flood (100-year storm) with no base flood elevation determined.

Zone AO - Areas subject to flooding by the one percent chance flood with flood depths of one to three feet with an average depth and flood velocity determined.

Zone X (Shaded) – Areas of a 0.2 percent annual chance flood, areas subject to the one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees for the one percent annual chance flood.

Figure 7 – FEMA Flooding Map

Because the City is in the 100-year flood zone, mandatory flood insurance purchase requirements and floodplain management standards apply.

Chapter 15.32 (Floodplain Management) of the Arvin Municipal Code establishes flood-resistant standards for building anchoring, construction materials and methods, storage of materials, utilities and land subdivisions. In addition FEMA requires that for all new construction, the ground floor must be raised at least 24 inches above the highest adjacent grade.

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

X

Comments: See Comments g) above.

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

X

Comments: The nearest dam, Isabella Dam, is located approximately 55 miles to the southwest. The City of Arvin General Plan indicates that failure of the Isabella Dam would not have a significant impact on the City of Arvin.

9. HYDROLOGY AND WATER QUALITY – CONT'D –

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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j) Inundation by seiche, tsunami, or mudflow?

X

Comments: Two manmade lakes located in the southern portion of the City are relatively small in size and any seiche-related phenomena (A seiche is a standing wave in and enclosed or partially enclosed body of water) and due to relatively small size of the lakes, seiche would not cause a significant impact on the homes in the area.

Arvin is located in the Central Valley, hundreds of miles from the California coastline (Pacific Ocean), and due to the city's location a tsunami event is less than significant.

The possibility of mudflows is extremely low, given the absence of hillside and mountainous terrain with the City

10. LAND USE AND PLANNING – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Physically divide an established community?

X

Comments: The proposed project will not physically divide the established community by the development of the proposed project. The project site is surrounded by existing commercial development and residential development. Therefore this impact is less than significant.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? **X**

Comments: The proposed project does not conflict with the City of Arvin’s General Plan. The City’s General Plan currently designates the site for General Commercial land use and is zoned as C-2 Commercial uses. Development proposed will further implement the goals and policies of the General Plan.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan? **X**

Comments: No such plan governs the proposed project.

11. MINERAL RESOURCES – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- 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**

Comments: The City of Arvin is located within the Division of Oil, Gas, and Geothermal Resources’ (DOGGR) Mountain View Oil Field Boundaries (DOGGR, 2007, Map 433), “one of the most highly productive oil fields in Kern County”, (Master Environmental Impact Report for the City of Arvin General Plan, 1988, November). According to the Master Environmental Impact report for the City of Arvin General Plan (November 1988), petroleum is the principal mineral resource in the Planning area and proposed build-out will impact present production and potential exploration. Such development restricts future oil operations, requires additional unanticipated expenditures, and creates safety and public nuisance problems (City of Arvin 1988).

The project has been reviewed by the DOGGR and as per letter dated April 18, 2017, “there are no active or plugged-and-abandoned wells located with project boundaries”. Figure 8- Locational Map for Oil and Gas Wells to the proposed project.

- 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**

Comments: See Comments a). The City of Arvin General Plan does not identify any mineral resources of local importance within the proposed project area.

12. NOISE – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general **X**

plan or noise ordinance, or applicable standards of other agencies?

Comments: The project and existing businesses will be exposed to noise from the activities from the events held at the project site. The City's Municipal Code Chapter 9.08 (Noise Disturbance Ordinance), establishes standards and hours of application to the standards relating to Noise Disturbance as defined by Section 9.08.040. Potential Noise Disturbance as defined in this Chapter may occur from DJ's, Bands, or other means of music or activity while an event occurs. Residential units are existing east of the proposed Event Center. Conditions will be placed on the Conditional Use Permit which limits the potential for Noise Disturbance from the Event Center activity. Should violations occur, Section 9.08.080 Enforcement establishes procedures to curtail activities. Should violations of the City Ordinance become a nuisance to the adjoining property owners, the Conditional Use Permit may be subject to revocation.

- b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? X

Comments: See Item 12(a) above.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? X

Comments: See Item 12(a) above. The proposed project may increase permanent ambient noise levels due to the activities at the Event Center.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? X

Comments: See Item 12(a) above.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? X

Comments: The nearest public use airport to the proposed project area is the Bakersfield Municipal Airport which is located approximately 18 miles to the northwest and the nearest private airport is the agricultural (crop dusting) landing strip located approximately one quarter mile to the southwest of the city limits.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? X

Comments: See Item 11(e) above.

13. POPULATION AND HOUSING – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and X

businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Comments: The proposed project does induce population growth in the City of Arvin by proposing the event center at this location. The City of Arvin's General Plan identified the site for light industrial uses and activities by designating the area for Light Industrial use. Therefore, it is not anticipated that the proposed project will substantially induce population growth, not anticipated by the General Plan.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? **X**

Comments: The proposed project will not displace any existing residences, in as much as the site is devoid of any structures.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? **X**

Comments: The proposed project will not displace residents. As indicated above in Item 13(b), the site is devoid of any structures.

13. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable

service ratios, response times or other performance objectives for any of the public services:

1) Fire protection?

X

Comments: The proposed project will not create the need for additional City of Arvin Fire Stations nor impact the Kern County Fire Department. The General Plan Update 2012 adequately addresses the need for and planned facilities to meet the buildout of the general plan holding capacity. The Kern County Fire Protection and Building Official will require the structure and activities to comply with the current uniform build code and fire codes. The City will require clearance from the Kern County Fire District.

2) Police protection?

X

Comments: The proposed project will not create the need for additional police stations within the City of Arvin. The General Plan Update 2012 adequately addresses the need for and planned facilities to meet the buildout of the general plan holding capacity. The City has adopted police impact fees imposed on new development or increased uses that generate addition traffic. The use proposed by this project would contribute to a cumulative need for additional sworn officers, but will not create a significant burden on police services or adversely impact present levels of service. The proposed project would not create the need for unusual or significant new police equipment. Prior to final clearance of the conditional use permit, the Police development impact fees are required to be paid. This fee is subject to annual adjustments and may differ at the time fees are actually collected.

3) Schools?

X

Comments: The proposed development will not impact school facilities within the City of Arvin by changing the occupancy use of an existing building within the Industrial zone district and for the proposed event center. The project site is located within the Arvin Union School District. The District has justified the collection of Statutory School Fees and have adopted school impact fees as allowed by state law. Prior to the issuance of building permits or prior to final occupancy, a clearance letter is required from the School District. Should the School District fail to provide the clearance letter, the project sponsor may seek resolution and gain the permit from the City based upon payment of the established fee. No School Impact Fees are required for this project.

4) Parks?

X

Comments: The proposed project is a change of occupancy use within an existing structure located in the Industrial zone district and is not anticipated to create a demand for parks. Park impact fees are not collected on industrial or commercial projects.

5) Other public facilities?

X

Comments: The City has adopted Traffic Impact fees. The proposed project would not create the need for unusual or significant new road improvements. However, the change of occupancy and use as an Event Center within the industrial zone does increase traffic. Prior to final clearance of the Conditional Use Permit for the Event Center, Traffic Impact Fees is required to be paid. This fee is subject to annual adjustment and may differ at the time fees are actually collected.

14. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Would the project increase the use of existing neighborhood and regional parks or other recreational

X

facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Comments: The proposed project is a change of occupancy of an existing structure within an Industrial zone district and is not anticipated to result in an increased demand for neighborhood and regional parks or other recreational facilities.

- 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**

Comments: The proposed project would not require the construction or expansion of additional recreational facilities.

15. TRANSPORTATION/TRAFFIC – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? **X**

Comments: Comments: The proposed project would result in new automobile trips per day, utilizing the Institute of Transportation Engineers trip generation rate. Refer to 13-a-5 for discussion.

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? **X**

Comments: The project will not further degrade the level of service standard as established by the county congestion management agency for designated roads or highways.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? **X**

Comments: See 15 a) above.

15. TRANSPORTATION/TRAFFIC – CONT'D – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? **X**

Comments: The construction of all improvements will be done in accordance with the City of Arvin's Standards and Specifications and any work within Hwy 223 shall comply with the State of California Department of Transportation standards and specifications.

e) Result in inadequate emergency access?

X

Comments: The proposed on-site parking is proposing one ingress and egress access off of King Street. The current access does not appear to have an approved encroachment permit nor does it appear to have an improved drive into the proposed parking area. The project may be required to redesign the existing entrance by providing an ingress and egress drive way from King Street. The Kern County Fire Department and the City Engineer may require modifications to satisfy any safety concerns.

f) Result in inadequate parking capacity?

X

Comments: The proposed project does include on-site parking that will accommodate the event center activity. However, the proposed development does not meet the parking ratio established by the City of Arvin’s municipal code nor comply with the improvement standards adopted by the City. Several options are available to the project sponsor when implemented will resolve this conflict.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

X

Comments: The proposed project does not conflict with the City of Arvin General Plan Circulation Element.

16. UTILITIES AND SERVICE SYSTEMS – Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

X

Comments: The City of Arvin, in partnership with Veolia Water Inc., is responsible for sewer service in the City. Wastewater treatment will be met in accordance with all Federal, State, and local policies and regulations.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing

X

facilities, the construction of which could cause significant environmental effects?

Comments: The project will be required to fund design and construction of sewer, water, and storm drainage infrastructure to City of Arvin's and the appropriate special district standards for domestic use and for fire services standards. The Arvin Community Services District provides domestic water for the City of Arvin.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? **X**

Comments: The proposed project will be required to fund, design and construction of water drainage infrastructure to City Standards. The City of Arvin maintains existing drainage facilities and as development occurs, the project sponsor are required to fund, design, and construct needed facilities to accommodate the project service needs.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? **X**

Comments: Arvin Community Services District has indicated that sufficient water supplies are available to the project.

- e) 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's projected demand in addition to the provider's existing commitments? **X**

Comments: The project has been reviewed by representatives of the Veolia Water (sewer) and has indicated that sufficient capacity exists to serve the project. The project will be required to fund, design, and construct infrastructure to service the projects service needs.

16. UTILITIES AND SERVICE SYSTEMS – CONT'D –

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? **X**

Comments: The City of Arvin's solid waste is serviced by Mountainside Disposal, a private solid waste disposal company. The General Plan Update 2012, Section 17 environmental assessment provides an appropriate analysis of the solid waste disposal and the capacity to service the capacity for the City of Arvin's build out.

- g) Comply with federal, state, and local statutes and regulations related to solid waste? **X**

Comments: All Federal, State, and local policies and regulations related to solid waste will be complied with.

MANDATORY FINDINGS OF SIGNIFICANCE

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? **X**

Comments: Based upon the findings of the initial study and documented through previous environmental documents as noted in the reference list, the project will not degrade the quality of the environment nor reduce the habitat of a fish or wildlife species, nor cause a fish or wildlife population to drop below self-sustaining levels, nor other degradation as identified above.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? **X**

Comments: Based upon the findings of the initial study the project will have incremental effects however with mitigation measures as identified those impacts are less than significant.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? **X**

Comments: Based upon the findings of the initial study and documented through previous environmental documents as noted in the reference list, the project will not cause substantial adverse effects on human beings.

E. REFERENCES

1. City of Arvin General Plan – Land Use Element, Conservation and Open Space Element, Air Quality Element Community Health Element, and Implementation Plan – 2012

1a. City of Arvin General Plan – Land Use Element, Conservation and Open Space Element, Air Quality Element Community Health Element, and Implementation Plan – 2012 – Initial Study and adopted Mitigated Negative Declaration.

2. City of Arvin General Plan – Circulation Element adopted August 21, 2012

2a. City of Arvin General Plan – Circulation Element adopted August 21, 2012 - Initial Study and adopted Mitigated Negative Declaration - 2010.

3. City of Arvin General Plan – Noise Element adopted 1988, Safety Element adopted 1988, and Economic Development Element adopted 1988

3a. City of Arvin General Plan – Noise Element adopted 1988, Safety Element adopted 1988, and Economic Development Element adopted 1988 – Master Environmental Impact Report.

4. City of Arvin Zoning Ordinance

5. City of Arvin Standards and Specifications

6. City of Arvin Drainage Master Plan Update – August 2009

7a. Enterprise Zone EIR dated 2009;

7b. Initial Study and Mitigated Negative Declaration for the City of Arvin Wastewater Treatment Plant Expansion Project August 2007;

All reference material may be reviewed at the City of Arvin, Community Development Department, 141 Plumtree Drive, Arvin, CA 93203



City of Arvin Community Development Department
141 Plumtree Drive, Arvin, CA 93203
(661) 854-6183 Office
(661)854-2969 FAX

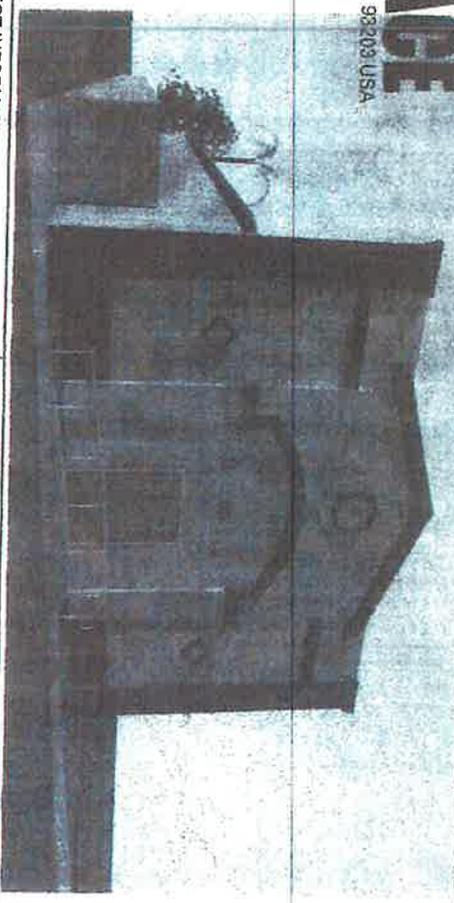
Initial Study – Conditional Use Permit 2017-125EBMB, 125 East Mountain Blvd. – Proposed Event Center

<u>EXHIBITS, FIGURES ATTACHMENTS</u>		
Exhibit #	Description	Page
Exhibit A	Site Plan and Preliminary Elevations	1 thru 5
Exhibit B	Administrative Permit 2016-01	6 thru 9
Figure 1	Assessor Parcel No. 193-140-02	10
Figure 1a	Regional Perspective – City of Arvin General Plan Update.	11
Figure 2	Land Use Designation Diagram	12
Figure 3	Zoning Designation Map	13
Figure 4	Aerial photo of site and Site Photos dated April 2017	14 thru 29
Figure 5	Active Faults.	30
Figure 6	Location of Schools and Parks – Excerpt General Plan Environmental Assessment.	31
Figure 7	FEMA Flood Map – City of Arvin	32
Figure 8	Site Location Map for Oil and Gas wells in relation to the proposed project.	33 thru 36
Attachment 1	Background Discussion - Air Quality – Excerpt from General Plan Environmental Assessment	37 thru 41

105

ARVIN PALACE

125 E. BEAR MOUNTAIN BLVD. ARVIN CA 98203 USA



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Drilling & Design
904-205-5899



ARVIN PALACE
125 E. BEAR MOUNTAIN BLVD.
ARVIN, CA 98203
98203
98203

MS-100-1000

GENERAL NOTES

1. THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND HAS OBSERVED THE EXISTING CONDITIONS. THE ARCHITECT HAS NOT CONDUCTED ANY OTHER INVESTIGATION OR TESTING OF THE SOILS OR ROCKS. THE ARCHITECT HAS NOT CONDUCTED ANY OTHER INVESTIGATION OR TESTING OF THE SOILS OR ROCKS. THE ARCHITECT HAS NOT CONDUCTED ANY OTHER INVESTIGATION OR TESTING OF THE SOILS OR ROCKS.

PROJECT INFORMATION

PROJECT NO. 100-1000
ARCHITECT: JSB
DATE: 10/1/2010
PROJECT LOCATION: 125 E. BEAR MOUNTAIN BLVD., ARVIN, CA 98203
OWNER: ARVIN PALACE
GENERAL CONTRACTOR: [Name Redacted]

ABBREVIATIONS

ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
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SHEET INDEX

GENERAL INFORMATION	A-001	COVER SHEET
ARCHITECTURAL	A-01	SITE PLAN
	A-02	FLOOR PLAN AND REFLECTED CEILING PLAN
	A-03	EXTERIOR ELEVATIONS AND SECTIONS
	A-04	DETAILS

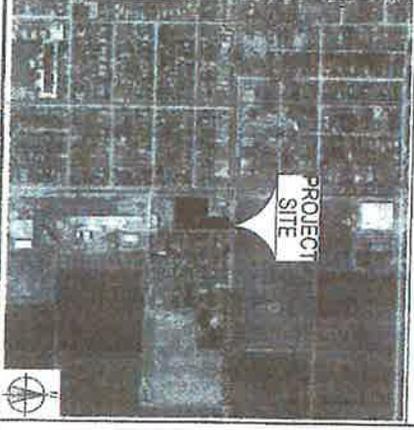
APPLICABLE CODES

- 1. CALIFORNIA BUILDING CODE (CBC) - 2007
- 2. CALIFORNIA FIRE CODE (CFC) - 2007
- 3. CALIFORNIA PLUMBING CODE (CPC) - 2007
- 4. CALIFORNIA MECHANICAL CODE (CMC) - 2007
- 5. CALIFORNIA ELECTRICAL CODE (CEC) - 2007
- 6. CALIFORNIA ENERGY CODE (CEC) - 2007
- 7. CALIFORNIA LAND DEVELOPMENT CODE (CLDC) - 2007
- 8. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) - 2007
- 9. CALIFORNIA HISTORIC PRESERVATION ACT (CHPA) - 2007
- 10. CALIFORNIA AIR RESOURCES ACT (CARA) - 2007
- 11. CALIFORNIA WATER RESOURCES ACT (CWRA) - 2007
- 12. CALIFORNIA WASTE MANAGEMENT ACT (CWMA) - 2007
- 13. CALIFORNIA SOILS AND WATER RESOURCES ACT (CSWRA) - 2007
- 14. CALIFORNIA PUBLIC UTILITIES ACT (CPUA) - 2007
- 15. CALIFORNIA PUBLIC EMPLOYMENT ACT (CPEA) - 2007
- 16. CALIFORNIA PUBLIC CONTRACTS ACT (CPCA) - 2007
- 17. CALIFORNIA PUBLIC OFFICERS ACT (CPOA) - 2007
- 18. CALIFORNIA PUBLIC UTILITIES ACT (CPUA) - 2007
- 19. CALIFORNIA PUBLIC EMPLOYMENT ACT (CPEA) - 2007
- 20. CALIFORNIA PUBLIC CONTRACTS ACT (CPCA) - 2007
- 21. CALIFORNIA PUBLIC OFFICERS ACT (CPOA) - 2007

FIRE PROTECTION

THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND HAS OBSERVED THE EXISTING CONDITIONS. THE ARCHITECT HAS NOT CONDUCTED ANY OTHER INVESTIGATION OR TESTING OF THE SOILS OR ROCKS. THE ARCHITECT HAS NOT CONDUCTED ANY OTHER INVESTIGATION OR TESTING OF THE SOILS OR ROCKS.

VICINITY MAP



ACCESSIBILITY STANDARDS

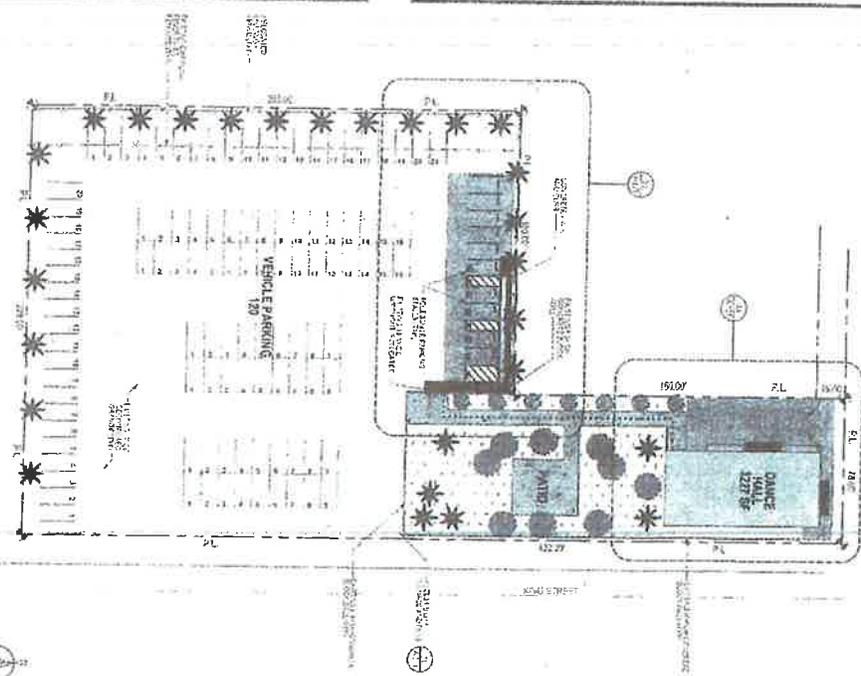
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COVER SHEET

A-001

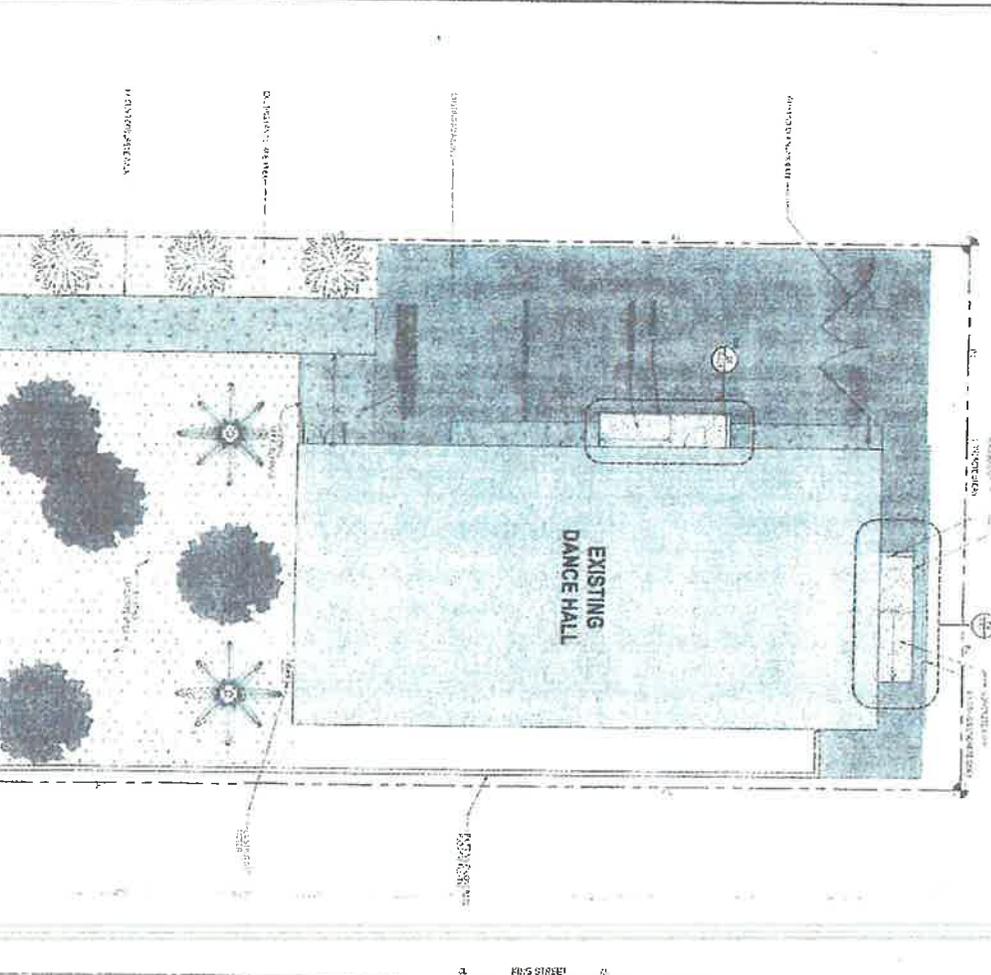
A1

OVERALL SITE PLAN



A3

ENLARGED SITE PLAN



SITE PLAN LEGEND:

- PROPOSED IMPROVEMENTS
- EXISTING IMPROVEMENTS
- EXISTING UTILITIES
- EXISTING LANDSCAPING
- PROPOSED LANDSCAPING

PROPOSED IMPROVEMENTS:

- PROPOSED IMPROVEMENTS
- PROPOSED IMPROVEMENTS
- PROPOSED IMPROVEMENTS

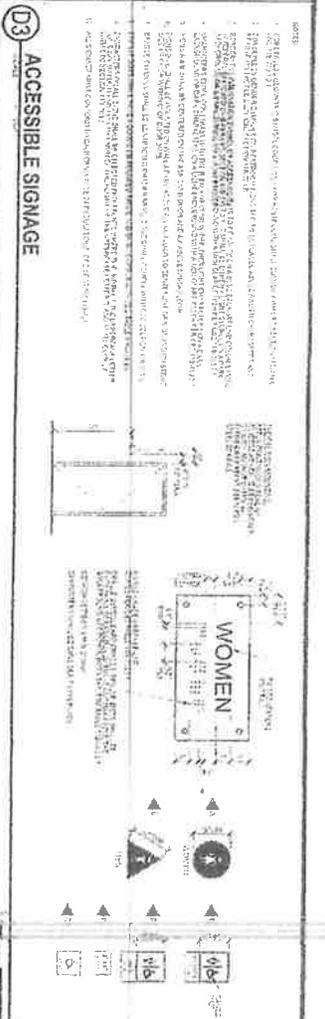
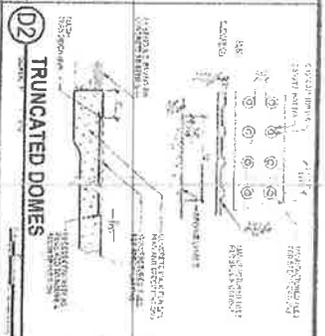
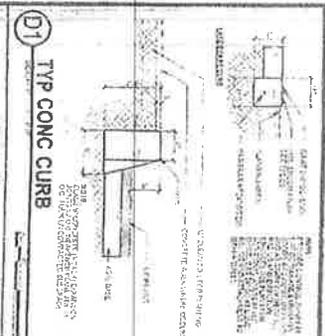
JSB
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 Drafting & Design
 666-245-3999

ARVIN PALACE
 1211 W. VII
 ARVIN, CA
 95301
 415-874-8642

NO.	DATE	DESCRIPTION

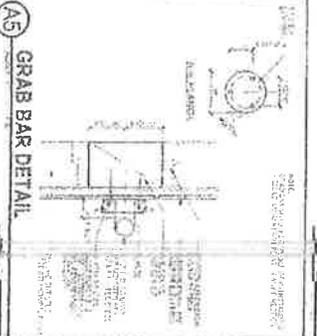
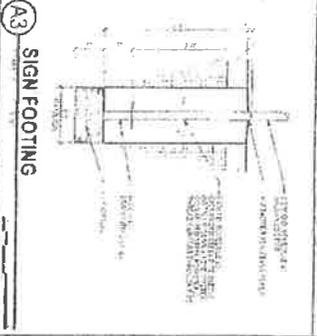
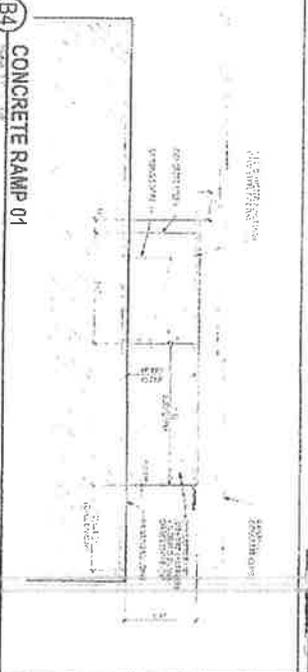
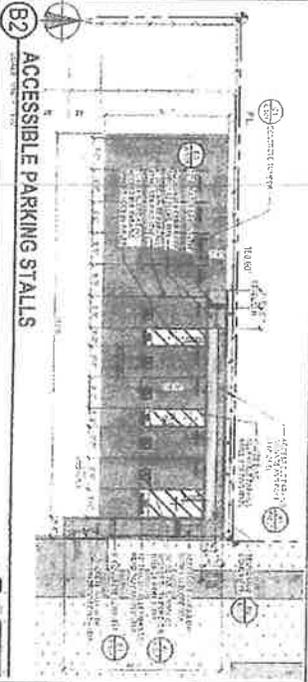
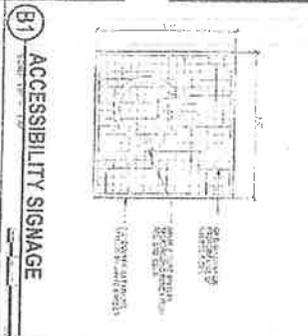
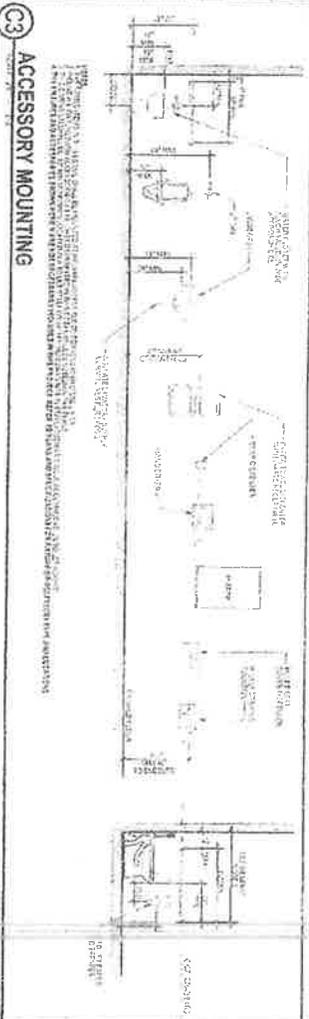
SHEET TITLE
 SITE PLAN
A-101

57502



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661.205.3999

ARVIN PALACE
125 E. BROAD
MILPITAS, CA
95032
ARVIN PALACE



NO.	DATE	DESCRIPTION
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248	08/15/25	ISSUED FOR CONSTRUCTION
249	08/31/25	ISSUED FOR CONSTRUCTION
250	09/15/25	

ADMINISTRATIVE RESOLUTION 2016-01
BEFORE THE CITY PLANNER
CITY OF ARVIN
COUNTY OF KERN, STATE OF CALIFORNIA

AN ADMINISTRATIVE RESOLUTION OF THE CITY PLANNER OF THE CITY OF ARVIN APPROVING SITE DEVELOPMENT PERMIT 2016-01 (GUILLERMO GARCIA & JUAN E. OROZCO) FOR ARVIN PLACE, RENOVATION OF AN EXISTING BUILDING AND OPERATION OF A RENTAL HALL AT 125 E. BEAR MOUNTAIN BOULEVARD.

WHEREAS, a Site Plan Review was requested by Guillermo Garcia & Juan E. Orozco, 709 Trino Avenue, Arvin, CA 93203, for Arvin Place, renovation of an existing building and operation of a rental hall for public and private events at 125 E. Bear Mountain Boulevard, a site located on the southwest corner of E. Bear Mountain Boulevard and King Street (see Exhibit 1 for location map). The Assessor Parcel Number is 193-140-02, and

WHEREAS, the proposed project features a single story building containing 3,227 square feet, a parking lot with 119 (including 5 handicap) stalls, a patio, landscaping, lighting, hardscape improvements, signage, a trash enclosure, utility connections, curb, gutter, sidewalk, and access drives, and

WHEREAS, the site is zoned M-2 (Light Manufacturing) and the subject use is permitted subject to a Site Development Permit, consistent with Section 17.60 (Site Development Permits) of the Arvin Municipal Code, and

WHEREAS, the project is statutorily exempt from review (Section 15301 Existing Facilities) under the Guidelines of the California Environmental Quality Act, and

WHEREAS, the Planning Department reviewed this Site Development Permit consistent with the requirements of Section 17.60 of the Arvin Municipal Code, and

NOW, THEREFORE, BE IT RESOLVED that the City Planner, after considering all the evidence presented, determined the following findings were relevant in evaluating this request:

1. The project is consistent with the Arvin General Plan, Land Use Element and the Arvin Zoning Ordinance.
2. The project will not have a significant impact on the environment and is exempt from review under Section 15301 of the Guidelines of the Guidelines of the California Environmental Quality Act (CEQA).
3. The project will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT Site Development Permit 2016-01, as shown on the site plan on file with the Arvin Planning Department is approved subject to the following conditions:

1. This project is conditioned upon the Applicant defending, indemnifying and holding harmless the City, its agents, officers, consultants, and/or employees.
2. The safety and security of the project must satisfy District, Local, City, County, State, Federal ordinances, California Building code, and California Occupational Safety and Health Association (CAL/OSHA).
3. This project is subject to and must satisfy all applicable District, Local, City, County, State, and Federal statutes, ordinances, regulations, standards and policies.
4. All improvements shall comply with American with Disabilities Act standards and regulations (ADA).
5. Project approval is required from the following agencies prior to issuance of any permits
 - City of Arvin Planning Department
 - Wastewater Treatment Facility
 - Arvin Community Service District (water)
 - City of Arvin Building Department
 - City of Arvin Police Department
 - Mountainside Disposal (refuse collection and disposal)
 - Kern County Fire Department
 - Kern County Department of Roads
 - Caltrans District 6
 - Division of Oil and Gas (BKS)
 - PG&E
 - Gas Company
 - Brighthouse Cable
6. "Engineered Final Grading Inspection Certification" and Final Soils Report to be completed prior to building foundation inspection.
7. Development plans shall satisfy City of Arvin Flood Plain Ordinance with elevation certification submitted to City of Arvin Building Department prior to issuance of Certificate of Occupancy.
8. Contractors and subcontractors shall obtain a business license from the City of Arvin prior to beginning any work.
9. Proposed parking area shall be paved to City of Arvin Construction Standards.
10. Proposed King Street Approach or Approaches shall be approved by the City of Arvin City Planner for minimum distance between drive approaches.

11. The Developer shall construct street improvements extending outward from the flow line along King Street. The required improvements include, but are not limited to, roadway construction, striping, curb, gutter, sidewalk, drive approaches, wheelchair ramps, and signage. These improvements will be subject to reimbursement, as determined by the City Engineer.
12. Bear Mountain Boulevard improvements shall be installed per Caltrans requirements.
13. The Applicant to request annexation into the City Lighting, Landscape & Maintenance District.
14. The Applicant shall pay all fees, including impact fees, assessed on the project at time of the first plan check submittal.
15. All onsite and offsite utilities shall be installed underground in accordance with each of the utility company requirements. All offsite utilities to be relocated in accordance with each of the utility company requirements.
16. Applicant shall provide an electronic version of the plans to the City of Arvin Planning and Engineering Departments in current AutoCAD format.
17. The applicant shall submit a sign permit request for review and approval by the City of Arvin City Planner, prior to occupancy. All signs shall comply with the requirements of the sign ordinance section of the Arvin Zoning Ordinance.
18. The site shall be maintained in a clean, dust free, litter and weed-free fashion.
19. A lighting plan showing the location and type of lighting shall be prepared and submitted for review and approval by the City of Arvin City Planner. Proposed outdoor lighting is to be hooded and directed to not illuminate residences, other properties and roadways adjacent to and around the project site.
20. During development of the site, all construction contractors shall ensure that recyclable construction materials are recycled.
21. The project shall participate in the City's solid waste and recycling program.
22. Noise during construction shall be mitigated to the fullest reasonable extent. Maximum noise levels at property lines shall not exceed 65 decibels. Construction shall be limited to daylight hours Monday through Saturday. If complaints are received, the City may impose further restrictions on hours of operation other appropriate and reasonable measures.
23. The applicant shall submit a landscaping and irrigation plan for review and approval by the City Planner, prior to installation. All landscaping and irrigation shall be installed prior to occupancy. In addition to standard requirements, the landscape plan should include the following:

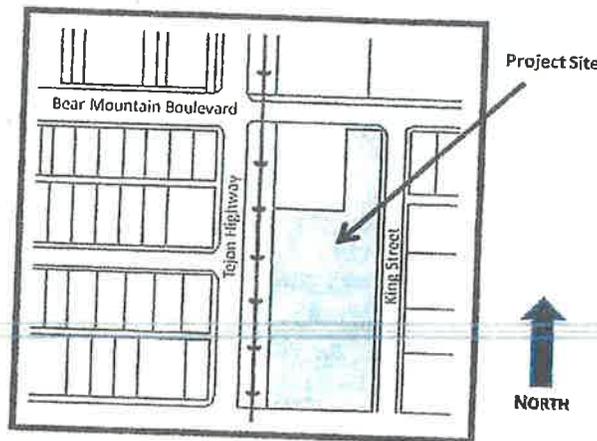
8029

- a. An emphasis shall be placed on maximizing the number of shade trees on the site, particularly in the parking lot and along the streets.
 - c. As practical, street trees shall be established at 25 foot intervals along street frontages. Street trees shall be of a species approved by the City of Arvin City Planner. Irrigation shall be extended from the site to each planter.
 - d. Climbing vines shall be established along all masonry block walls and exterior walls of trash enclosures – for graffiti prevention.
24. The Applicant will prepare and submit a revised, showing all proposed and required improvements, prior to Certificate of Occupancy.
 25. Any significant change to the site plan or operation shall require an amendment of the Site Plan Review.
 26. The proposed use shall be established within one year of the City Planner's approval, or the permit shall become null and void. A one year extension of the approval may be requested in writing.
 27. The decision of the City Planner and required conditions of approval may be appealed by any aggrieved party consistent with Section 17.60.050 of the City of Arvin Municipal Code.
 28. The foregoing resolution was adopted on the _____ day of April, 2016. This decision is final and shall become effective immediately.

David Brletic, Arvin City Planner

Date

Exhibit "A"
Location Map



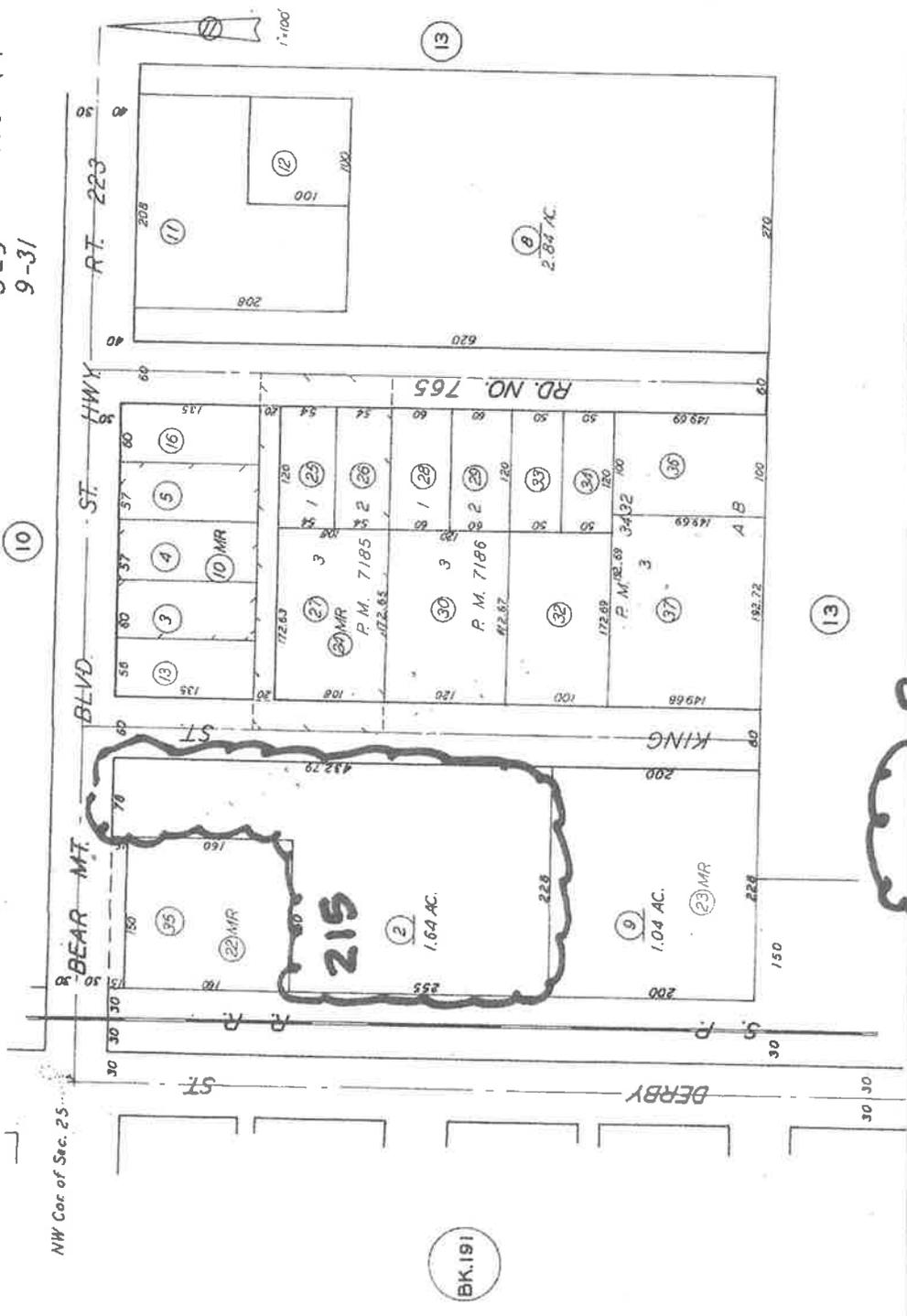
9 OF 9



City of Arvin Community Development Department
141 Plumtree Drive, Arvin, CA 93203
(661) 854-6183 Office
(661)854-2969 FAX

Initial Study – Conditional Use Permit 2017-125EBMB, 125 East Mountain Blvd. – Proposed Event Center

<u>EXHIBITS, FIGURES ATTACHMENTS</u>		
Exhibit #	Description	Page
Exhibit A	Site Plan and Preliminary Elevations	1 thru 5
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Figure 5	Active Faults.	30
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Figure 8	Site Location Map for Oil and Gas wells in relation to the proposed project.	33 thru 36
Attachment 1	Background Discussion - Air Quality – Excerpt from General Plan Environmental Assessment	37 thru 41

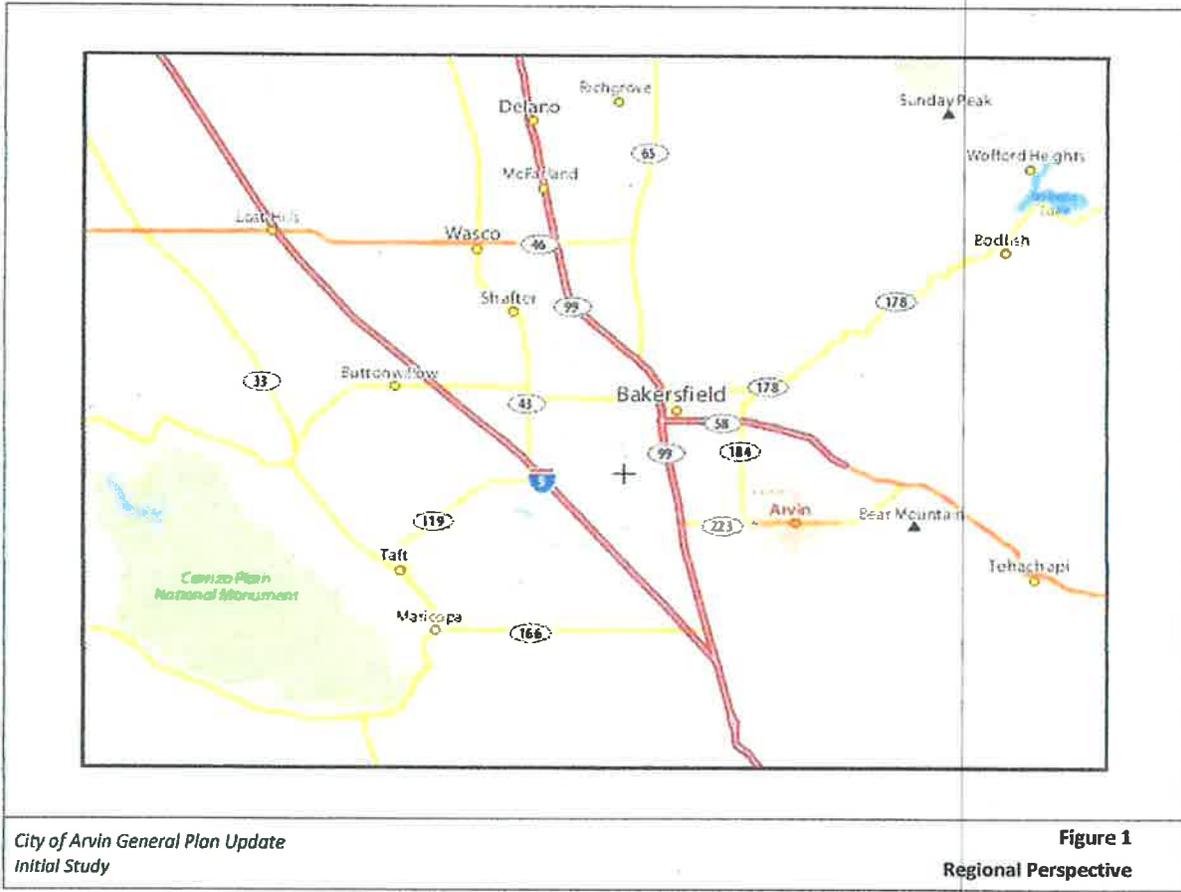


Note: This map is for assessment purposes only. It is not to be construed as creating legal ownership or divisions of land for purposes of zoning or subdivision law.

ASSESSORS MAP NO 193 - 14
COUNTY OF VERMONT

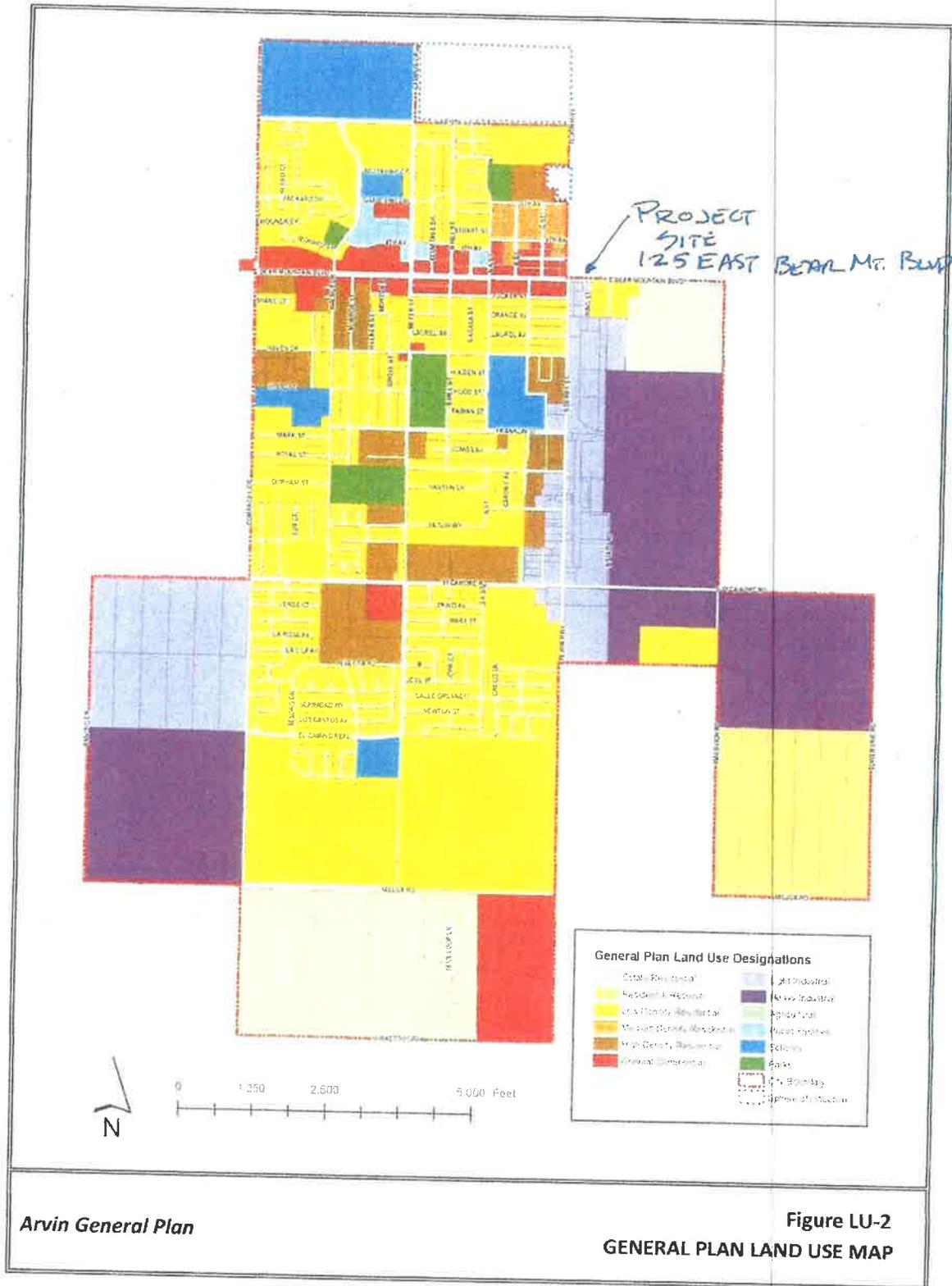
PROJECT SITE

FIGURE 1
PAGE 10



City of Arvin General Plan Update
Initial Study

Figure 1
Regional Perspective



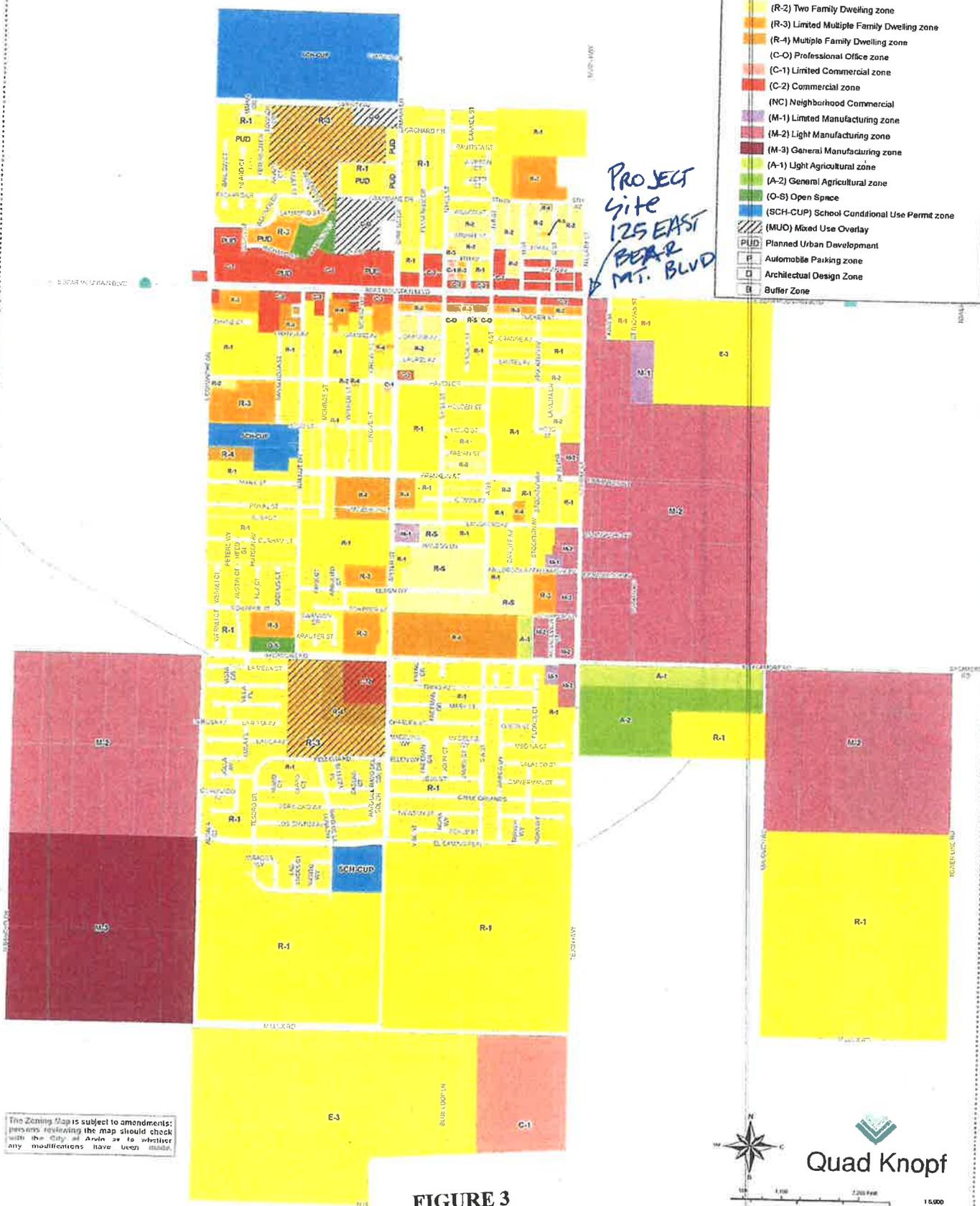
Arvin Zoning Map

CITY OF ARVIN

Zoning Description

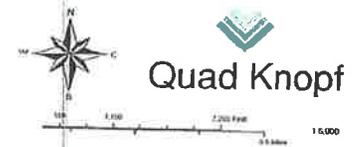
- (E-3) Estate zone
- (R-S) Suburban Residential zone
- (R-1) Single Family Dwelling zone
- (R-2) Two Family Dwelling zone
- (R-3) Limited Multiple Family Dwelling zone
- (R-4) Multiple Family Dwelling zone
- (C-O) Professional Office zone
- (C-1) Limited Commercial zone
- (C-2) Commercial zone
- (NC) Neighborhood Commercial
- (M-1) Limited Manufacturing zone
- (M-2) Light Manufacturing zone
- (M-3) General Manufacturing zone
- (A-1) Light Agricultural zone
- (A-2) General Agricultural zone
- (O-S) Open Space
- (SCH-CUP) School Conditional Use Permit zone
- (MUO) Mixed Use Overlay
- PUD Planned Urban Development
- Automobile Parking zone
- Architectural Design Zone
- Buffer Zone

*PROJECT
SITE
125 EAST
BEAR
MT. BLVD*



The Zoning Map is subject to amendments; persons reviewing the map should check with the City of Arvin as to whether any modifications have been made.

**FIGURE 3
PAGE 13**





City of Arvin Community Development Department
141 Plumtree Drive, Arvin, CA 93203
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Initial Study – Conditional Use Permit 2017-125EBMB, 125 East Mountain Blvd. – Proposed Event Center

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Google Maps

 = PROJECT SITE



215 EAST BEAR MOUNTAIN BLVD

Imagery ©2017 Google, Map data ©2017 Google 100 ft

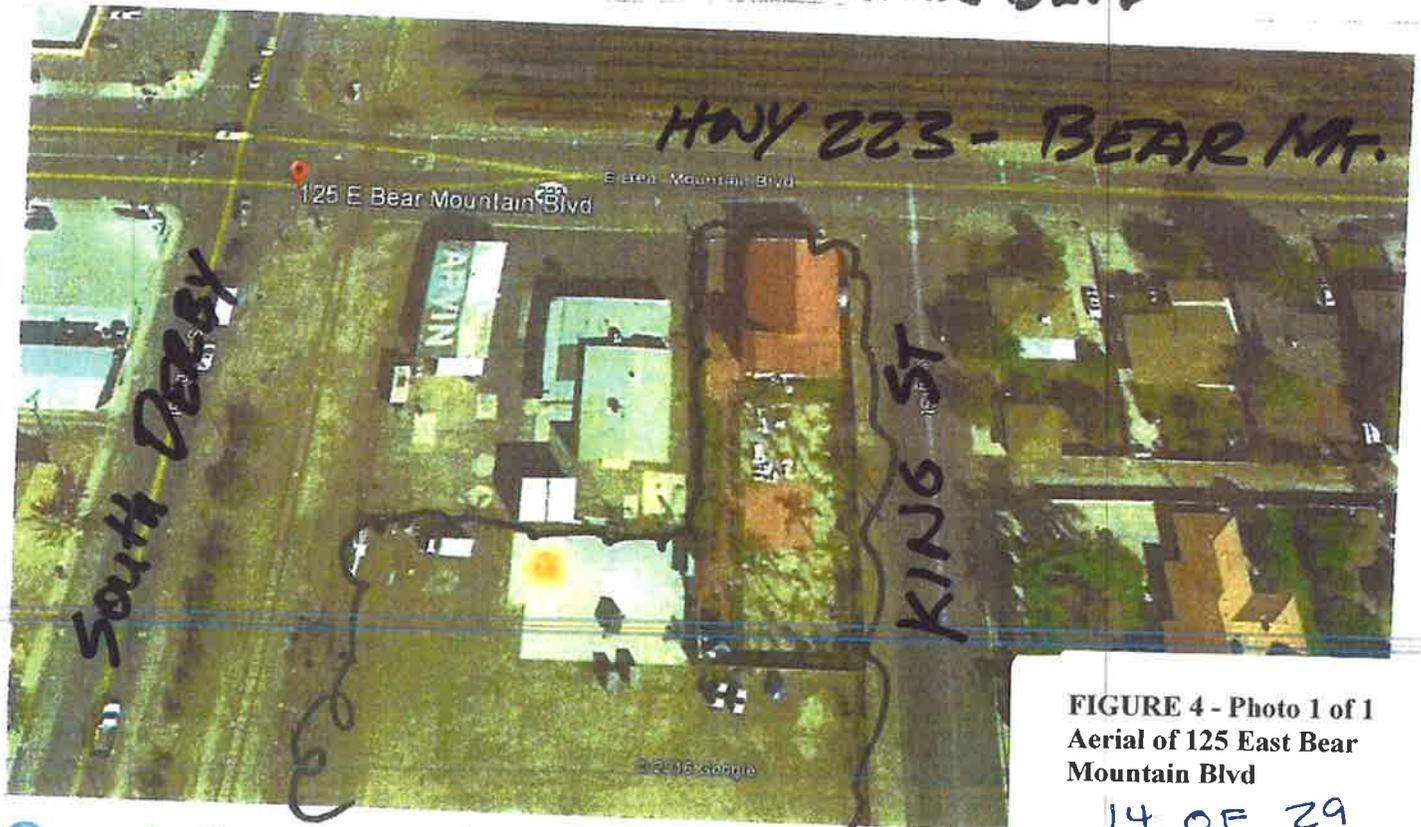


FIGURE 4 - Photo 1 of 1
Aerial of 125 East Bear
Mountain Blvd

14 OF 29

Google Earth

feet
meters 200

80

100'



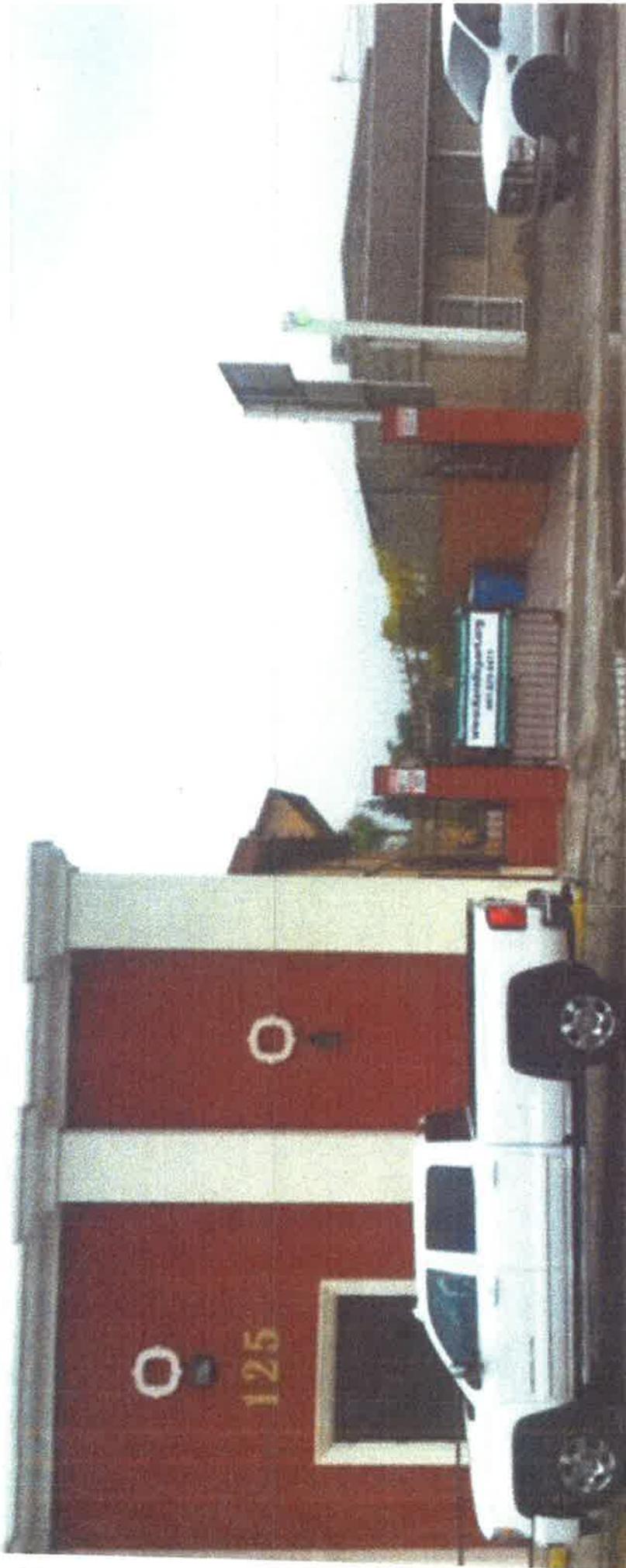


FIGURE 4 - Photo 1 of 15
Looking south from Hwy 223
to 125 East Bear Mountain
Blvd. April 2017 15 OF 29

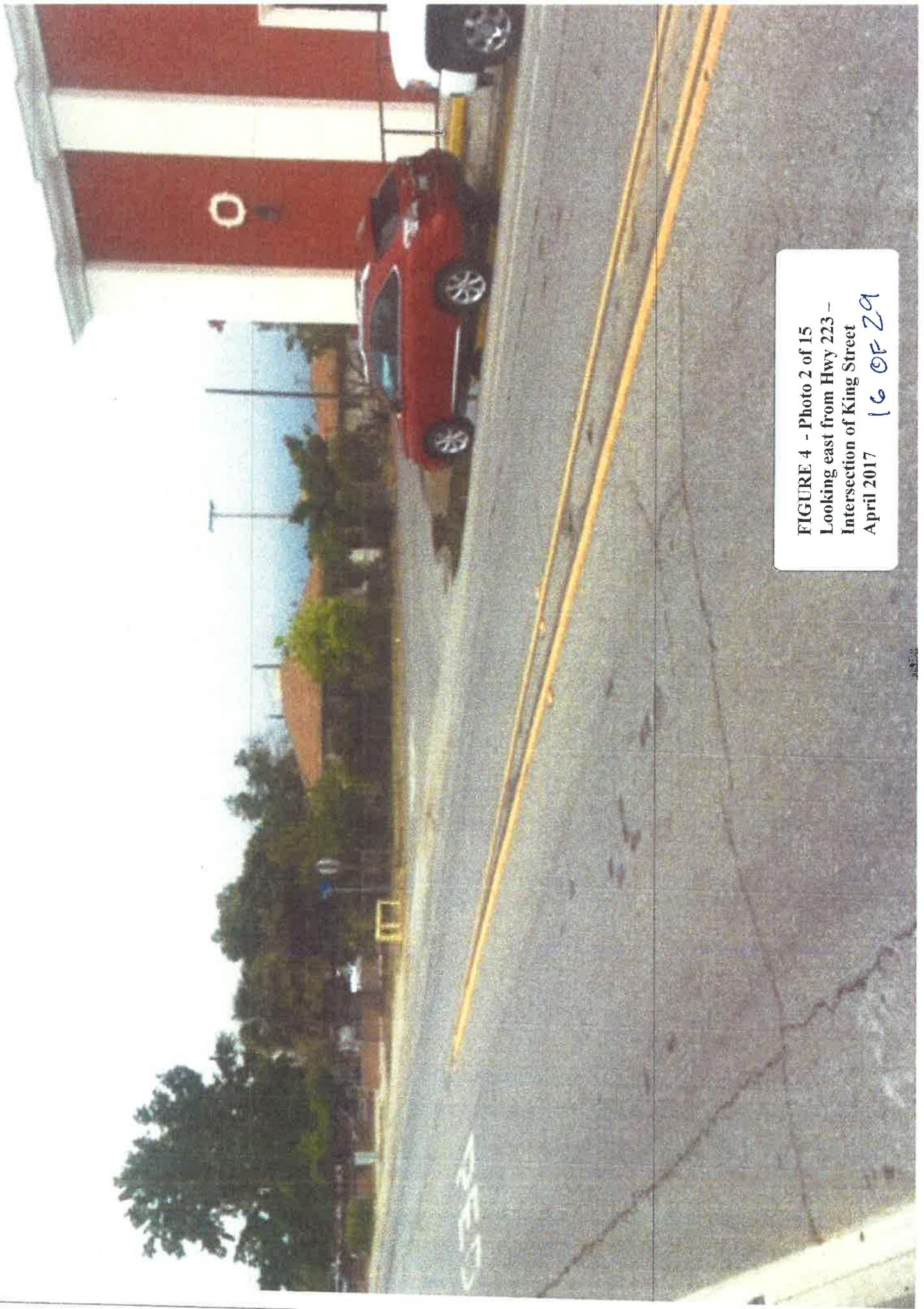


FIGURE 4 - Photo 2 of 15
Looking east from Hwy 223 -
Intersection of King Street
April 2017 16 OF 29

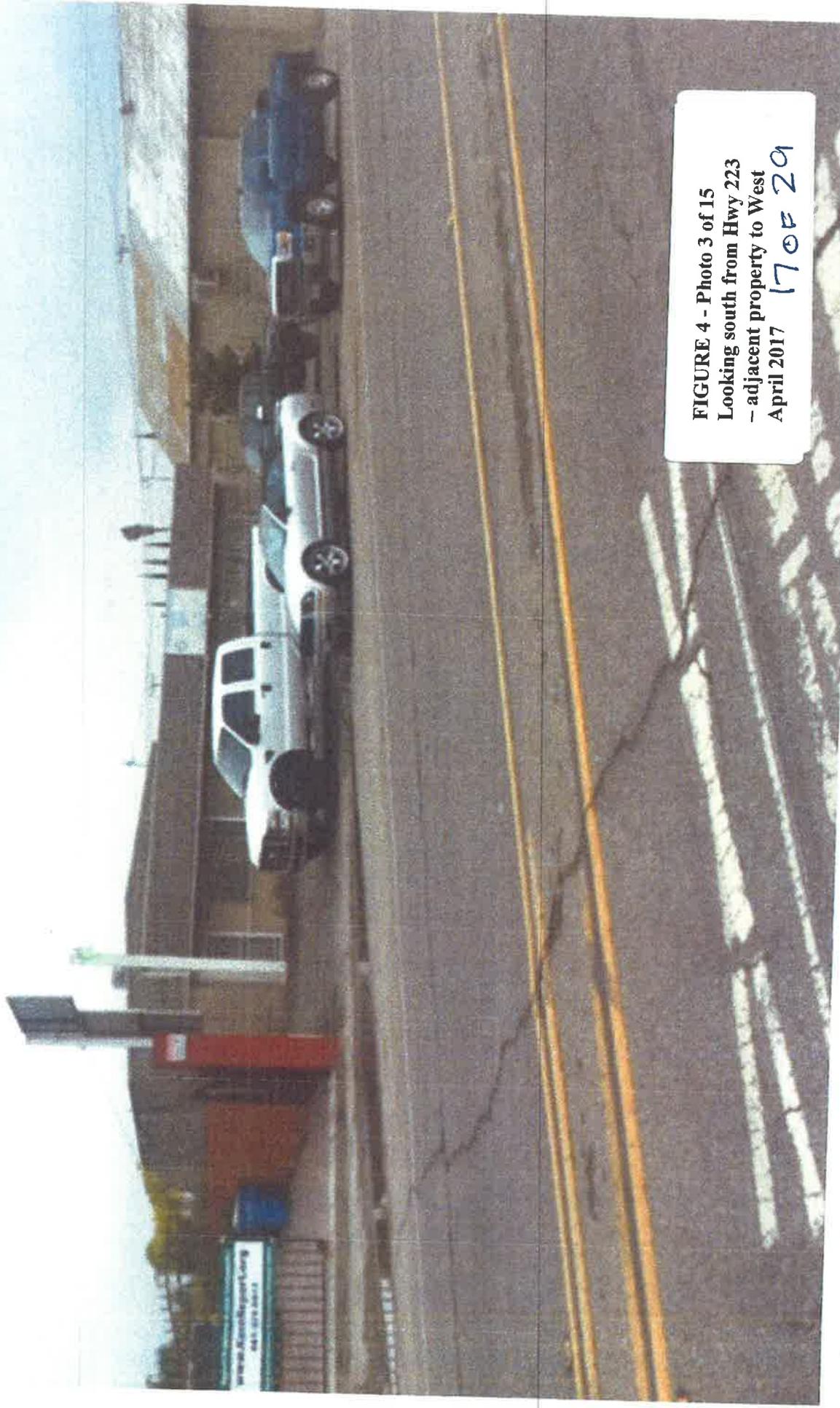


FIGURE 4 - Photo 3 of 15
Looking south from Hwy 223
- adjacent property to West
April 2017 17 of 29

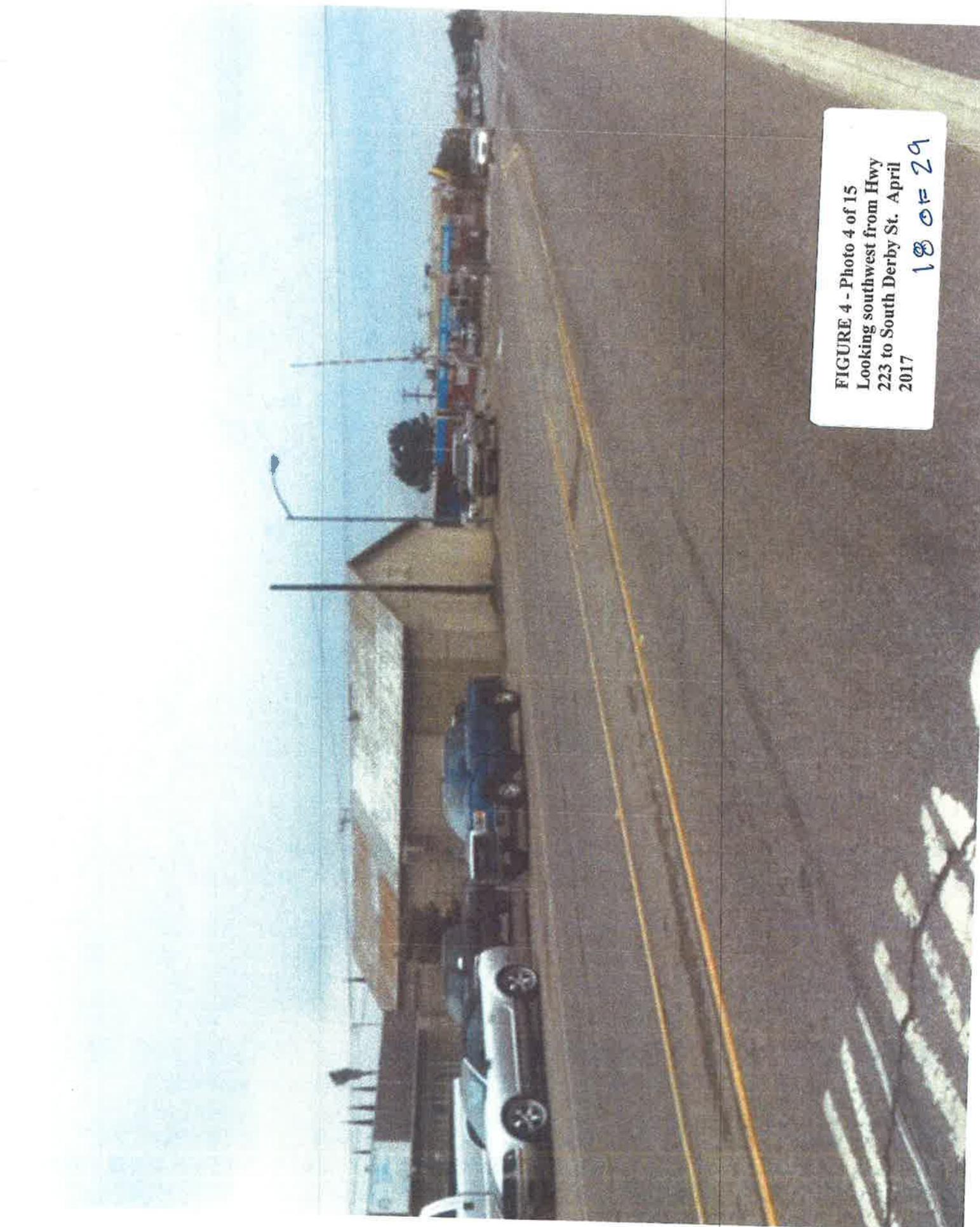


FIGURE 4 - Photo 4 of 15
Looking southwest from Hwy
223 to South Derby St. April
2017

18 of 29

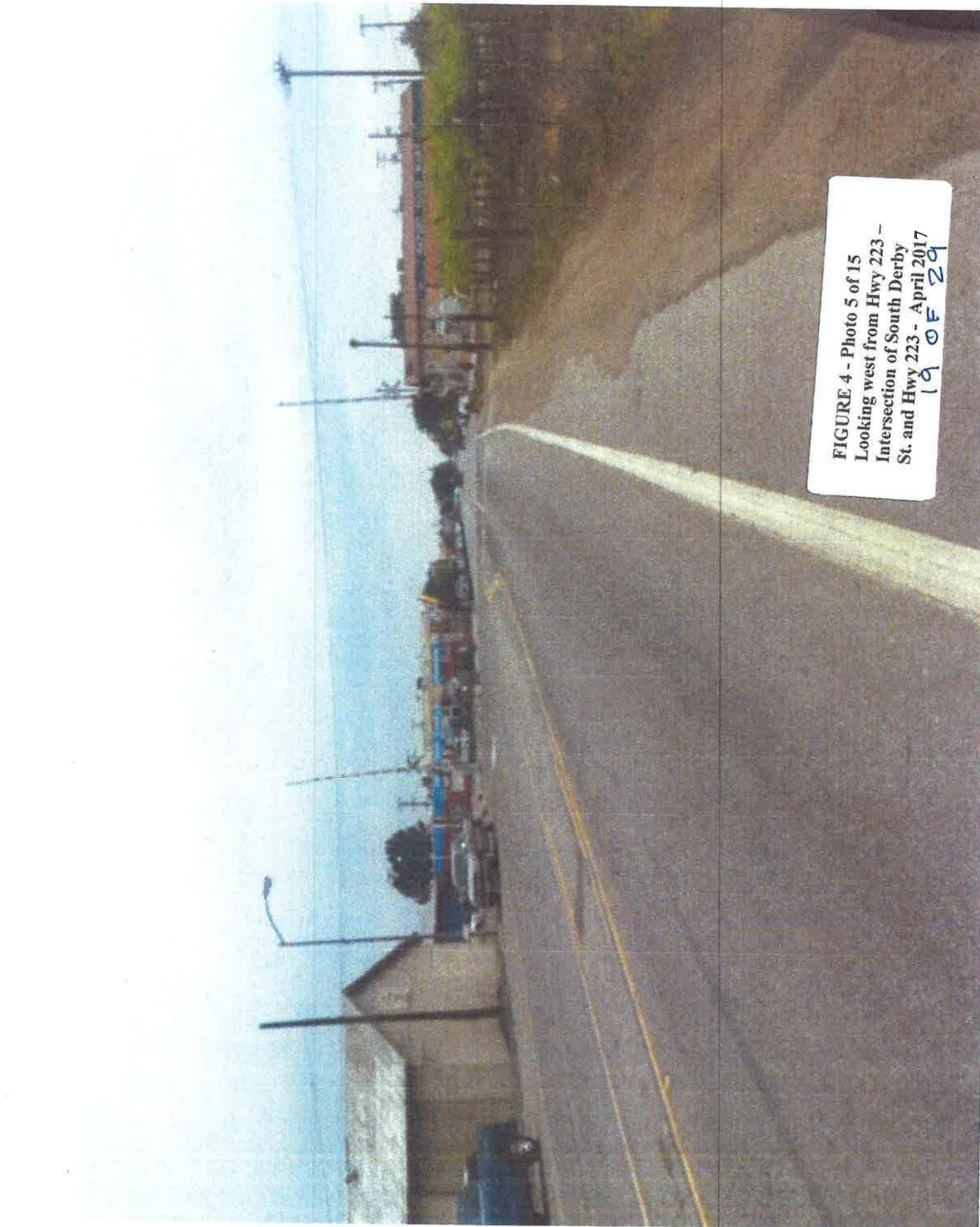


FIGURE 4 - Photo 5 of 15
Looking west from Hwy 223 -
Intersection of South Derby
St. and Hwy 223 - April 2017
19 OF 29



FIGURE 4 - Photo 6 of 15
Looking east from proposed
parking area to King Street
April 2017 20 of 29



FIGURE 4 - Photo 7 of 15
Looking southwest from King
Street - April 2017

21 OF 29



FIGURE 4 - Photo 8 of 15
Looking west from King
Street - April 2017

22 OF 29



FIGURE 4 - Photo 9 of 15
Looking west from King
Street into proposed parking
area
April 2017 230529



FIGURE 4 - Photo 10 of 15
Looking northwest from King
Street - April 2017

24 OF 29



FIGURE 4 - Photo 11 of 15
Looking north from King
Street to Intersection Hwy 223
April 2017

250F29

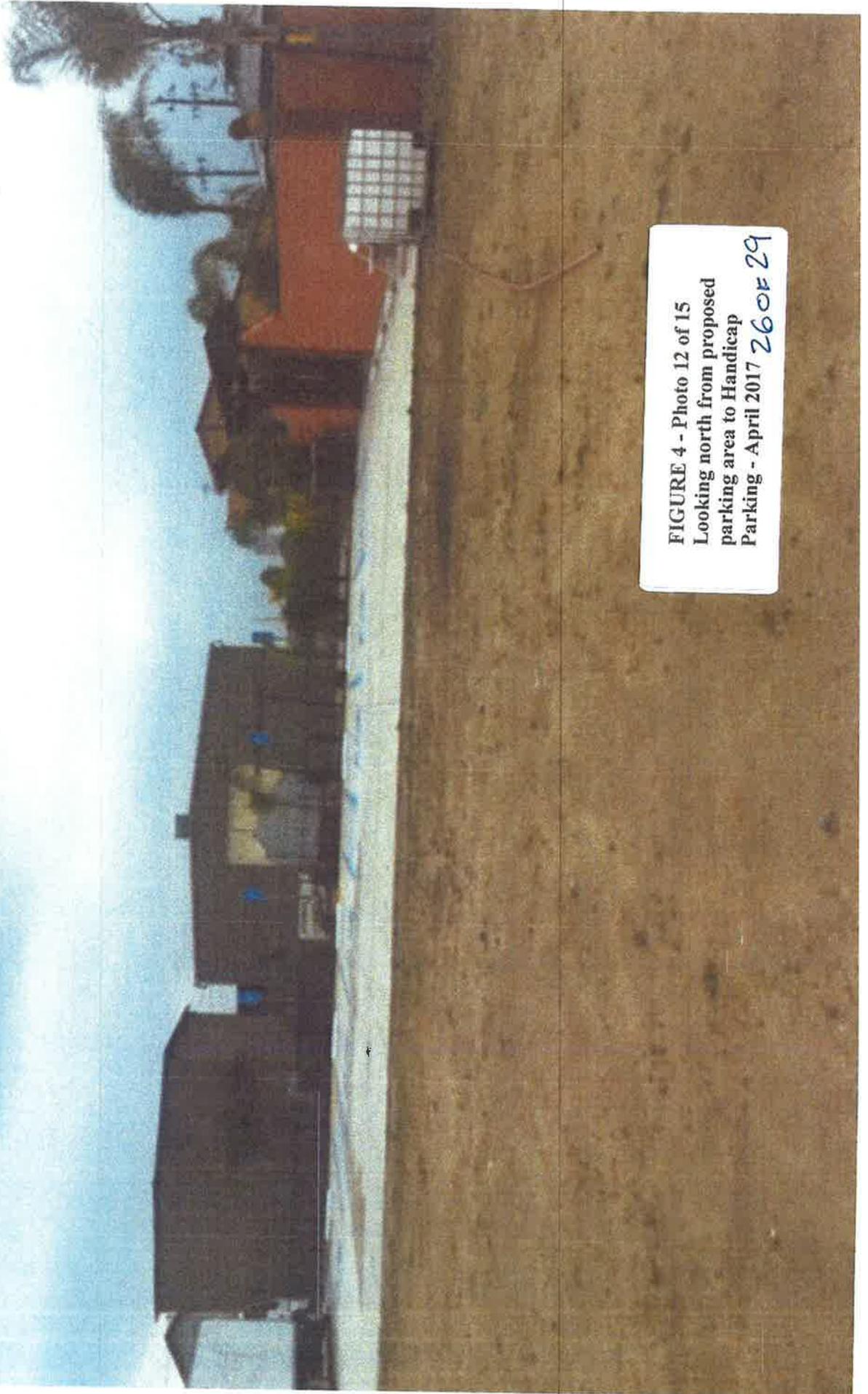


FIGURE 4 - Photo 12 of 15
Looking north from proposed
parking area to Handicap
Parking - April 2017 26 of 29

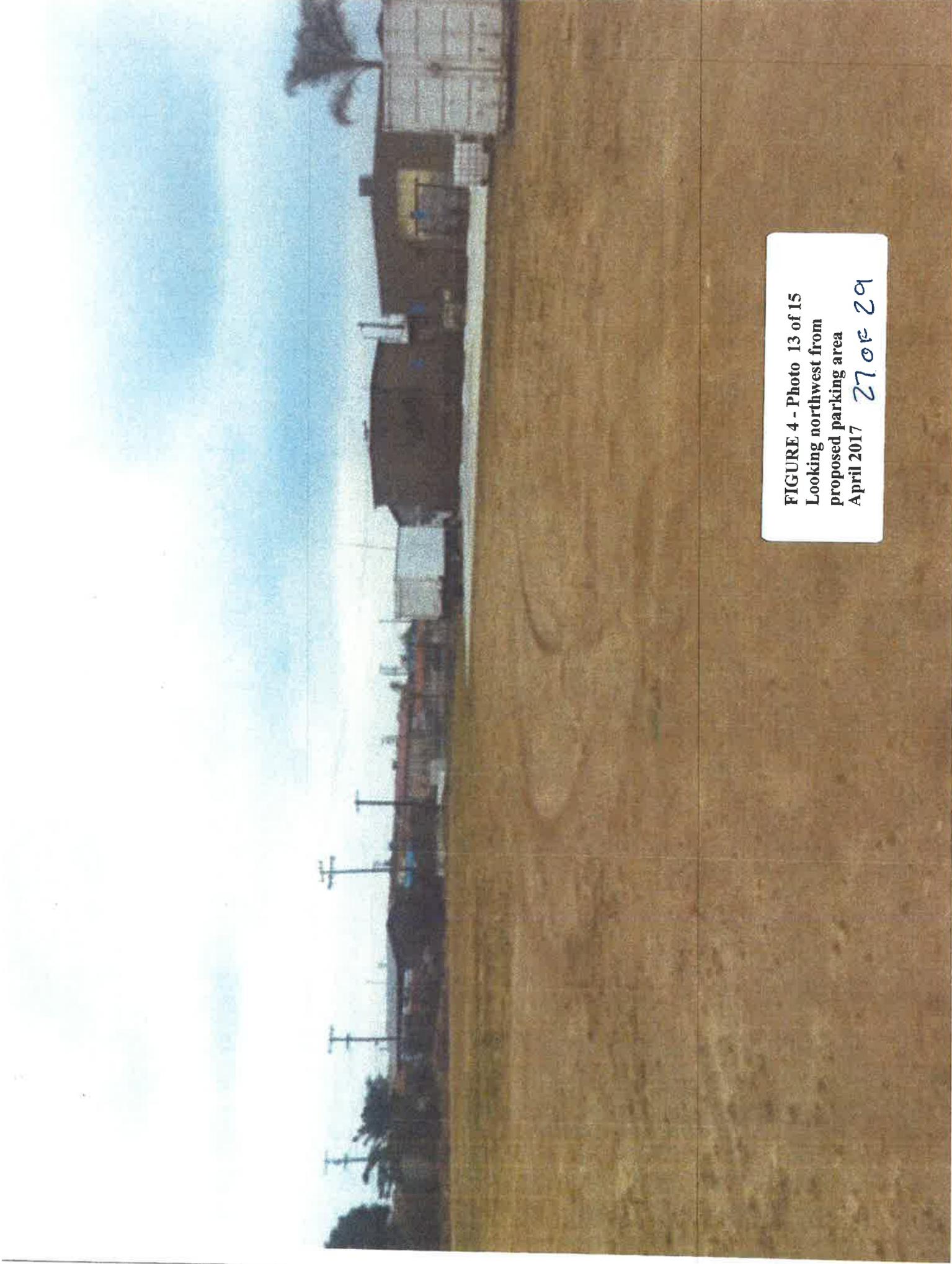


FIGURE 4 - Photo 13 of 15
Looking northwest from
proposed parking area
April 2017 27 of 29

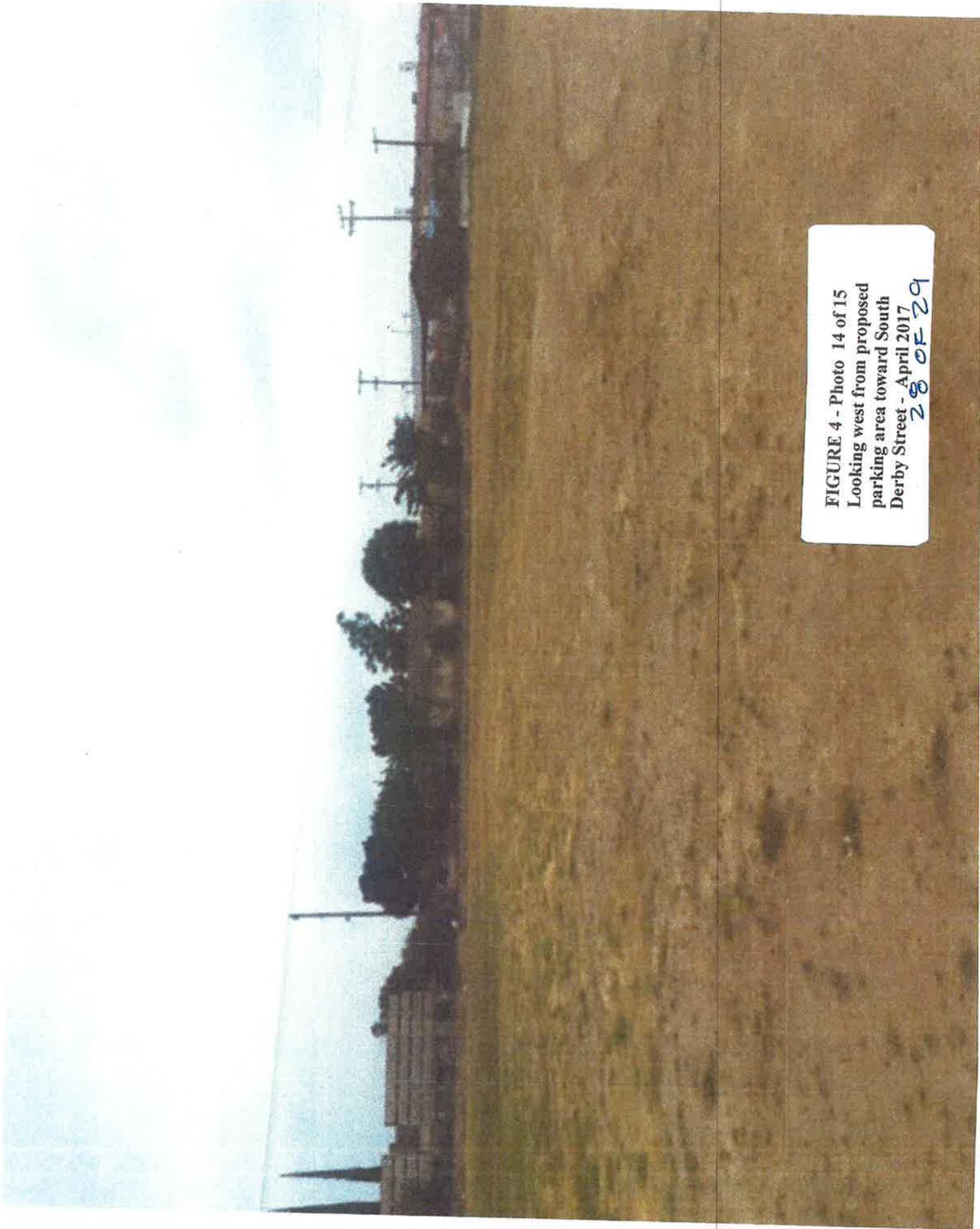


FIGURE 4 - Photo 14 of 15
Looking west from proposed
parking area toward South
Derby Street - April 2017

28 OF 29



FIGURE 4 - Photo 15 of 15
Looking southwest from
proposed parking area toward
South Derby Street
April 2017 29 of 29

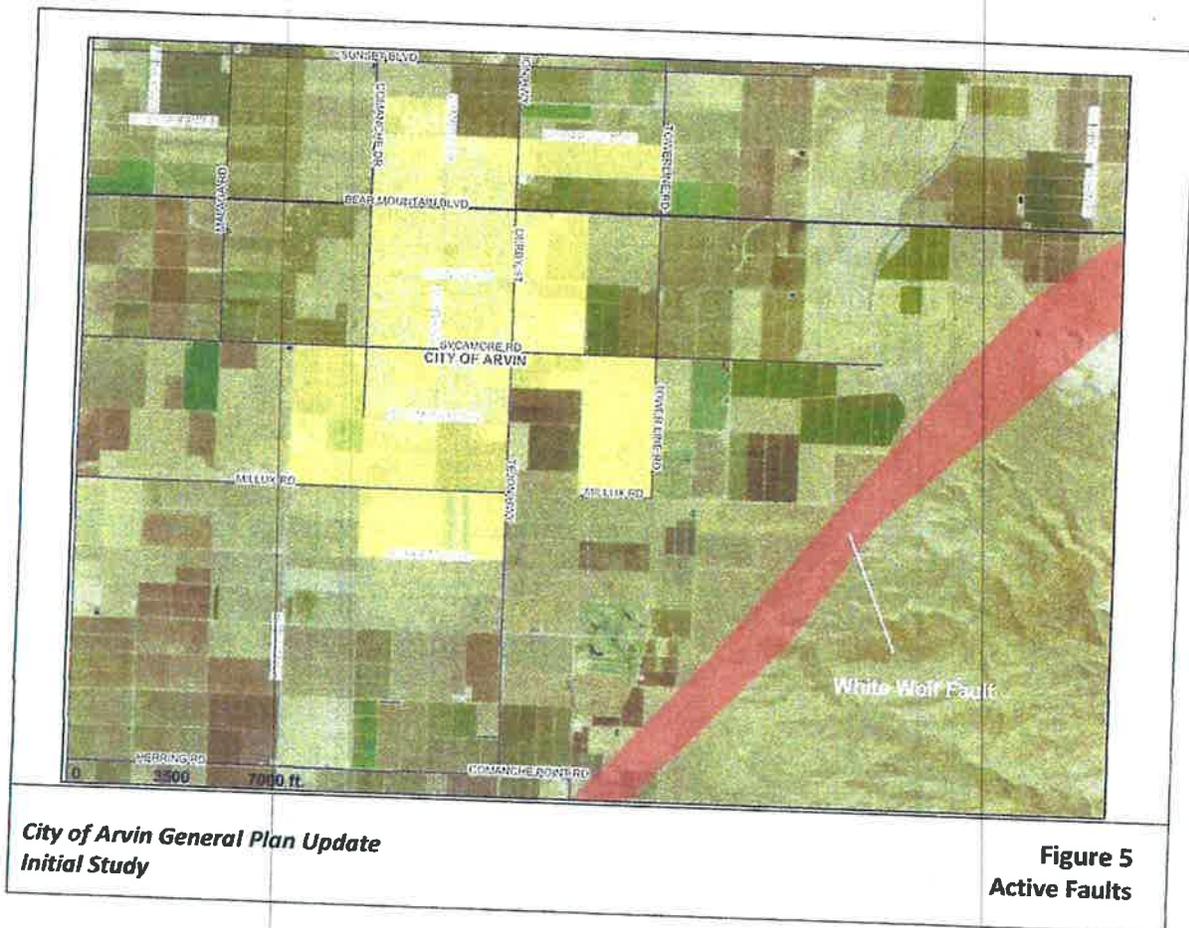


City of Arvin Community Development Department
 141 Plumtree Drive, Arvin, CA 93203
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Initial Study – Conditional Use Permit 2017-125EBMB, 125 East Mountain Blvd. – Proposed Event Center

<u>EXHIBITS, FIGURES ATTACHMENTS</u>		
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slope of the land and to the highly permeable nature of the soil. Policy 1.1.3 of the General Plan Safety Element requires all proposed development to adhere to safe and accepted practices for minimizing hazards from adverse soil, subsidence or erosion conditions.



*City of Arvin General Plan Update
Initial Study*

**Figure 5
Active Faults**

Items (c) and (d): Less Than Significant Impact. All construction and development in the City will adhere to the California Building Code and standard building practices, policies and guidelines to ensure that any geologic impacts including on- and off-site landslides, lateral spreading, subsidence and expansive soils are less than significant.

Item (e): Less Than Significant Impact. Currently there are approximately 30 parcels within the City that are still dependent on septic tanks for sewer disposal. According Veolia Water, the existing system is adequate to meet the needs of the City and any future housing development will connect to the existing wastewater disposal system.

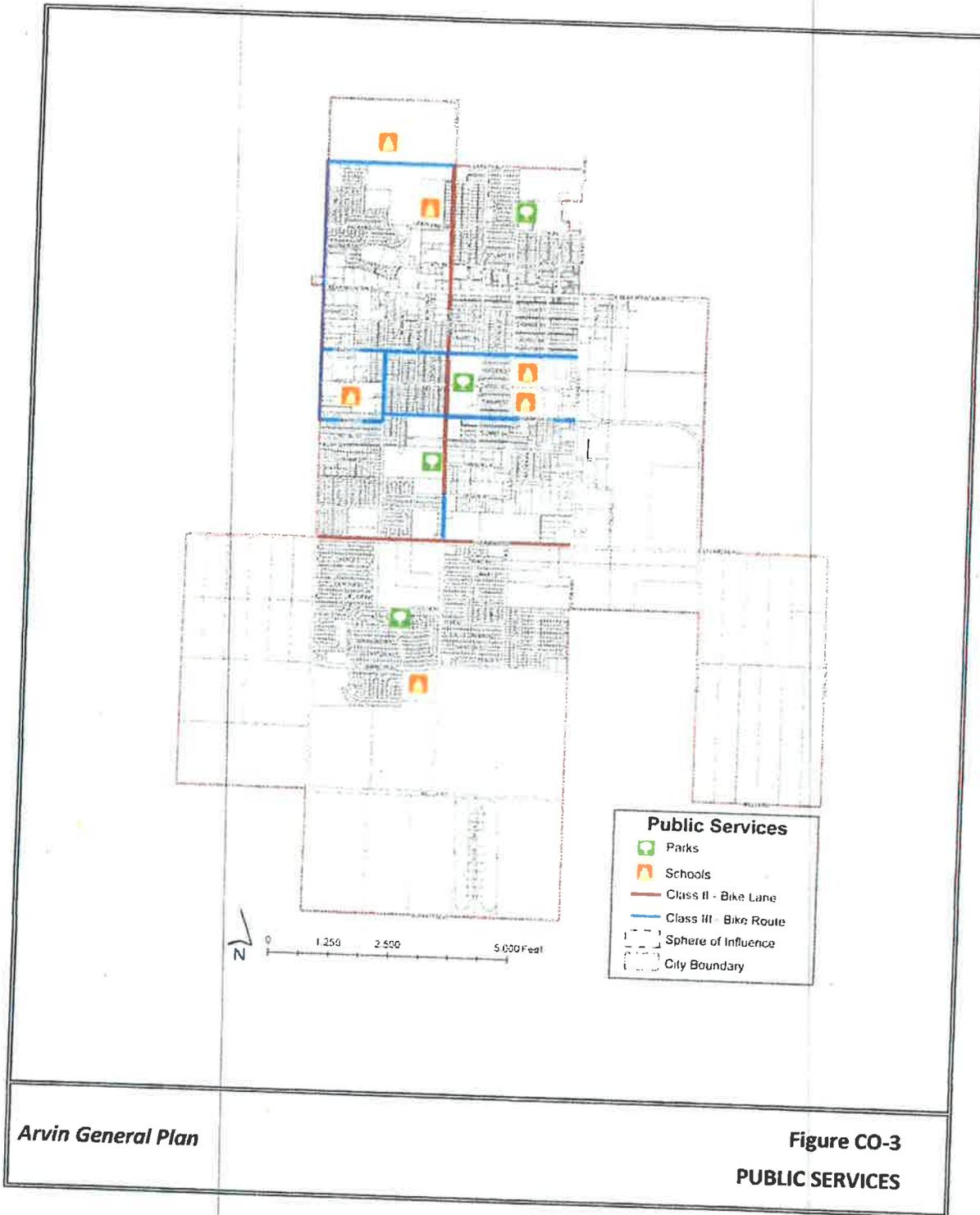


FIGURE 6
PAGE 31



State of California • Natural Resources Agency
Department of Conservation
Division of Oil, Gas, and Geothermal Resources – District 4
4800 Stockdale Highway • Suite 100
Bakersfield, CA 93309
(661) 322-4031 • FAX (661) 861-0279

Edmund G. Brown Jr., Governor

April 18, 2017

Marti Brown, Community Development Director
City of Arvin
141 Plumtree Drive
Arvin, California 93203

Subject: CUP 2017-125 EBM, Event Center Facility
125 East Bear Mountain Boulevard, Arvin, CA
NW/4 of Section 25, T.31S., R.29E.

Dear Mr. Brown,

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above-referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Division offers the following comments for your consideration.

The project location is situated within the administrative boundaries of the Mountain View Oil Field. No active or abandoned oil-and-gas well are located within or adjacent to APN 193-140-02, which is within the NW/4 of Section 25, T31S, R29E. Please refer to the attached *Location Map*. The nearest wells are 150 to 300 feet to the west and have been plugged and abandoned.

The Division recommends that no structure be built over or in proximity to an abandoned well location (see *Proximity Diagram A*). According to Section 3208.1 (a) of the Public Resources Code (PRC), the supervisor or district deputy may order the reabandonment of any previously abandoned well if the supervisor or district deputy has reason to question the integrity of the previous abandonment. The costs of well reabandonment operations, depending on the situations described in PRC 3208.1 (a) (1) (2) and (3) could be the responsibility of the owner or developer and can be significant. The Division should be consulted for an opinion regarding well reabandonment responsibility for the owner or developer.

For additional information, please check the Division's website at:

http://www.conservation.ca.gov/doc/for_operators/Pages/construction_site_review.aspx.

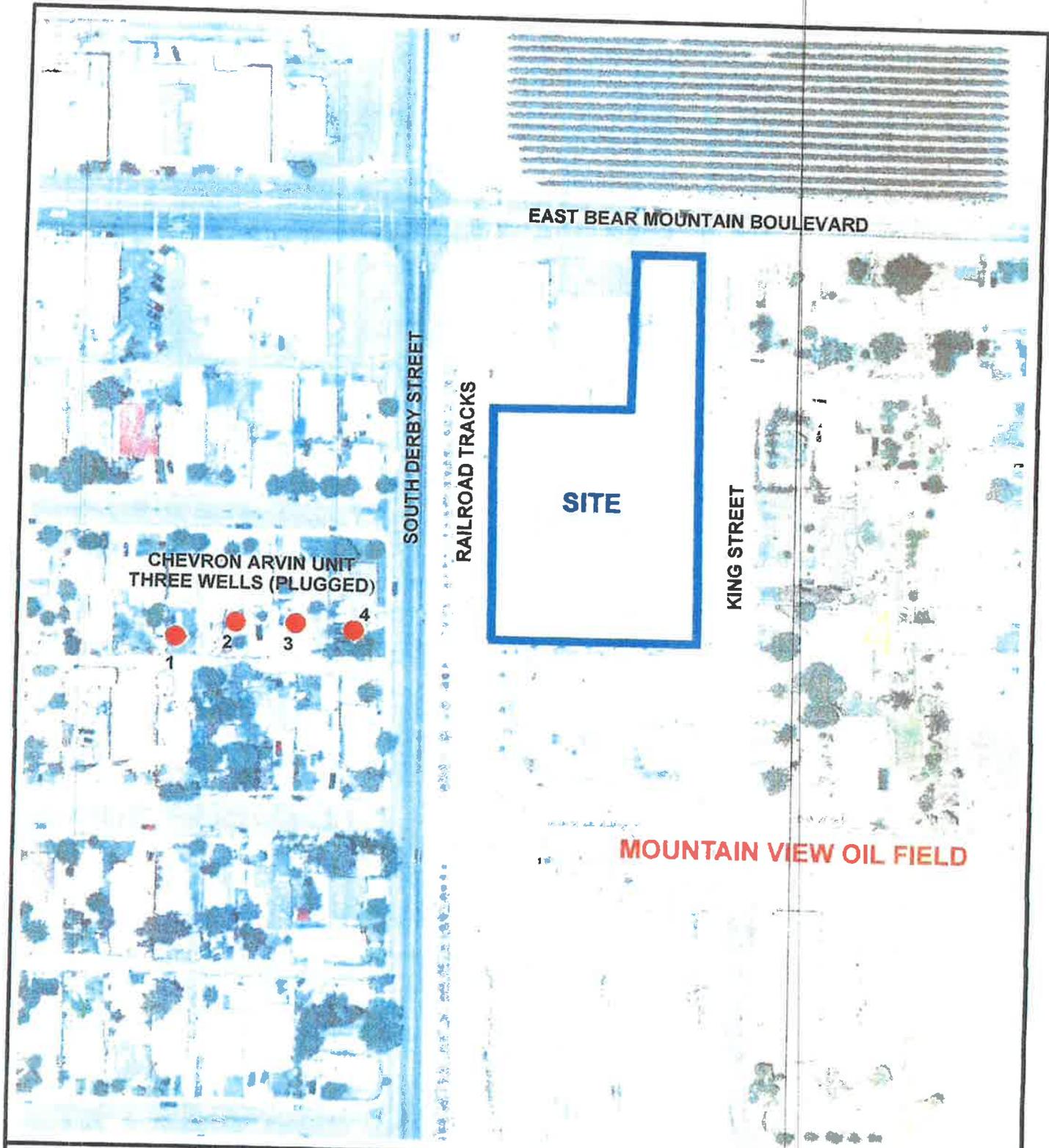
Thank you for the opportunity to comment on this project. Should any questions arise, please call me in the Bakersfield district office at (661) 334-3662.

Sincerely,

Michael Toland
Senior Oil and Gas Engineer
Environmental Unit Supervisor

FIGURE 8
PAGES 33 TO 36

33 OF 36



SITE LOCATION MAP

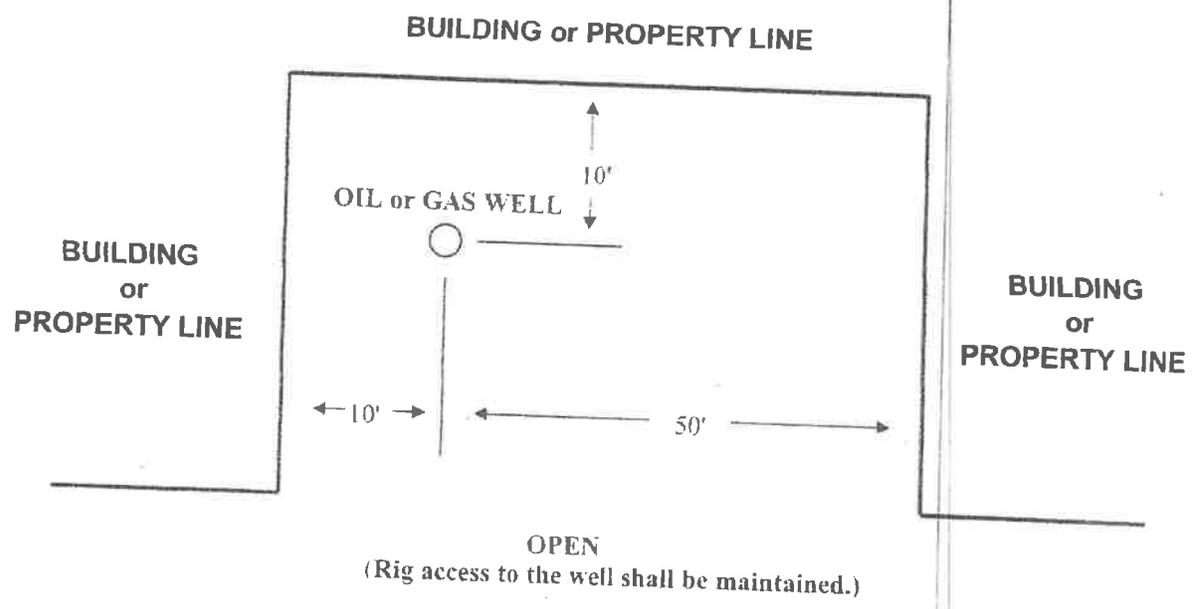
JOSE AND GUILLERMO GARCIA, JUAN OROZCO
125 EAST BEAR MOUNTAIN BOULEVARD
EVENT CENTER FACILITY
NW/4 SECTION 25, T.31S., R.29E.
CUP 2017-125 EBM
125 EAST BEAR MOUNTAIN BOULEVARD
ARVIN, CA

PROXIMITY DIAGRAM

For Commercial, Industrial, and Residential Projects

Proximity, at a minimum, is defined as being within 10 feet from the property line and/or structure. The distance shall be measured from the center of the well, extending out to the sides of the building or structure. Two adjacent sides shall be not less than 10 feet, with the third side not less than 50 feet. The fourth side shall remain open to allow access to the well by a rig for workovers (if an active or idle well), abandonment, or reabandonment.

Example:



Note: If the operator of an active or idle well believes that the distance from the structure to the well is unsafe to work over, the operator may request the Division to review the special circumstances; a Division engineer will contact both the developer and the operator in writing of the decision.

State of California DOGGR District 1

FW: DOGGR Responses to CUP 2017-125 EBM and SPR 2017 330 Bear Mountain Blvd
Inbox

- Marti Brown <mbrown@arvin.org>

To: Jake Raper, jake raper

Apr 18 at 5:38 PM

Jake,

I think these are for you! :)

Thanks.
Marti

From: Lush, Andrew@DOC [mailto:Andrew.Lush@conservation.ca.gov]
Sent: Tuesday, April 18, 2017 4:23 PM
To: Marti Brown <mbrown@arvin.org>
Subject: DOGGR Responses to CUP 2017-125 EBM and SPR 2017 330 Bear Mountain Blvd

Marti;

Attached please find our responses to the above-referenced projects

Please confirm receipt and call with any questions.

Andrew Lush

Engineering Geologist

Division of Oil, Gas & Geothermal Resources

4800 Stockdale Highway

Bakersfield, CA 93309

(661) 334-4301 (Main) (661) 326-6006 (office) Cell (559)381-8367

CEQA
Transmittal Memorandum

FILED
KERN COUNTY

MAY 17 2017

Attach one transmittal memorandum to the front of the original CEQA document. Clip copies in back.
- If notice requires F&W receipt, you must provide a minimum of 3 copies of the document.
- If notice does not require F&W receipt, you must provide a minimum of 2 copies of the document.

MARY B. BEDARD
AUDITOR CONTROLLER COUNTY OF KERN
BY [Signature] DE

TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF ARVIN

PROJECT TITLE ARVIN PALACE, CONDITIONAL USE PERMIT 2017-125 EBMB
APN 193-140-02

PROJECT APPLICANT GUILLERMO GARCIA AND JUAN OROZCO

PHONE NUMBER (661) 619-3770

PROJECT APPLICANT ADDRESS 9909 MYRTLE AVE.

CITY LAMONT STATE CA ZIP CODE 93241

WORK ORDER # _____ ²⁰ 20-Day Posting 35-Day Posting 45-Day Posting

CONTACT PERSON MARTI BROWN PHONE NUMBER (661) 854-2822

CHECK DOCUMENT BEING FILED:

Notice of Availability.....No Fee

Notice of Intent.....No Fee

Notice of Preparation.....No Fee

Notice of Public Hearing.....No Fee

Other _____ No Fee

Environmental Impact Report (EIR).....\$3078.25

- Previously paid (must attach receipt) Receipt Number # _____
- DFG No Effect Determination (F&W letter must be attached).....No Fee
- County Administrative Fee.....\$50.00

Mitigated Negative Declaration or Negative Declaration.....\$2216.25

- Previously paid (must attach receipt) Receipt Number # _____
- DFG No Effect Determination (F&W letter must be attached).....No Fee
- County Administrative Fee.....\$50.00

Notice of Exemption.....No Fee

County Administrative Fee.....\$50.00

TOTAL \$ 0.00

*Additional copies to be returned to: City Clerk, PO Box 548, Arvin, CA 93203

*Method of return: Hold for pick-up/Call # _____ Interoffice Mail

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

- Cash/Money Order JV - Dept _____ Fund _____ Expense Key _____
- Check
- Credit Card

77119

Notice of Environmental Document
Posted by County Clerk on 5/17/17
and for 30 days thereafter, Pursuant to
Section 21150(C) Public Resources Code

MAY 17 2017

CITY OF ARVIN
NOTICE OF INTENT TO ADOPT A
FINDING OF A MITIGATED NEGATIVE DECLARATION

FILED BY MARY B. BEDARD
AUDITOR-CONTROLLER, COUNTY CLERK
DEPUTY

Environmental Assessment (EA) For CUP 2017-125 EBMB

APPLICANT:

Guillermo García and Juan Orozco
9909 Myrtle Ave.
Lamont, CA 93241

KERN COUNTY CLERK
1115 Truxtun Avenue
Bakersfield, CA 93301-4639

PROJECT LOCATION: 125 E. Bear Mountain Blvd, Arvin, CA 93203.

Site Latitude: 35.209073
Site Longitude: -118.824152
Assessor's Parcel Numbers: 193-140-02

PROJECT DESCRIPTION

Guillermo García and Juan Orozco have filed an application for CUP 2017-125 BMB, which proposes an event center (Rental Hall and Party Events) within an existing building of approximately 3,200 square feet of gross floor area. The site has an outside area for guest and activities. Activities or hours of operation are proposed to be as follows: Saturday from 12:00 p.m. to 11:00 p.m.; Sunday from 10:00 a.m. to 5:00 p.m.; and Monday through Friday from 4:00 p.m. to 11:00 p.m. Traffic access to the site is off of Hwy 223 (Bear Mountain Blvd.) and off of King Street into the proposed unimproved parking lot. The application is consistent with the City's General Plan and Zoning Ordinance.

SUMMARY OF FINDINGS: The City of Arvin has conducted an environmental analysis for the above-described project. Based upon this analysis, the City of Arvin, as the lead agency, proposes to adopt a Mitigated Negative Declaration for this project. See the attached Property Vicinity Map below.

The completed environmental impact checklist, its associated narrative, and any proposed mitigation measure(s) reflect any applicable comments of responsible and trustee agencies, as well as research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist and initial study narrative combine to form the record indicating that an initial study has been completed in compliance with the California Environmental Quality Act and the CEQA Guidelines.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in nature and magnitude of the project. The completed environmental checklist form indicated whether an impact would be less than significant, or less than significant with mitigation. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible.

77119

The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substance Statement required under subdivision (f) of that Section.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

With the mitigation imposed, there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are significant. Therefore, the City, as the lead agency, intends to find that the project is consistent with the General Plan, and proposes to adopt a mitigated negative declaration for this project.

Additional information on the proposed project, including a copy of the proposed environmental findings as a hard copy or in electronic format, may be obtained from the City of Arvin, City Hall, 200 Campus Drive, Arvin, California, 93203, or the City's Web Site at www.arvin.org.

This Notice is not an application or form requiring response from you. However, ANY INTERESTED PERSON may comment on the proposed environmental finding. Written comments may be submitted

at any time between the publication date of this notice and close of business on **June 7, 2017**. Please direct comments to:

Marti Brown, Community Development Director
City of Arvin, Community Development Department,
141 Plumtree Drive, Arvin, CA 93203
Telephone (661) 854-2822
FAX (661) 854-2969
mbrown@arvin.org

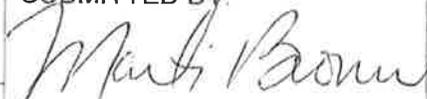
The Planning Commission of the City of Arvin is anticipated to consider the project at its meeting of June 22, 2017, starting at 6:00 p.m. at the City Council Changers located at City Hall, 200 Campus Drive, Arvin, California, 93203.

INITIAL STUDY PREPARED BY:

Jake Raper



SUBMITTED BY:



Marti Brown

Community Dev. Director

DATE: May 15, 2017



**CITY OF ARVIN
MITIGATION AGREEMENT
141 Plumtree Drive, P.O. Box 548
Arvin, California 93203
661-854-2822 Office
661-854-2969 Fax**

Property owners or applicants with projects requiring mitigation measures (as typically identified in an initial study resulting in the preparation of a Mitigated Negative Declaration or an EIR, to reduce potential impacts to a level less than significant, **must** sign this form and submit it **prior to project consideration**, in order for the City to process the environmental document for the project.

We, Guillermo Garcia and Juan Orozco, 9909 Myrtle Ave., Lamont, CA 93241, are applying to the City of Arvin for Conditional Use Permit 2017-125EBMB – Event Center Project.

Project Location: City of Arvin, 125 East Bear Mountain Blvd, Parcel No. 193-140-02 – south side of Bear Mountain Blvd, east of South Derby Street and west of King Street. .

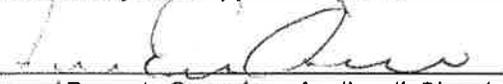
Check one of the following and complete, if applicable:

My application materials specifically identify impacts and mitigation as Identified in the Initial Study resulting in the issuance of a Mitigated Negative Declaration.

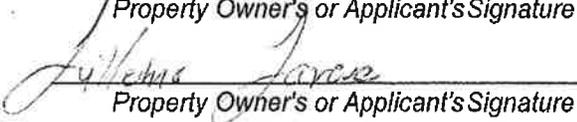
Air Quality compliance with San Joaquin Valley Air District and action plan should cultural resources are discovered during construction.

(Refer to Initial Study, Mitigated Negative Declaration or EIR – Mitigation Monitoring Program.)

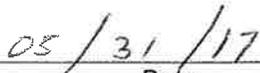
I hereby agree to incorporate all of the mitigation measures referenced in the materials identified above and from any other applicable environmental documents into this project.



Property Owner's or Applicant's Signature



Property Owner's or Applicant's Signature



Date



Date

NOTE: In order for your project to be advertised and set for hearing with an environmental document, this properly executed form must be submitted prior to consideration of the project by the City. **Although you may sign and submit this form with your application, it is not required until such time during processing when mitigation has been identified and will be required to become part of the project.** Staff can provide further assistance and advice regarding this document as the project moves forward.

References: Section 21080© Public Resources Code and Section 15070(b) of the California Environmental Quality Act (CEQA)



CITY OF ARVIN
MITIGATION AGREEMENT
141 Plumtree Drive, P.O. Box 548
Arvin, California 93203
661-854-2822 Office
661-854-2969 Fax

Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring program have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency shall submit a copy of the mitigation monitoring program to the Community Development Department to be placed in the project file. If the mitigation measure has not been complied with, the mitigation monitoring program shall not be returned to the Community Development Department.

Prior to the completion of the proposed project, the Community Development Department shall review the mitigation monitoring program to ensure that all mitigation measures and additional conditions of project approval included in the mitigation monitoring program have been complied with.

If a responsible individual or agency determines that a non-compliance has occurred, a written notice shall be delivered by certified mail to the entity or individual responsible for the project within 10 days, with a copy to the Community Development Department, describing the non-compliance and specifying the manner in which compliance within a specified period of time will be attained. If a non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the city.

Monitoring Program

The basis for this mitigation monitoring program is the existing mitigation measures contained in the ***Mitigated Negative Declaration for Conditional Use Permit 2017-125EBMB Event Center project*** prepared by City of Arvin Community Development Department. The applicable mitigation measures become conditions of project approval which the project proponent is required to complete before, during, and after implementation of the proposed project. Mitigation Measures are listed below and as noted incorporated into the proposed Conditions of Approval for the ***Conditional Use Permit 2017-125EBMB Event Center project***.

MITIGATION 1: MM AQ1: Air Quality - Expose sensitive receptors to substantial pollutant concentrations? The project will be required to fully comply with San Joaquin Valley Air Pollution Control District Rules and Regulations including but not limited to Regulation VIII concerning fugitive dust emissions and Rule 9510 Indirect Source Review.

Agency/Individual

Responsible for Implementation: Developer of project site

Agency/Individual Responsible for Implementation: Developer – Current and/or Future

Implementation Timing: Prior to issuance of grading permits for any phase of the project.

Mitigation Specifications: Requires clearance for the San Joaquin Valley Air Pollution Control Districts Rules - prior to grading



**CITY OF ARVIN
MITIGATION AGREEMENT
141 Plumtree Drive, P.O. Box 548
Arvin, California 93203
661-854-2822 Office
661-854-2969 Fax**

Agency/Individual Responsible for Implementation: Current or Future Developer /
City Engineer / Building Official

Implementation Timing: During disturbance of soil via grading, trenching, boring, etc
for any phase of the project.

Mitigation Specifications: If during construction human remains are identified, all work
within 50'-0" of the find shall be stopped. The Kern County Coroner shall be
contacted immediately. If the remains or other archaeological materials are
possible of Native American in origin, the Native American Heritage Commission
shall be contacted immediately. Work shall not be continued until such time as
clearance is received by the City.

Agency/Individual Responsible for Monitoring: Current or Future Developer / City
Engineer / Building Official City Engineer

Action by Monitor: Verify during soil disturbance

NOTICE OF PUBLIC HEARING
Conditional Use Permit 2017-125EBMB
Event Center (Rental Hall and Party Events)
125 E. Bear Mountain Blvd, Arvin, CA 93203

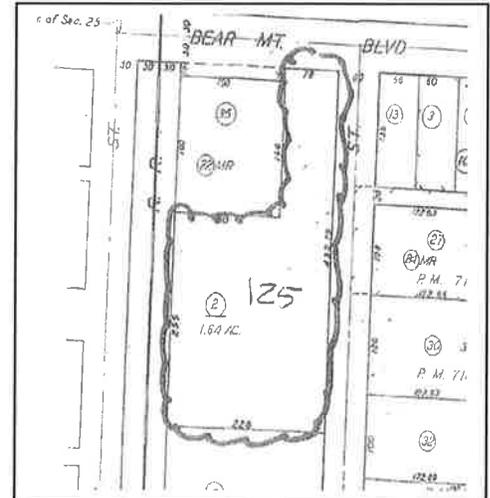
Notice is hereby given that the Planning Commission of the City of Arvin, California, will conduct a public hearing, at which time you may be present and be heard to consider the following:

- A conditional use permit (CUP), No. CUP 2017-125 BMB, which proposes an event center (Rental Hall and Party Events) within an existing building of approximately 3,200 square feet of gross floor area. The site has an outside area for guest and activities.
- Adoption of a mitigated negative declaration under the California Environmental Quality Act (CEQA) for the project.

Arvin Planning Commission Hearing Information

Date: June 22, 2017
Time: 6:00 PM or as the Agenda permits
Place: City of Arvin Council Chambers,
200 Campus Drive, Arvin, CA 93203

The project site is located at 125 East Bear Mountain Blvd., East of South Derby Street and West of King Street, in Arvin, California. (See diagram.) The project applicants are Guillermo García and Juan Orozco. Additional information on the proposed project, including a copy of the proposed environmental findings as a hard copy or in electronic format, may be obtained from the City of Arvin, City Hall, 200 Campus Drive, Arvin, California, 93203, or the City's web site at www.arvin.org.



All persons interested in this topic who have questions, would like to provide feedback, or ask questions are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council, at or prior to, the public hearing. Address any communications or comments regarding the project to Marti Brown, Community Development Director, City of Arvin, Community Development Department, 141 Plumtree Drive, Arvin, CA 93203, (661) 854-2822, mbrown@arvin.org.

Cecilia Vela, City Clerk
May 29, 2017
Published: May 31, 2017, Arvin Tiller

ATTACHMENT 2 – PUBLIC OUTREACH AND NOTICING – CUP 2017-125EBMB

Public Review and Comment Opportunity:

Prior to concluding that a Mitigated Negative Declaration was the appropriate environmental document, a number of consultation steps were completed as is required by the California Environmental Quality Act and state law. No negative comments were received which confirmed that the recommendation and determination concluding Staff's support of the determination of no significant environmental impact on the environment.

In summary, no comments of a negative nature were received.

- On April 6, 2017, the Community Development Department distributed "Request for Comments, Conditions, Environmental Assessment, and Entitlement Application Review of" the proposed project to the appropriate lead agency, responsible agency, and interested persons for their review and comments. The review period provided was from April 6, to April 24, 2017, an 18 calendar day period was provided to receive comments. Comments received are on file at the City of Arvin, Community Development Department.
- On May 17, 2017, staff mailed to those previously contacted a Notice of Intent to Adopt a Mitigated Negative Declaration advising that the comments and/or concerns were included in the Initial Study as mitigation measures as were appropriate. In addition, another review and comment period was provided from May 17, 2017 to June 7, 2017 in regards to the proposed adoption of the Mitigated Negative Declaration for the proposed projects. Also within the notice, the Planning Commission meeting date of June 22, 2017 was advertised for those whom may wish to attend and comment on the proposals - on file at the City of Arvin, Community Development Department.
- On May 17, 2017, City Staff filed with the Kern County Clerk, 1115 Truxtun Ave., Bakersfield, CA the Initial Study and supporting documents along with the Proposed Mitigated Negative Declaration as is required by the Californian Environmental Quality Act for a 20 day review period. Also within the notice, the Planning Commission meeting date of June 22, 2017 was advertised for those whom may wish to attend and comment on the proposals.
- On Tuesday, May 30, 2017, the City Clerk provide a Public Notice in the Arvin Teller, to be published on May 31, 2017. providing a 20 day review and comment period as to the Intent to Adopt the Mitigated Negative Declaration for the project. In addition, the Public Notice identified that the supporting documents may be reviewed the City of Arvin's website at www.arvin.org. Also within the notice, the Planning Commission meeting date of June 22, 2017 was advertised for those whom may wish to attend and comment on the proposals, on file at the City of Arvin, Community Development Department.

- On May 31, 2017, the Planning Commission hearing date of June 22, 2017 for the proposed projects and the intent to adopt the Mitigated Negative Declaration was mailed to property owners within 300 feet of the proposed projects, on file at the City of Arvin, Community Development Department.
- On May 31, 2017, the Planning Commission hearing date of June 22, 2017 was noticed in the Arvin Teller, for the proposed projects and the intent to adopt the Mitigated Negative Declaration for the proposed projects, on file at the City of Arvin, Community Development Department.

All documents are on file at the City of Arvin Community Development Department, 141 Plumtree Drive, Arvin, CA 93203



**CITY OF ARVIN
Staff Report**

Special Meeting Date: June 22, 2017

TO: Planning Commission

FROM: Marti Brown, Community Development Director

SUBJECT: Conditional Use Permit 2017- 125EBMB – Applicants Guillermo Garcia and Juan Orozco, are requesting approval for the establishment of an Event Center (Dance Hall and Party Rental) Business located at 125 East Bear Mountain Blvd., APN 193-140-02, Arvin, CA 93203, and Mitigated Negative Declaration for the project.

RECOMMENDATION

Motion to Approve Resolution of the City Of Arvin Planning Commission i) Approving Event Center located at 125 East Bear Mountain Blvd., APN 193-140-02, and ii) approve Mitigated Negative Declaration.

I. DISCUSSION:

Project Description: The conditional use permit application proposes the establishment of an event center (Rental Hall and Party Events) within an existing building of approximately 3,200 square feet of gross floor area and has an outside area for guest and activities – Exhibit A. Activities or hours of operation are proposed to be as follows: Saturday from 12:00 Noon to 11:00 P.M.; Sunday from 10:00 A.M. to 5:00 P.M.; and Monday through Friday from 4:00 P.M. to 11:00 P.M.. Traffic access to the site is off of Hwy 223 and off of King Street into the proposed unimproved parking lot. A Site Development Permit was considered, Administrative Permit 2016-01, was provided but no signed document has been provided Exhibit B.

Administrative Permit 2016-01, Attachment 1: The Administrative Permit erroneously identifies that Section 17.60 Site Development Permits allows the proposed activity. Site Development Permits are for new construction or re-use of structures to insure compliance with the development requirements. The Administrative Permit was conditioned and those conditions have been incorporated in the proposed Conditional Use Permit proposed conditions. The use activity on and of property is regulated by the Zoning Code and uses that are identified within each zone district and by the municipal code.

The request to establish an Event Center (Rental Hall and Party Events) was determined by Staff to require a Conditional Use Permit.

Traffic Access: The proposed project is directly west of single family residential development and the primary access to the proposed parking lot is off of King Street which services both the residential area to the east of the project as well as for industrial uses to the south of the proposed project. The site currently has one access point into the proposed parking area. Staff is recommending two points of access – one for entrance and one for exiting the parking area.

Parking Spaces Required and Improvements Required: The project site plan shows proposed parking to be developed on the south side of the existing building and has identified 119 parking spaces. Handicap parking pads have been constructed with ADA Parking signs. The parking area has not been improved nor appropriate lighting and landscaping been installed.

Minimum Parking Spaces Required: Section 17.48.020 Minimum Number of Parking Spaces – Subsections C and D establishes parking ratio for Commercial and Entertainment uses. In Staff's review, the parking ratio for the proposed Event Center would be Subsection C-2-K: theaters and auditoriums: one space per three (3) patrons based on the maximum capacity of facility. The Building Official has identified the maximum occupancy load as 158. With this ratio the minimum number of parking spaces required would be 52.

Chapter 17.70 Site Development Standards – requires parking lot improvements with lighting, on-site landscaping, irrigation systems, drainage plans and improvements, trash enclosures to be designed with trellis, and other improvements as cited under Chapter 17.70.

King Street Improvements Required: Street improvement along King Street is required to be improved with Curb, Gutter, and Sidewalk, per Chapter 17.70.

Bear Mountain Blvd. – State Route 223: Department of Transportation District 6 – advised that a Traffic Impact Study will not be required but recommended that should the Event Center activities create traffic issues at the intersection of King Street and Hwy 223, a Traffic Management Plan be established. As a proposed Condition under TC-M-1, the applicants shall be required to monitor the traffic at King Street and Hwy 223 (Bear Mountain Blvd.) in coordination with the Arvin Police Department and California Highway Patrol.

Kern County Fire Department: The Kern County Fire Department has entered into an agreement with the City of Arvin for fire services. The Kern County Fire Department has provided a generic listing of conditions for the city when considering and taking action on development projects.

Noise – Potential Conflict with adjacent Residential Development: The activities associated with the Event Center may create conflict with the peace and quiet of the adjoining residential development. As such the City's Noise Ordinance will be enforced and should violations occur, the City has the authority to cause the Conditional Use Permit to be revoked. Appropriate conditions relating to Noise has been incorporated in the proposed conditions of approval.

Kern County Health Department: The Event Center does not fall under the jurisdiction of the Kern County Health Department providing that its use is solely for private parties and not open to the public at any time (weddings with private guests, birthday parties with private guests, etc.).

Should this facility decide to operate as a restaurant or bar or host fund raiser type events that are open to the public, then the Event Center will be subject to Kern County Health Department jurisdiction.

II. PROJECT LOCATION:

The project site is located west of King Street and east of South Derby on the south side of Bear Mountain Blvd., more specifically 125 East Bear Mountain Blvd., APN 193-140-02.

III. PUBLIC NOTIFICATION AND CONSULTATION:

The City properly noticed the June 22, 2017 hearing before the Planning Commission for the proposed CUP 2017-125EBMB, Event Center, pursuant to Government Code sections 65090 and 65091 by publication in the newspaper and provided notice to all property owners within 300 feet of the proposed project.

The Community Development Department consulted with the City of Arvin City Manager, Public Works Department; City Engineer; Building Division; and Police Services, as well as from Kern County and State offices requesting comments and recommendations. No negative comments were received regarding the proposed project. All comments received are incorporated within the proposed Conditions of Approval.

IV. GENERAL PLAN AND ZONING CONFORMITY:

General Plan Designation: Light Industrial

Zoning: M-2, Light Manufacturing Zone District

Ordinance Compliance: The property is Zoned M-2, Light Manufacturing Zone which is established primarily for manufacturing and industrial uses. However, Section 17.56.030 establishes Permitted Uses upon the granting of a Conditional Use Permit. The specific section, Section 17.56.030 Subsection G permits the "Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, carnivals, expositions, fairgrounds, open-air theatres, racetracks, recreational and sport centers." These activities may be permitted upon granting of a Conditional Use Permit by the City. Therefore, pursuant to Chapter 17.56 - CONDITIONAL USE PERMITS, the Planning may consider the proposed establishment of an Event Center in the Light Manufacturing zone.

V. ENVIRONMENTAL CONSIDERATIONS

Staff is recommending adoption of a Mitigated Negative Declaration under a separate report for the proposed project.

FISCAL IMPACT

The approval of the Conditional Use Permit for CUP 2017-125EBMB permitting an Event Center as requested by the applicant does not create any negative fiscal impact to the City.

EXHIBITS AND ATTACHMENTS

Resolution – Planning Commission Conditionally Approving CUP 2017 -125EBMB, Event Center and acceptance of the Mitigated Negative Declaration for said project.

Exhibit A – Event Center – CUP 2017-125EBMB Elevations and Site Plan

Exhibit B – Conditions of Approval

Attachment 1 - Administrative Permit 2016-01

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ARVIN PLANNING COMMISSION APPROVING I) CONDITIONAL USE PERMIT 2017-125EBMB – EVENT CENTER AND II) ADOPTED THE MITIGATED NEGATIVE DECLARATION, SUBJECT TO CONDITIONS OF APPROVAL.

WHEREAS, the Planning Commission opened the public hearing on March 28, 2017, and has received testimony and other evidence at the meeting; and

WHEREAS, public notice for the public hearing was published in the (Newspaper on June 7, 2017 and notices were mailed to individual property owners within 300-feet of the project site on June 7, 2017; and

WHEREAS, an Initial Study was prepared and initial study has concluded that the proposed project will not result in any adverse effects which fall within the “Mandatory Findings of Significance” contained in Section 15065 of the State CEQA Guidelines. Therefore a Mitigated Negative Declaration, was prepared for the proposed Conditional Use Permit 2017-125 EBMB, for the proposed Event Center in compliance with Public Resources Code; and

WHEREAS, the Planning Commission of the City of Arvin hereby finds and adopts the following findings:

1. Notice has been given in the time and in the manner required by State Law and City Code.
2. Staff recommended a finding that the Conditional Use Permit 2017-125EBMB – Event Center is a permitted use subject to the approval of a conditional use permit.
3. The project site as well as street frontage will require improvement and as per City Codes and Ordinances and the project sponsor will be required to provide new site plans and receive approval by Staff prior to utilizing the site as an Event Center.
4. The Initial Study and Mitigated Negative Declaration is on file at the Community Development Department.

NOW, THEREFORE, BE IT RESOLVED, that the City of Arvin Planning Commission does find:

1. The Mitigated Negative Declaration previously adopted for this project is on file at the Community Development Department.
2. The Planning Commission finds as follows:
 - a. Staff recommended a finding that the proposed Event Center is a permitted use subject to obtaining a conditional use permit.
 - b. Notice has been given in the time and in the manner required by State law and the City of Arvin Municipal Code.
 - c. The project is in compliance with all applicable laws and ordinances;
 - d. The project is in compliance with all applicable City policies duly adopted by a majority vote of the Planning Commission or the City Council;
 - e. The project is in conformance to latest accepted planning and engineering standards covering the following areas: site layout, building appearance and structural design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking.

- f. The project and the proposed use and buildings will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.
- 3. Conditional Use Permit 2017-125 EBMB is conditionally approved subject to Exhibit A Site Elevations and Site Plan and subject to those Conditions of Approval contained in Exhibit B as well as compliance with City Codes and Ordinances.
- 4. Planning Commission hereby authorizes the Community Development Director to sign and file the Notice of Determination for the project.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 22nd day of June 2017 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTEST:

CECILIA VELA, Secretary

ARVIN PLANNING COMMISSION

By: _____
OLIVIA TRUJILLO, Chairperson

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
 Aleshire & Wynder, LLP

I, _____, Secretary of the Planning Commission of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of Arvin on the date and by the vote indicated herein.

EXHIBIT A

<p>D1 TYP CONC CURB</p>	<p>D2 TRUNCATED DOMES</p>	<p>D3 ACCESSIBLE SIGNAGE</p>	<p>D4 WOMEN</p>	<p>D5 [Symbol]</p>
<p>C1 CONCRETE BUMPER</p>	<p>C2 TYPICAL BLOCKING</p>	<p>C3 ACCESSORY MOUNTING</p>	<p>C4 [Symbol]</p>	<p>C5 [Symbol]</p>
<p>B1 ACCESSIBILITY SIGNAGE</p>	<p>B2 ACCESSIBLE PARKING STALLS</p>	<p>B3 [Symbol]</p>	<p>B4 CONCRETE RAMP 01</p>	<p>B5 [Symbol]</p>
<p>A1 AUTHORIZATION SIGNAGE</p>	<p>A2 ACCESSIBLE PARKING SIGNAGE</p>	<p>A3 SIGN FOOTING</p>	<p>A4 CABINET ATTACHMENTS</p>	<p>A5 GRAB BAR DETAIL</p>

505

JSB
 Custom Planning
 Drafting & Design
 606.209.3559



ARVIN PALACE
 157.00.00
 1/20/15
 157.00.00
 1/20/15

SHEET TITLE	DETAILS
DATE	
BY	
CHECKED	
APPROVED	

A-501

EXHIBIT B
Conditions of Approval
Conditional Use Permit 2017-125EBMB
Event Center

Project Description: The conditional use permit application proposes the establishment of an event center (Rental Hall and Party Events) within an existing building of approximately 3,200 square feet of gross floor area. The site has an outside area for guest and activities. Activities or hours of operation are proposed to be as follows: Saturday from 12:00 Noon to 11:00 P.M.; Sunday from 10:00 A.M. to 5:00 P.M.; and Monday through Friday from 4:00 P.M. to 11:00 P.M.. Traffic access to the site is off of Hwy 223 and off of King Street into the proposed unimproved parking lot. A Site Development Permit was considered, Administrative Permit 2016-01, was provided but no signed document has been provided.

COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL (G)

G-1 Hold Harmless Requirement: The applicant or applicant's successor in interest shall indemnify, defend and hold harmless the City of Arvin, its agents, officers and employees from any and all claims, actions or proceedings against the City of Arvin, its agents, officers and employees to attach, set aside, void or annul any approval by the City of Arvin and its advisory agency, appeal board or legislative body concerning this application which action is brought within applicable statutes of limitations. The City of Arvin shall promptly notify the applicant or applicants' successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicants' successor in interest shall not thereafter be responsible to defend, indemnify or hold the City of Arvin harmless. The condition may be placed on any plans or other documents pertaining to this application.

G-2 All exhibits and references identified in the following conditions and the resolution approving this project are conditions of approval unless otherwise waived. Therefore all requirements, conditions, mitigation measures, standards, policies are to be implemented by the project applicant and successors in interest unless specifically waived by the City of Arvin.

G-3 There may also be conditions that are incorporated in the project approval that are not specific and are subject to interpretation, review and approval or conditional approval by City staff that are not established by City ordinance, resolution, policy, etc. Those conditions give authority to City Staff to use their judgment in the final resolution of the issue identified. City Staff identified in the condition shall interpret the compliance of those condition(s) at their discretion. This may create costs to the project that are not otherwise clearly identified.

G-4 The projects are subject to the CEQA review process and Mitigation Measures are adopted for the project, those mitigation measures are conditions of approval and are the obligation of the project applicant to fully implement and comply with the requirements established.

G-5 The Event Center shall be used solely for private parties and not open to the public at any time (weddings with private guests, birthday parties with private guests, etc.). Should this facility decide to

operate as a restaurant or bar or host fund raiser type events that are open to the public, then the Event Center will be subject to a new Conditional Use Permit and shall be subject to Kern County Health Department jurisdiction.

G-6 Contractors and subcontractors shall obtain a business license from the City of Arvin prior to beginning any work.

G-7 The site shall be maintained in a clean, dust free, litter and weed-free fashion.

G-8 During development of the site, all construction contractors shall ensure that recyclable construction materials are recycled.

G-9 The project shall participate in the City's solid waste and recycling program.

MITIGATION MONITORING PROGRAM (MMP)

MPM-1 Implementation of the Mitigation Agreement as signed by the applicant on May 31, 2017 shall be subject to implementation prior to, concurrent with, and implementation and development of this project.

ARVIN MUNICIPAL CODE (AMC)

AMC-1 Noise Compliance shall be complied with at all times. Noise violations and disturbances may result in the revocation of the Conditional Use Permit. Compliance with Chapter 9.08 Noise Disturbances, Exhibit 1, the City of Arvin's Municipal Code entire ordinance now in effect and as may be amended from time to time. To insure compliance with the Noise Ordinances, no outside amplified noise shall occur after 9:00 P.M. Sunday through Thursday and no outside amplified noise shall occur after 10:00 P.M. Friday and Saturday. Operational Hours shall be limited as follows: Saturday from 12:00 Noon to 11:00 P.M.; Sunday from 10:00 A.M. to 5:00 P.M.; and Monday through Friday from 4:00 P.M. to 11:00 P.M...

AMC-2 Noise during construction shall be mitigated to the fullest reasonable extent. Maximum noise levels at property lines shall not exceed 65 decibels. Construction shall be limited to daylight hours Monday through Saturday. If complaints are received, the City may impose further restrictions on hours of operation other appropriate and reasonable measures.

AMC-3 Site Development Standards shall be implemented prior to utilization of the Conditional Use Permit. Chapter 17.70.010 Site Development Standards, attached as Exhibit 2, shall be implemented. The applicant shall submit plans for review and approval to the Community Development Department. Upon final approval by the Community Development Department, improvements shall be completed prior to the utilization of the Conditional Use Permit.

AMC-4 Parking Spaces and Improvements Required: The project site plan shows proposed parking to be developed on the south side of the existing building and has identified 119 parking spaces. Handicap parking pads have been constructed with ADA Parking signs. The parking area has not been improved nor appropriate lighting and landscaping been installed, as required by Chapter 17.70.010.

Minimum Parking Spaces Required: Section 17.48.020 Minimum number of Parking Spaces – Subsections C and D identify Commercial and entertainment uses parking ratio. In Staff's review, the parking ratio for the proposed Event Center would be Subsection C-2-K: theaters and auditoriums: one space per three (3) patrons based on the maximum capacity of facility. The Building Official has identified the maximum occupancy load as 158. With this ratio the minimum number of parking spaces required would be 52.

Chapter 17.70 Site Development Standards – requires parking lot improvements with lighting, on-site landscaping, irrigation systems, drainage plans and improvements, trash enclosures to be designed with trellis, and other improvements as cited under Chapter 17.70.

LANDSCAPING REQUIREMENTS AND LIGHTING AND LANDSCAPING DISTRICT FORMATION (LR)

LR-1 The applicant shall provide side yard landscaping along King Street. Landscaping shall incorporate native species of water conserving trees and shrubs. All landscaping and planting plans shall be submitted to the Community Development Department and Public Works Department for review and approval prior to utilization of the Conditional Use Permit. These plans shall include all on-site landscaping specifications and details (i.e. species list, irrigation plans, soil preparation methods, etc.).

LR-2 Street trees shall be approved by the City and shall be incorporated into the landscaping along the side yard fronting King Street. Fifteen (15) gallon size tree shall be utilized. The street trees are the responsibility of the property owner and may not be removed without approval of the Community Development Department. Subsequent replacement shall be at the expense of the property owner.

LR-3 The applicant shall be required to design, install, and maintain all irrigation and landscaping that is required within the public right of way or public area until such time as a Lighting and Landscape District is functional.

LR-4 The applicant shall, at their own cost, be required to join Landscape and Lighting Maintenance District No. 1.

LR-5 The applicant shall submit a landscaping and irrigation plan for review and approval by the City Planner, prior to installation. All landscaping and irrigation shall be installed prior to occupancy or utilization of the Conditional Use Permit. In addition to standard requirements, the landscape plan should include the following:

- a. An emphasis shall be placed on maximizing the number of shade trees on the site, particularly in the parking lot and along the streets.
- b. As practical, street trees shall be established at 25 foot intervals along street frontages. Street trees shall be of a species approved by the City of Arvin City Planner. Irrigation shall be extended from the site to each planter.
- c. Climbing vines shall be established along all masonry block walls and exterior walls of trash enclosures - for graffiti prevention.

LR-6 A lighting plan showing the location and type of lighting shall be prepared and submitted for review and approval by the City of Arvin City Planner. Proposed outdoor lighting is to be hooded and directed to not illuminate residences, other properties and roadways adjacent to and around the project site.

LR-7 As practical, street trees shall be established at 25 foot intervals along street frontages. Street trees shall be of a species approved by the City of Arvin City Planner.

PUBLIC WORKS – CITY ENGINEER:

PW-CE-1 **Traffic Access:** The proposed project is directly west of single family residential development and the primary access to the proposed parking lot is off of King Street which services both the residential area to the east of the project as well as for industrial uses to the south of the proposed project. The site currently has one access point into the proposed parking area. Two points of access – one for entrance and one for exiting the parking area shall be required. Spacing of the drive ways shall be reviewed and approved by the City Engineer.

PW-CE-2 Curb, Gutter, and Sidewalk shall be installed along the King Street. The applicant shall be required to provide construction drawings showing the improvements along with the drainage plans.

PW-CE-3 The applicant shall apply for an encroachment permit from the City Engineer. Drive access and encroachment shall be constructed to City Standards.

PW-CE-4 Event traffic proposes to utilize King Street as its primary ingress and egress. Should traffic issues result from the event traffic, the City may require a Traffic Management Plan to mitigate the traffic issues.

TRAFFIC MONITORING REQUIREMENTS – (TMR)

TMR-1 Traffic monitoring and control shall be required for events occupancy of 75 persons or more. More specifically traffic control at the intersection of King Street and Bear Mountain Blvd., the applicants shall be required to monitor the traffic at King Street and Hwy 223 (Bear Mountain Blvd.) in coordination with the Arvin Police Department and California Highway Patrol.

FEE REQUIREMENTS (FR)

FR-1 All fees due and payable to the City of Arvin shall be paid prior to utilization of the Conditional Use Permit.

BUILDING DIVISION (BD)

BD-1 Maximum Occupancy of the existing building shall be limited to 158 persons. The Maximum Occupancy of the building shall be posted.

BD-2 The City of Arvin shall receive clearance from the Kern County Fire Department.

BD-3 All improvements shall comply with American with Disabilities Act standards and regulations (ADA).

BUILDING DIVISION PERMIT ISSUANCE REQUIREMENTS (BPIR)

BPIR-1 All grading and excavation, shall be subject to Title 15 – Buildings and Construction code entire ordinance in effect and as may be amended from time to time.

BPIR-2 A Soils Report shall be prepared and submitted to the City Engineer and Community Development Director.

PUBLIC WORKS DEPARTMENT/CITY ENGINEER (PW/CE)

General Requirements

PW/CE-1 Prior to installation of any improvements or beginning of any construction, the property owner shall:

- a) Obtain an encroachment permit from the City Engineer and grading permit from the Building Division.
- b) Submit evidence of liability insurance with the City of Arvin being named as additional insured in the amount as required by the City of Arvin.

PW/CE-2 The Developer shall construct street improvements extending outward from the flow line along King Street. The required improvements include, but are not limited to, roadway construction, striping, curb, gutter, sidewalk, drive approaches, wheelchair ramps, and signage.

PW/CE-3 All onsite and offsite utilities shall be installed underground in accordance with each of the utility company requirements. All offsite utilities to be relocated in accordance with each of the utility company requirements.

GRADING (G)

G -1 A complete set of on- and off-site grading, drainage, sewer and street improvements plans shall be prepared by a licensed Civil Engineer and submitted for reviewed and approved by the City Engineer.

G -2 As Built drawings shall be submitted to the City of Arvin prior to acceptance of the improvements. Erosion control measures shall be incorporated into the construction plans.

G-3 The applicant shall comply with the Regional Water Quality Control Board Construction General Permit Order 2009-0009 DWQ as amended by 2010-0014 DWQ and 2012-006 DWQ. If the project requires a SWPPP or Erosivity Waiver the applicant will provide a waste discharge identification (WDID) number on the cover sheet of the grading plan.

G-4 Prior to the issuance of grading permits, the plans and specifications shall include reference and conformance to the SJVUAPCD dust control measures and shall be subject to District Regulation VIII, Rule 8010, 8020, 8030, 8060 and 8070 of Regulation VII. The following notes(s) shall appear on all grading plans:

1. During grading operations, the applicant for a grading permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM10 (particulate) emissions. Spraying water should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions.
2. During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions.
3. Construction speed limits will be posted at fifteen miles per hour (15 mph).
4. The applicant is prohibited from using any equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring property between 10:00 p.m. and 7:00 a.m. (AMC §12.04.200)

STREETS (STREETS)

Streets-1 King Street shall be improved with curb, gutter, sidewalk and pavement as required by the City of Arvin Standards

Streets-2 Two point access shall be implemented and improved per City Standards.

Streets-3 All construction plans shall be submitted to the City Engineer for review and approval prior to construction. All utilities to be constructed within the on-site and off-site shall be installed prior to pavement placement.

STORM DRAINAGE (SD)

SD-1 All drainage shall be surface flow and shall be directed to existing storm drainage facilities on King Street unless otherwise retained on site and approved by the City Engineer.

KERN COUNTY FIRE DISTRICT - (KCFPD)

KCFPD-1 Project shall comply with the current California Fire Code requirements.

KCFPD-2 Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. Prior to the utilization of the Conditional Use Permit an emergency access and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit.

KCFPD-3 Per Local Fire Department ordinance, all "A" occupancies will require a full fire alarm system.

KCFPD-4 If the occupant load in the "A" exceeds 100, fire sprinklers will be required.

KCFPD-5 Exiting will depend on the occupant load. Follow the California Fire Code requirements for proper exit widths, number of exits, and exit illumination.

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM -

ARCHEOLOGICAL AND HISTORICAL (CHR)

- CHR-1 The City of Arvin General Plan has not identify any resources of archaeological significance identified on the site.
- CHR-2 If during the course of project-related activities, unknown archaeological or cultural resources are discovered, work shall be stopped in the immediate vicinity. A qualified archaeologist shall be contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the City of Arvin Community Development Department and any measures recommended by the archeologist shall be implemented prior to resumption of the work in the area.

PRIVATE SECURITY REQUIRED (PSR)

- PSR-1 Private Security shall be required for events where occupancy is 25 person or greater. One (1) Private Security Guard shall be required for each 25 persons.

END

ADMINISTRATIVE RESOLUTION 2016-01
BEFORE THE CITY PLANNER
CITY OF ARVIN
COUNTY OF KERN, STATE OF CALIFORNIA

AN ADMINISTRATIVE RESOLUTION OF THE CITY PLANNER OF THE CITY OF ARVIN APPROVING SITE DEVELOPMENT PERMIT 2016-01 (GUILLERMO GARCIA & JUAN E. OROZCO) FOR ARVIN PLACE, RENOVATION OF AN EXISTING BUILDING AND OPERATION OF A RENTAL HALL AT 125 E. BEAR MOUNTAIN BOULEVARD.

WHEREAS, a Site Plan Review was requested by Guillermo Garcia & Juan E. Orozco, 709 Trino Avenue, Arvin, CA 93203, for Arvin Place, renovation of an existing building and operation of a rental hall for public and private events at 125 E. Bear Mountain Boulevard, a site located on the southwest corner of E. Bear Mountain Boulevard and King Street (see Exhibit 1 for location map). The Assessor Parcel Number is 193-140-02, and

WHEREAS, the proposed project features a single story building containing 3,227 square feet, a parking lot with 119 (including 5 handicap) stalls, a patio, landscaping, lighting, hardscape improvements, signage, a trash enclosure, utility connections, curb, gutter, sidewalk, and access drives, and

WHEREAS, the site is zoned M-2 (Light Manufacturing) and the subject use is permitted subject to a Site Development Permit, consistent with Section 17.60 (Site Development Permits) of the Arvin Municipal Code, and

WHEREAS, the project is statutorily exempt from review (Section 15301 Existing Facilities) under the Guidelines of the California Environmental Quality Act, and

WHEREAS, the Planning Department reviewed this Site Development Permit consistent with the requirements of Section 17.60 of the Arvin Municipal Code, and

NOW, THEREFORE, BE IT RESOLVED that the City Planner, after considering all the evidence presented, determined the following findings were relevant in evaluating this request:

1. The project is consistent with the Arvin General Plan, Land Use Element and the Arvin Zoning Ordinance.
2. The project will not have a significant impact on the environment and is exempt from review under Section 15301 of the Guidelines of the California Environmental Quality Act (CEQA).
3. The project will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT Site Development Permit 2016-01, as shown on the site plan on file with the Arvin Planning Department is approved subject to the following conditions:

1. This project is conditioned upon the Applicant defending, indemnifying and holding harmless the City, its agents, officers, consultants, and/or employees.
2. The safety and security of the project must satisfy District, Local, City, County, State, Federal ordinances, California Building code, and California Occupational Safety and Health Association (CAL/OSHA).
3. This project is subject to and must satisfy all applicable District, Local, City, County, State, and Federal statutes, ordinances, regulations, standards and policies.
4. All improvements shall comply with American with Disabilities Act standards and regulations (ADA).
5. Project approval is required from the following agencies prior to issuance of any permits
 - City of Arvin Planning Department
 - Wastewater Treatment Facility
 - Arvin Community Service District (water)
 - City of Arvin Building Department
 - City of Arvin Police Department
 - Mountainside Disposal (refuse collection and disposal)
 - Kern County Fire Department
 - Kern County Department of Roads
 - Caltrans District 6
 - Division of Oil and Gas (BKS)
 - PG&E
 - Gas Company
 - Brighthouse Cable
6. "Engineered Final Grading Inspection Certification" and Final Soils Report to be completed prior to building foundation inspection.
7. Development plans shall satisfy City of Arvin Flood Plain Ordinance with elevation certification submitted to City of Arvin Building Department prior to issuance of Certificate of Occupancy.
8. Contractors and subcontractors shall obtain a business license from the City of Arvin prior to beginning any work.
9. Proposed parking area shall be paved to City of Arvin Construction Standards.
10. Proposed King Street Approach or Approaches shall be approved by the City of Arvin City Planner for minimum distance between drive approaches.

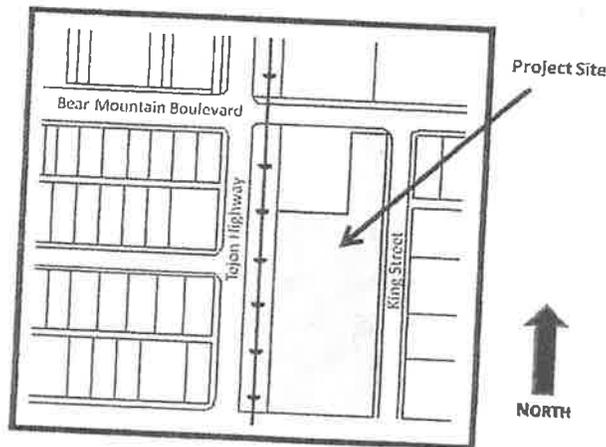
11. The Developer shall construct street improvements extending outward from the flow line along King Street. The required improvements include, but are not limited to, roadway construction, striping, curb, gutter, sidewalk, drive approaches, wheelchair ramps, and signage. These improvements will be subject to reimbursement, as determined by the City Engineer.
12. Bear Mountain Boulevard improvements shall be installed per Caltrans requirements.
13. The Applicant to request annexation into the City Lighting, Landscape & Maintenance District.
14. The Applicant shall pay all fees, including impact fees, assessed on the project at time of the first plan check submittal.
15. All onsite and offsite utilities shall be installed underground in accordance with each of the utility company requirements. All offsite utilities to be relocated in accordance with each of the utility company requirements.
16. Applicant shall provide an electronic version of the plans to the City of Arvin Planning and Engineering Departments in current AutoCAD format.
17. The applicant shall submit a sign permit request for review and approval by the City of Arvin City Planner, prior to occupancy. All signs shall comply with the requirements of the sign ordinance section of the Arvin Zoning Ordinance.
18. The site shall be maintained in a clean, dust free, litter and weed-free fashion.
19. A lighting plan showing the location and type of lighting shall be prepared and submitted for review and approval by the City of Arvin City Planner. Proposed outdoor lighting is to be hooded and directed to not illuminate residences, other properties and roadways adjacent to and around the project site.
20. During development of the site, all construction contractors shall ensure that recyclable construction materials are recycled.
21. The project shall participate in the City's solid waste and recycling program.
22. Noise during construction shall be mitigated to the fullest reasonable extent. Maximum noise levels at property lines shall not exceed 65 decibels. Construction shall be limited to daylight hours Monday through Saturday. If complaints are received, the City may impose further restrictions on hours of operation other appropriate and reasonable measures.
23. The applicant shall submit a landscaping and irrigation plan for review and approval by the City Planner, prior to installation. All landscaping and irrigation shall be installed prior to occupancy. In addition to standard requirements, the landscape plan should include the following:

- a. An emphasis shall be placed on maximizing the number of shade trees on the site, particularly in the parking lot and along the streets.
 - c. As practical, street trees shall be established at 25 foot intervals along street frontages. Street trees shall be of a species approved by the City of Arvin City Planner. Irrigation shall be extended from the site to each planter.
 - d. Climbing vines shall be established along all masonry block walls and exterior walls of trash enclosures – for graffiti prevention.
24. The Applicant will prepare and submit a revised, showing all proposed and required improvements, prior to Certificate of Occupancy.
25. Any significant change to the site plan or operation shall require an amendment of the Site Plan Review.
26. The proposed use shall be established within one year of the City Planner's approval, or the permit shall become null and void. A one year extension of the approval may be requested in writing.
27. The decision of the City Planner and required conditions of approval may be appealed by any aggrieved party consistent with Section 17.60.050 of the City of Arvin Municipal Code.
28. The foregoing resolution was adopted on the _____ day of April, 2016. This decision is final and shall become effective immediately.

David Brletic, Arvin City Planner

Date

Exhibit "A"
Location Map





**CITY OF ARVIN
Agenda Report**

Meeting Date: June 22, 2017

TO: Planning Commission

FROM: Marti Brown, Community Development Director

SUBJECT: Adoption of a Resolution Initiating an Amendment to Arvin Municipal Code Sections 17.02.310 (Home Occupation), 7.02.520 (Quasi-home Occupation), and 17.080.020(D) (Permitted Uses)

RECOMMENDATION

Motion to Approve Resolution of the Planning Commission of the City of Arvin Initiating Code Amendment to Title 17 – Zoning, Definitions for Section 17.02.310 - Home occupation, Section 7.02.520 - Quasi-home occupation, and amendment to Section 17.080.020 Permitted Uses, Subsection D Home Occupation standards.

BACKGROUND

The Planning Commission is authorized by Title 17 Zoning, Section 17.54.040 (A) and (B) on its own motion may initiate amendments to Title 17 Zoning whenever the public necessity, convenience, general welfare, or good zoning practices justify such action.

The City of Arvin has been receiving a number of Business License Applications that are proposed to be conducted from a residential dwelling. Prior to the issuance of Business Licenses and to avoid violation of the Zoning Code, the applicant wishing to conduct a business from a residential dwelling must receive clearance from the Community Development Department.

The Community Development Department reviews the proposed business with the City's Zoning Code, Section 17.02.310 Home Occupation defined, Section 17.02.520 Quasi-home Occupation, and Section 17.08.020 Permitted Uses, Subsection D Home Occupations to verify compliance. If the proposed Home Occupation meets these definitions and standards, the Community Development Director finalizes the review by the Administrative Permit review process in accordance with Section 17.05.080 (G).

The City of Arvin's listing of Home Occupation standards and conditions are typical of many communities which limit home occupations to a very low key and non-intrusive activity within the residential neighborhood. The typical types of home occupations and business that are able to meet the existing conditions are office activity, such as tax preparer, accountant, and other activities that do not require vehicles, trailers, or storage of equipment. The current ordinance limits the use of the residential dwelling to one room, no storage of materials in the garage which impedes the parking of vehicles and no storage of supplies and equipment in accessory buildings such as a storage shed. In addition, Home Occupation activities cannot create conflict with other city ordinances.

The definitions contained in Sections 17.02.310 - Home occupation and Section 7.02.520 - Quasi-home occupation are slightly different and should be reviewed. Both of these sections were adopted in 1965.

There are several proposed business applications that have been received by the City Clerk's office from residents who wish to start a home business by providing service to residents and businesses. Some pending Business Licenses Applications include:

1. Rental of inflatable play structures and water slides for various functions – which may require a trailer for the transport and placement of the inflatable structures at a residence. A desire to utilize the garage and/or accessory structures for storage of the materials and equipment needed for the proposed home occupation.
2. Establish a Disc Jockey (DJ) business in which the applicant wishes to use a trailer to store and transport the electrical equipment.
3. Parking of ice cream vehicles on the property.
4. Mobile car wash which requires either a trailer or van to store and transport the cleaning materials to a customer either at resident or a place of business.

These pending Business Licenses Applications cannot be approved under the current home occupation standards.

The amendment to the Home Occupation definitions and standards would allow a more liberal diverse activity for residents wishing to conduct home businesses from a residential dwelling.

Upon the adoption of the attached resolution by the Planning Commission, the Community Development Director will prepare a report for possible amendments to the existing home occupation definitions and standards. Once completed, the Community Development Director will schedule a public hearing before the Planning Commission for consideration. If the Planning Commission believes the proposed amendments are in the best interest of the public, a recommendation would be forwarded to the City Council for their consideration.

EXHIBITS AND ATTACHMENTS

Resolution – Resolution of the Planning Commission of the City of Arvin Initiating Code Amendment to Title 17 – Zoning, Section 17.080.020 Subsection D Home Occupation standards.

Exhibit A – Section 17.02.310 Home Occupation, Section 17.02.520 Quasi-home Occupation, and Section 17.08.020 Permitted Uses, Subsection D Home Occupations

Exhibit B – Section 17.05.080 (G) - Administrative Permit review

Exhibit C - Chapter 17.60 – Site Development Permits

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN INITIATING AN AMENDMENT TO ARVIN MUNICIPAL CODE SECTIONS 17.02.310 (HOME OCCUPATION), 7.02.520 (QUASI-HOME OCCUPATION), AND 17.080.020(D) (PERMITTED USES)

WHEREAS, the Planning Commission is authorized by Title 17 Zoning, Section 17.54.040 (A) and (B) on its own motion may initiate amendments to Title 17 Zoning whenever the public necessity, convenience, general welfare, or good zoning practices justify such action; and

WHEREAS, the Planning Commission authorizes the Community Development Director to prepare a report and present recommendations relating to the possible amendment to the City's Zoning Code, Title 17 – Zoning, Definitions for Section 17.02.310 - Home occupation, and Section 7.02.520 - Quasi-home occupation, and amendment to Section 17.080.020 Permitted Uses, Subsection D Home Occupation standards.

NOW THEREFORE BE IT RESOLVED by the Planning Commission of the City of Arvin as follows:

1. The Planning Commission is authorized by Title 17 Zoning, Section 17.54.040 (A) and (B) by its own motion may initiate amendments to Title 17 Zoning whenever the public necessity, convenience, general welfare, or good zoning practices justify such action.
2. The Planning Commission finds that public necessity, convenience, general welfare, or good zoning practices justify an amendment to the City of Arvin's land use zoning ordinance, and based thereon, hereby initiates an amendment to Arvin Municipal Code Sections 17.02.310 (Home Occupation), 7.02.520 (Quasi-home Occupation), and 17.080.020(D) (Permitted Uses).
3. The Community Development Director is directed to take action consistent with this initiation and the requirements of the Arvin Municipal code.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 22nd day of June 2017 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

CECILIA VELA, Secretary

ARVIN PLANNING COMMISSION

By: _____
OLIVIA TRUJILLO, Chairperson

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, _____, Secretary of the Planning Commission of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Planning Commission of the City of Arvin on the date and by the vote indicated herein.

EXHIBIT A
EXCERPT FROM TITLE 17 – ZONING

CHAPTER 17.08 - R-1 ONE-FAMILY DWELLING ZONE

17.08.020 - Permitted uses. Uses permitted in any type of R-1 zone are as follows:

D. Home occupations by **administrative approval**, subject to the following conditions:

1. There shall be no external alteration of appearance of the dwelling in which a home occupation is conducted,
2. The existence of a home occupation shall not be apparent beyond the boundaries of the site except for non-illuminated nameplate not to exceed one (1) square foot in area,
3. A home occupation shall not create any radio or television interference or noise audible beyond the boundaries of the site,
4. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount in the district,
5. A home occupation shall not be conducted in an accessory structure, and there shall be no storage of equipment or supplies in an accessory structure or outside the dwelling,
6. A home occupation shall not involve the use of any material or mechanical equipment not recognized as being part of normal household or hobby uses,
7. No direct commercial services shall be allowed to occur at the location of a home occupation,
8. No more than one (1) room of the main dwelling shall be used for the conduct of a home occupation,
9. Direct sales shall not be made on the premises;

17.02.310 - Home occupation.

"Home occupation" means any occupation carried on by the resident of a dwelling as a secondary use in connection with which there is no person employed, no sounds audible beyond the premises, no display and no advertising, except that one sign, not to exceed two (2) square feet in area, may be attached flat against the wall of a building.

(Ord. 51 §128, 1965).

17.02.520 - Quasi-home occupation

"Quasi-home occupation" means an occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display or sign; no stock in trade or commodity sold upon the premises; no person employed; and no mechanical equipment used except such as is necessary for housekeeping purposes.

(Ord. 51 §129, 1965).

EXHIBIT B
EXCERPT FROM TITLE 17 – ZONING

Chapter 17.05 – Uses Permitted Subject to Administrative Approval
Sections:

17.05.010 - Purpose of provisions.

The purpose of requiring administrative approval of certain enumerated uses is to enable the planning director to determine whether or not, in any particular case, a use listed under a section of district regulations entitled "permitted uses: administrative approval" should be treated as a conditional use because of the peculiar circumstances and conditions of the case. The provisions of this chapter set forth a procedure for approval of such use by an administrative act where findings can be made by the planning director that such use is in conformance with the intent and provisions of this chapter and take cognizance of the impracticality of listing certain uses as categorically possessing the characteristics of those listed under individual district.

(Ord. 146 §3 (part), 1979).

17.05.020 - Application for approval—Review procedure.

- A. An application for administrative approval shall be submitted to the planning director on a form prescribed by the planning director. The application shall include a statement of the use proposed and a site plan prepared in accordance with, and subject to, the provisions of Section 17.60.020.
- B. The planning director shall review the proposed use to ascertain all the facts pertinent thereto and, in writing, shall state either approval or disapproval of the proposed use, together with his findings and reasons for such decision, within ten (10) days, excluding Saturday, Sundays, and legal holidays, of the filing of the application.
- C. In approving the use, the planning director shall impose such conditions and requirements as may be applicable as set forth in Sections 17.60.040 and 17.60.050 of this title.

(Ord. 146 §3(part), 1979).

17.05.030 - Grant of application—Findings required.

- A. The planning director may grant an application for administrative approval as the permit was applied for, or in modified form, if, on the basis of the application and evidence submitted, he is able to make the findings set forth in **Section 17.60.050**, *(Note should be Section 17.60.040)* plus the following additional findings:
 1. That the use will not involve any process, equipment or materials which, in the opinion of the planning director, will be objectionable to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise,

vibration, illumination, glare, or unsightliness, or to involve any hazard of fire or explosion; and

2. That the proposed use will be harmonious with existing structures and uses of land in the vicinity;
3. That proposed signs will not by size, location or lighting interfere with traffic or limit visibility.

B. In making such findings, the planning director shall consult with the city engineer to assure that approvals will be consistent with established legislative policies relating to traffic safety, street dedications, and street improvements.

(Ord. 146 §3(part), 1979).

17.05.040 - Decision on application—Notice required.

One copy of the written decision of the planning director approving or disapproving the application shall be signed and dated by the planning director and mailed to the applicant.

(Ord. 146 §3(part), 1979).

17.05.050 - Appeal to the commission.

The applicant or any aggrieved person may appeal, in writing, setting forth his reason for such appeal to the commission. Such appeal shall be filed with the planning director within fifteen (15) days after the mailing of the notice of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting after the planning director's decision; provided, however, if the planning director's decision occurs within ten (10) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the decision of the planning director. The commission shall review the site plan and shall approve, approve with conditions, or disapprove, based on the findings set forth in Section 17.05.030. The decision of the commission shall be final unless appealed to the council.

(Ord. 146 §3(part), 1979).

17.05.060 - Appeals to the council.

The applicant or any aggrieved person may appeal, in writing, setting forth his reason for such appeal to the council. Such appeal shall be filed with the city clerk within fifteen (15) days after the commission's decision. The appeal shall be placed on the agenda of the council's next regular meeting after the appeal is filed. The council shall review the site plan and shall approve, approve with conditions, or disapprove, based on the findings set forth in Chapter 17.60 of this Code. The decision of the council shall be final.

(Ord. 146 §3 (part), 1979).

17.05.070 - Building permits—Conditions.

Before a building permit shall be issued for any building or structure proposed as part of an approved application for administrative approval, the building department shall secure written approval from the planning department that the proposed building location is in conformity with the site plan and conditions approved by the planning director. Before a building may be occupied, the building inspector shall certify to the planning director that the site has been developed in accordance with the site plan and conditions approved by the planning director.

(Ord. 146 §3(part), 1979).

17.05.080 - Permitted uses designated—Administrative approval.

The following uses may be permitted in accordance with the provisions of Chapter 17.60 of this title:

- A. All permitted uses in the R-1 and R-2 zones, the estate zones, and agriculture zones;
- B. Apartments of less than four (4) units in the R-2, R-3 and R-4 districts;
- C. Enclosed temporary construction materials storage yards required in connection with the development of subdivisions, temporary subdivision sales offices and signs, and model home display areas, in accordance with the regulations set forth in Chapter 17.48;
- D. Swimming pools for either individual, family or communal use on an exclusive noncommercial basis; provided, however, no swimming pool or accessory mechanical equipment shall be located in a required front yard, or less than five (5) feet from a property line, or within a utility easement except that a swimming pool may extend into the required front yard within the area permitted, and shall be enclosed by a fence six (6) feet in height.
- E. Accessory buildings and uses located on the same site as a permitted use;
- F. **Quasi home occupation and home occupation permits in accordance with the regulations set forth in sections 17.08.020 and 17.02.310 of this title;** *(Note: Highlighted for emphasis – for June 22, 2017 Planning Commission initiation for code amendment)*
- G. Additions of less than one thousand (1,000) square feet in the R residential and C commercial districts, and one thousand five hundred (1,500) square feet in the M manufacturing districts;
- H. City, county, state and federal administrative offices, libraries, and police and fire stations.

(Ord. 146 §3(part), 1979).

END

EXHIBIT C
EXCERPT FROM TITLE 17 – ZONING

Chapter 17.60 - SITE DEVELOPMENT PERMITS

Sections:

17.60.010 - Intent and purpose—Affected zones.

- A. To insure that certain types of proposed developments will serve to achieve a group of facilities which will be well related one to another, and which, taken together, will result in a well-composed design, and to meet the city ordinances, site development permits shall be required for the development or expansion of the following:
1. Mobile home parks, travel trailer parks, airports and building complexes encompassing more than one (1) acre;
 2. Building projects costing more than fifty thousand dollars (\$50,000) in any C commercial or M industrial or more than twenty-five thousand dollars (\$25,000) in any R-3 and R-4 multiple-family residential or PUD planned unit development district;
 3. Use of any structure vacant for more than ninety (90) days;
 4. Change of use from an existing use to an heretofore new use at that location.
- B. A site development permit shall be secured prior to the issuance of a building permit for any of the items listed in 1, 2, 3, and 4 above.

(Ord. 174 §2(part), 1982).

17.60.020 - Application—Filing and fee.

The owner or his agent may make application for a site development permit. Such application shall be submitted to the planning department in writing on a form prescribed by the city planner, and shall be accompanied by the required fee and such plans as required in Section

17.60.030 - .

(Ord.

174 §2(part), 1982).

17.60.030 - Application—Information required.

The applicant shall submit three (3) prints of the site plan. The site plan shall contain plot plans drawn to scale, and shall indicate clearly and with full dimensions the following information, where applicable:

- A. Name and address of the applicant and of all persons owning any or all of the property proposed to be used;
- B. Location of property involved (address or vicinity);
- C. Legal description of property;

- D. Proposed facility or use;
- E. The lot dimensions;
- F. All buildings and structures and their location, size, height, and proposed uses;
- G. Location and design of recreation areas;
- H. Yards and spaces between buildings;
- I. Walls and fences and their location, height, and materials;
- J. Landscaping and sprinkling system, including location, type and plant names and proposed disposition of existing trees;
- K. Off-street parking, including the location, number of stalls, dimensions of the parking facility, and internal circulation system;
- L. Access, pedestrian, vehicular, and service, points of ingress and egress, and driveway locations and dimensions;
- M. Signs and their location, size and height;
- N. Loading, including the location, dimensions, number of berths, internal circulation, and means of accessibility to structure or use served;
- O. Lighting, including the location, general nature and hooding devices, if any;
- P. Street dedication and improvements;
- Q. Location of utilities and trash collection areas;
- R. An appropriate description legend and North point;
- S. Such other data or information as may be required by the city.

(Ord. 174 §2(part), 1982).

17.60.040 - Application—Criteria for review.

- A. Site development permits may be granted by the city planner, the planning commission or the city council. Within forty-five (45) days of the receipt of any application for a site development permit, the city planner shall review the application and render his decision to approve, conditionally approve, or deny the application. **In reviewing any such application, the following should be considered:**
 - 1. Compliance with all applicable laws and ordinances;
 - 2. Compliance with all applicable city policies duly adopted by a majority vote of the planning commission or the city council;
 - 3. Conformance to latest accepted planning and engineering standards covering the following area: site layout, building appearance and structural design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking.

B. Before approving or conditionally approving any such application, the city planner shall find that under the circumstances of the particular case, the proposed use or buildings will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

(Ord. 174 §2(part), 1982).

17.60.050 - Appeals.

If the applicant or any aggrieved party is dissatisfied with the decision of the city planner, he may appeal the decision in accordance with the procedures outlined in this chapter for the appeal of decisions on use permits.

(Ord. 174 §2(part), 1982).

17.60.060 - Attachment of conditions.

In granting a site development permit, the city planner, planning commission or city council shall attach whatever conditions are reasonable and necessary to fulfill the intent and purposes of this chapter. Such conditions and the application as approved shall be a part of such site development permit, and all changes in the use of appearance of land or buildings permitted by such permit shall be in accordance with the specified conditions and application as approved. Issuance of a site development permit may be made subject to guarantees and evidence that attached conditions are being or will be complied with.

(Ord. 174 §2(part), 1982).

17.60.070 - Expiration.

If the change in the use of land or buildings for which a site development permit is granted is not begun within one (1) year of the date of final approval of the permit application, such site development permit shall be deemed to be expired and of no further effect. Thereafter, before such change in the use of land or buildings may be carried out, a new site development permit shall first be secured.

(Ord. 174 §2(part), 1982).

17.60.080 - Fees.

A nonrefundable fee of one-tenth (1/10) of one (1) percent of the building price with a minimum of twenty-five dollars (\$25.00), but in no event more than the actual cost of the plan review shall be paid at the time of application for a site development permit.

(Ord. 174 §2(part), 1982).