



**REGULAR MEETING AGENDA
ARVIN PLANNING COMMISSION**

**TUESDAY DECEMBER 12, 2017 6:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

CALL TO ORDER

Chair Trujillo

PLEDGE OF ALLEGIANCE

ROLL CALL:

Olivia Trujillo
Janett Zavala
Yesenia Martinez
Miguel Rivera
Gerardo Tinoco

Chairperson
Vice Chairperson
Planning Commissioner
Planning Commissioner
Planning Commissioner

STAFF:

Jake Raper
Shannon L. Chaffin
Cecilia Vela

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 Rivera _____ PC Martinez _____ VC Zavala _____ 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. CONSENT AGENDA ITEM(S)

A. Approval of the Minutes of the Special Meeting of October 30, 2017.

Staff recommends approval of the Minutes of the Special Meeting of October 30, 2017.

Motion _____ Second _____ Vote _____

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

4. PUBLIC HEARING(S)

A. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Approving Minor Modification of Condition No. LLA-1, Requiring a Lot Line Adjustment and Adding Condition No. G-10 Authorizing the Community Development Director, or Their Designee, Authority for Minor Modification To and Timing of Implementation of Conditions for the Previously Approved Site Plan Review SPR 2017-330BMB, Assessor Parcel Numbers: 190-130-14, -15, and -27 – Taco Bell and Retail Building.

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 Rivera _____ PC Martinez _____ VC Zavala _____ Chair Trujillo _____

5. REPORTS FROM STAFF

6. PLANNING COMMISSIONER COMMENTS

7. 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 72 hours prior to the meeting. Dated: December 07, 2017.

A handwritten signature in blue ink, appearing to read "Cecilia Vela", with a long horizontal flourish extending to the right.

Cecilia Vela, Secretary

**SPECIAL MEETING MINUTES
ARVIN PLANNING COMMISSION**

OCTOBER 30, 2017

CALL TO ORDER @ 6:00PM

PLEDGE OF ALLEGIANCE

ROLL CALL: All present.

1. Approval of Agenda As To Form.

Motion to approve the agenda with the following change:

- **Agenda Item 4B to be considered after 3A and prior to Item 4A.**

Motion VC Zavala Second PC Tinoco Vote 5-0

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.

NONE

3. CONSENT AGENDA ITEM(S)

- A. Approval of the Minutes of the Special Meeting of June 22, 2017.**

Staff recommends approval of the Minutes of the Special Meeting of June 22, 2017.

Motion to approve the Minutes of the Special Meeting of June 22, 2017.

Motion VC Zavala Second PC Rivera Vote 5-0

4. PUBLIC HEARING(S)

- A. Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending Adoption of the Proposed Text Amendment to Title 17-Zoning, Chapter 17.46 Oil and Gas Production - Repealing Existing Chapter and Adoption of Chapter 17.46 – Text Amendment 2017-04, Oil and Gas Production Regulation of Petroleum Facilities and Recommending Adoption of Categorical Exemption under CEQA Section 15308 – Actions by Regulatory Agencies For Protection of Natural Resources.**

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

Above Public Hearing Item 4A considered after Public Hearing Item 4B.

Hearing opened.

Public Testimony: 2 members of the public spoke in favor of the Resolution.

Hearing closed.

Motion to approve the Resolution including the errata and revisions as provided.

Motion VC Zavala Second PC Tinoco Vote 5-0

Resolution No. APC 2017-15

- B.** Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending Adoption of the Proposed Code Amendments 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 and to Adopt Notice of Exemption Per Section 15061 (B) (3).

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

Above Public Hearing Item 4B considered prior to Public Hearing Item 4A.

Hearing opened.

No public testimony.

Hearing closed.

Motion to approve the Resolution.

Motion PC Rivera Second Chair Trujillo Vote 5-0

Resolution No. APC 2017-16

- C.** Public Hearing to Consider and Approve A Resolution of the Planning Commission of the City of Arvin Recommending Adoption of the Proposed Ordinance of the City Council of the City Of Arvin Adopting Chapter 17.62 of Title 17 of the Arvin Municipal Code Pertaining To Commercial Medical and Recreational Cannabis Activity, and Initiation Thereof.

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

Hearing opened.

Public Testimony:

Two (2) member of the public spoke in favor of the Ordinance.

Two (2) members of the public spoke in opposition of the Ordinance.

Hearing closed.

Motion to approve the Resolution.

Motion VC Zavala Second PC Tinoco Vote 4-1 (PC Rivera voted No.)

Resolution No. APC 2017-17

5. REPORTS FROM STAFF

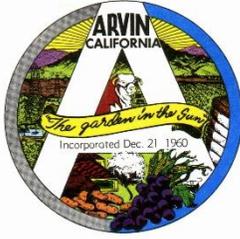
6. PLANNING COMMISSIONER COMMENTS

7. ADJOURNED @ 6:59PM

Respectfully submitted,

Cecilia Vela, Secretary

DRAFT



**CITY OF ARVIN
Agenda Report**

Meeting Date: December 12, 2017

TO: Planning Commission

FROM: Jake Raper, City Planner

SUBJECT: Minor Modification of Condition No. LLA-1, Requiring a Lot Line Adjustment and Adding Condition No. G-10 Authorizing the Community Director Authority for Minor Modification To and Timing of Implementation of Conditions for the previously approved Site Plan Review SPR 2017-330BMB – Taco Bell and Retail Structures – 330 Bear Mountain Blvd. – Raji Brar, Representative for Jhaj & Brar Investment Inc., 21959 Hwy 46, Lost Hills, CA 93249.

RECOMMENDATION

Motion to Approve Resolution of the City of Arvin Planning Commission Approving Minor Modification of Condition No. LLA-1, Requiring a Lot Line Adjustment and Adding Condition No. G-10 Authorizing the Community Director Authority for Minor Modification To and Timing of Implementation of Conditions for the previously approved Site Plan Review SPR 2017-330BMB Assessor Parcel Numbers: 190-130-14, -15, and -27.

I. BACKGROUND

Site Plan Review 2017- 30: The Planning Commission on June 22, 2017 conditionally approved site plan application for 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 Taco Bell construction and opening date as expressed by the applicants is required on or before December 15, 2017. The Taco Bell building is under construction and site improvements are being implemented.

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. The applicant wishes to explore alternative methods in achieving the intent of the condition which would accommodate common

ingress and egress, shared maintenance of improvements, liability, etc. Attached as Attachment 2 APC Resolution 2017-11 dated June 22, 2017.

Proposed Minor Modification and Addition recommended by Staff:

Addition of Minor Modification Condition G-10:

G-10. Community Development Director is authorized to consider and approve or conditionally approve minor modifications to conditions of approval and timing of implementation of conditions where it is found that such modifications and adjustment in timing of implementation of conditions do not nullify the intent of the conditions established d by the Planning Commission.

Minor Modification of Condition LLA-1:

LLA – 1. A Lot Line adjustment shall be required prior to the issuance of a Certificate of Occupancy combining the four lots into one **or an alternate documents to be approved by the City Attorney that will achieve common ingress and egress, continued maintenance of improvments, a covenant restricting the land area utilized for common parking in peratituty; and appropriate easements are established. Applicant shall off-set all costs related to the creation, review and recording of the document as approved by the City Attorney.**

II. PUBLIC NOTIFICATION AND CONSULTATION:

The City properly noticed the November 27, 2017 hearing before the Planning Commission for the proposed Addition of and Modification of Condition for Site Plan Review 2017-330BMB, Taco Bell and Retail Building, pursuant to Government Code sections 65090 and 65091 by publication in the newspaper, Attachment 1. Planning Commission quorum was not achieved; therefore, the public hearing was automatically rescheduled for the next regular Planning Commission meeting of December 12, 2017.

EXHIBITS AND ATTACHMENTS

Resolution - Resolution of the City of Arvin Planning Commission Approving Minor Modification of Condition No. LLA-1, Requiring a Lot Line Adjustment and Adding Condition No. G-10 Authorizing the Community Director Authority for Minor Modification To and Timing of Implementation of Conditions for the previously approved Site Plan Review SPR 2017-330BMB Assessor Parcel Numbers: 190-130-14, -15, and -27.

Attachment 1 – Public Hearing Notice

Attachment 2 – PC Resolution No. 2017-11 dated June 22, 2017

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ARVIN PLANNING COMMISSION APPROVING MINOR MODIFICATION OF CONDITION NO. LLA-1, REQUIRING A LOT LINE ADJUSTMENT AND ADDING CONDITION NO. G-10 AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR, OR THEIR DESIGNEE, AUTHORITY FOR MINOR MODIFICATION TO AND TIMING OF IMPLEMENTATION OF CONDITIONS FOR THE PREVIOUSLY APPROVED SITE PLAN REVIEW SPR 2017-330BMB, ASSESSOR PARCEL NUMBERS: 190-130-14, -15, AND -27, TACO BELL AND RETAIL BUILDING.

WHEREAS, the Planning Commission scheduled a public hearing on November 27, 2017, and

WHEREAS, Planning Commission quorum was not achieved; therefore, the public hearing was automatically rescheduled for the next regular Planning Commission meeting of December 12, 2017, and

WHEREAS, the Planning Commission provided opportunity for public testimony, received staff recommendation, public testimony and other evidence at the December 12, 2017 meeting; and

WHEREAS, public notice for the public hearing was published in the Arvin Tiller Newspaper on November 15, 2017; 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 Modification of Condition No. LLA-1 Lot Line Adjustment and Adding Condition No. G-10 Authorizing the Community Development Director, or their designee, authority to consider Minor Modifications to Established Conditions; and
3. The project to follow all applicable laws and ordinances;
4. The project to follow all applicable city policies duly adopted by a majority vote of the planning commission or the city council;
5. The minor modification of and addition to the previously established conditions are not significant in nature and does not affect the previous actions of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Arvin does find:

1. Notice has been given in the time and in the manner required by State Law and City Code.
2. The project shall be subject to Conditions of Approval contained in Exhibit B as established by Resolution No. 2017-11 dated June 22, 2017 and as modified herein.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a regular meeting thereof held on the 12th day of December 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.

Addition to and Minor Modification of Conditions of Approval
December 12, 2017
Established on June 22, 2017 by Resolution No. APC 2017-11 dated June 22, 2017
Site Plan Review 330BMB
Taco Bell and Retail Building

Site Plan Review 2017- 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. APC Resolution No. 2017-11 dated June 22, 2017 established conditions of approval.

Addition of Minor Modification Condition G-10:

G-10. Community Development Director is authorized to consider and approve or conditionally approve minor modifications to conditions of approval and timing of implementation of conditions where it is found that such modifications and adjustment in timing of implementation of conditions do not nullify the intent of the conditions established d by the Planning Commission.

Minor Modification of Condition LLA-1:

LLA – 1. A Lot Line adjustment shall be required prior to the issuance of a Certificate of Occupancy combining the four lots into one **or an alternate documents to be approved by the City Attorney that will achieve common ingress and egress, continued maintenance of improvments, a covenant restricting the land area utilized for common parking in peratituty; and appropriate easements are established. Applicant shall off-set all costs related to the creation, review and recording of the document as approved by the City Attorney.**

NOTICE OF PUBLIC HEARING
Site Plan Review 2017-330BMB
Condition Amendments and Additions
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:

- Condition Amendments and Additions for Site Plan Review (SPR) No. 2017-330BMB. Approved on June 22, 2017 – Resolution No. APC 2017-11 for the development of a 2,070 square foot Quick Serve Restaurant (Taco Bell) and a 6,429 square foot commercial retail building.

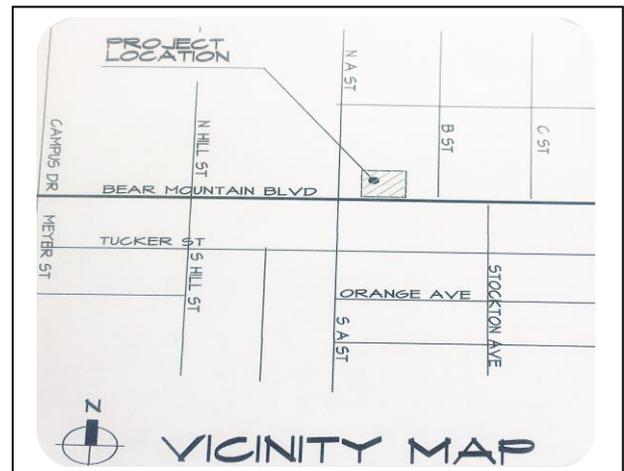
Arvin Special Planning Commission Hearing Information

Date: **November 27, 2017**

Time: 6:00 PM or as the Agenda permits

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

Site Plan Review (SPR) No. 2017-330BMB previously approved with conditions 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 is requesting modification of certain condition(s) and Staff is proposing additional condition for the project. Additional information on the proposed amendments and addition of conditions 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 Cecilia Vela, City Clerk, City of Arvin, 200 Campus Drive, Arvin, CA 93203, (661) 854-3134, cvela@arvin.org.

Cecilia Vela, City Clerk
Published: November 15, 2017, Arvin Tiller

RESOLUTION NO. APC 2017-11

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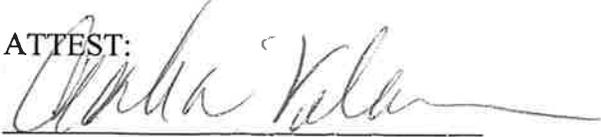
I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 22nd day of June 2017 by the following vote:

AYES: PC Rivera, PC Martinez, VC Zavala, Chair Trujillo

NOES: _____

ABSTAIN: _____

ABSENT: PC Tinoco

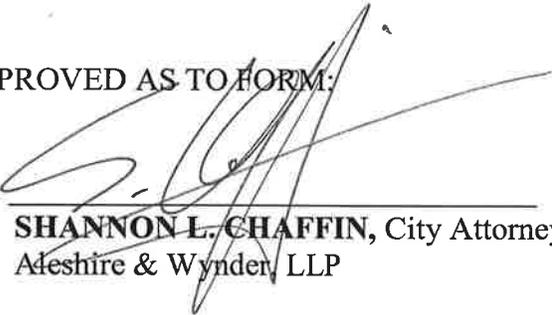
ATTEST:


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 repair all pot holes along the alley way between A Street and B Street to the satisfaction of the City Engineer.

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 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 - 3 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.

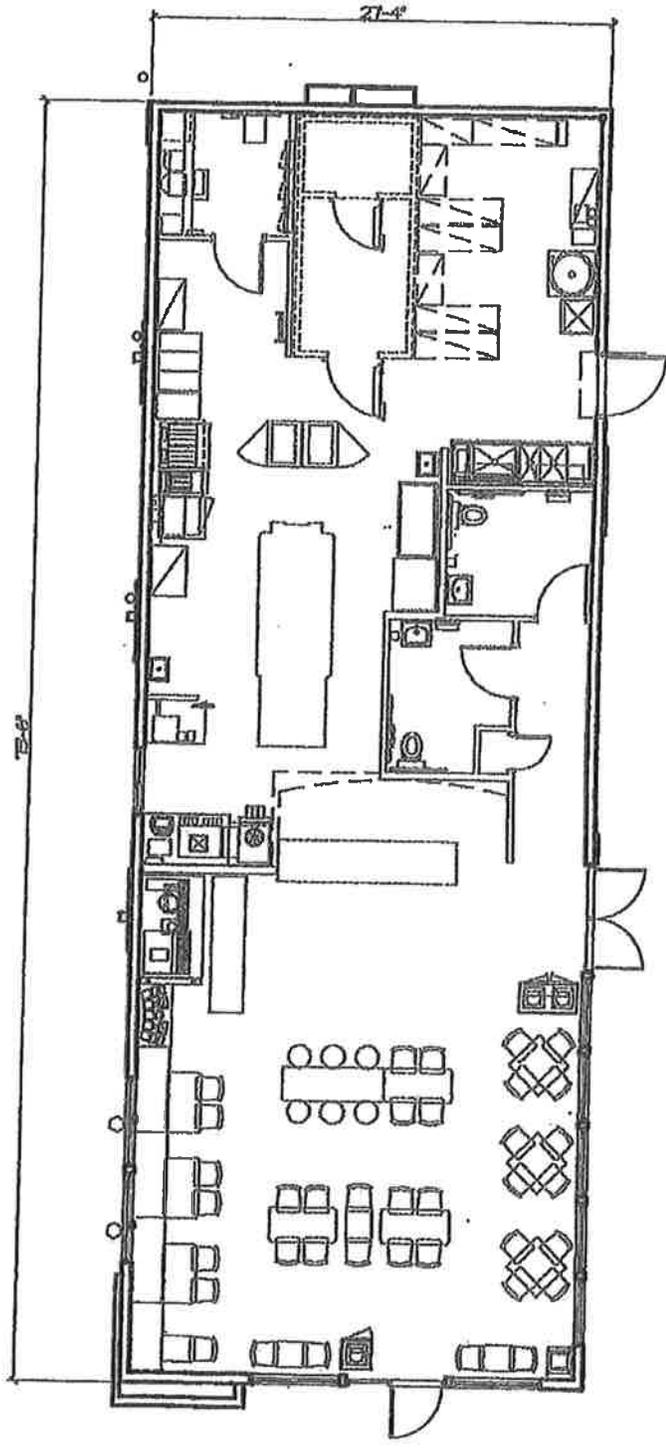
CHR-2 If during the course of project-related activities, unknown archaeological or cultural resources are discovered, work shall be stopped in the immediate vicinity. A qualified archaeologist shall be contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the 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

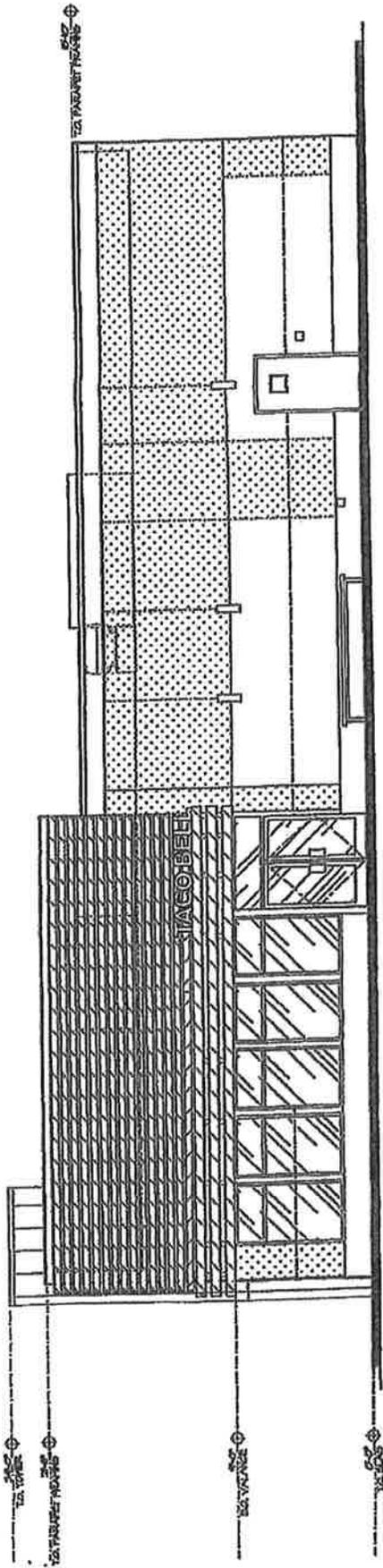
In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date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

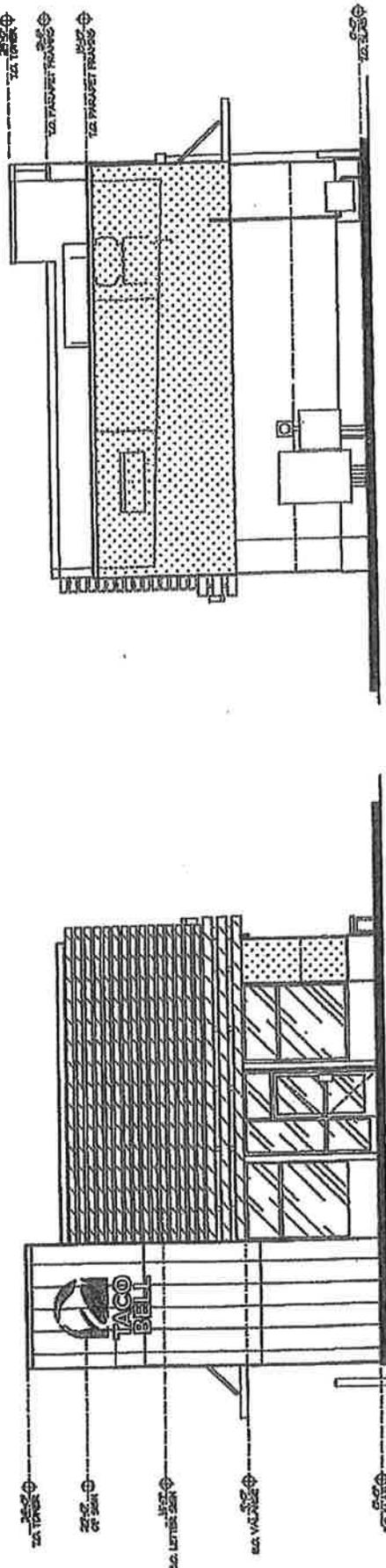
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TACO BELL FLOOR PLAN



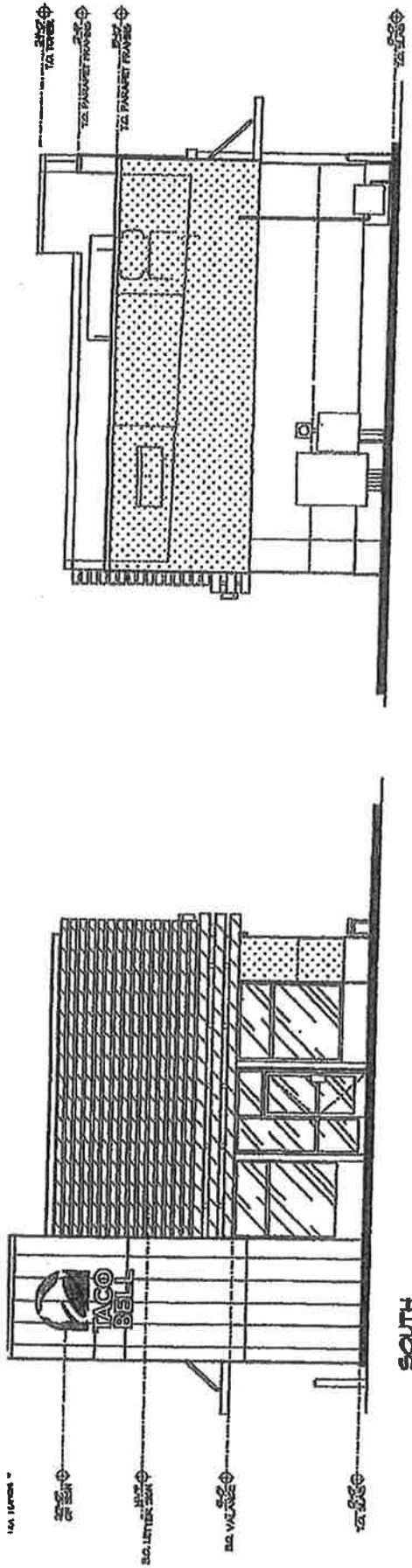
EAST



SOUTH

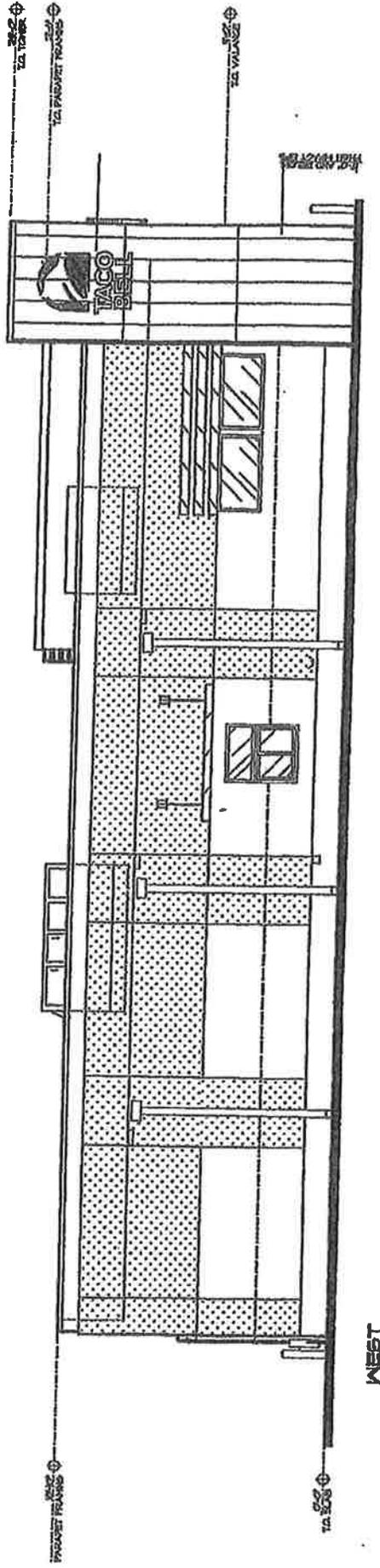
NORTH

TACO BELL ELEVATIONS 1 OF 2



SOUTH

NORTH



WEST

EXTERIOR ELEVATIONS

TACO BELL ELEVATION 1

ZOF 2



PAUL D'AMICO ARCHITECT



CONSULTANT

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PROJECT

BEAR MOUNTAIN BLVD RETAIL

330 BEAR MOUNTAIN BLVD
MARIETTA, INDIANA

DATE: 10/15/18
BY: [Signature]

TITLE: [Blank]

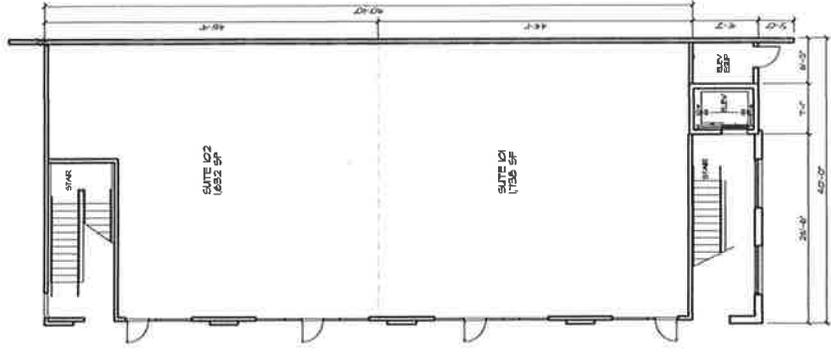
NO. EXTENSIONS

REVISIONS

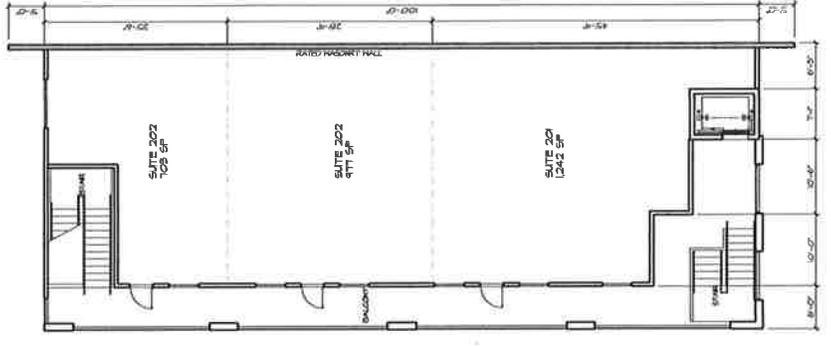
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SHEET

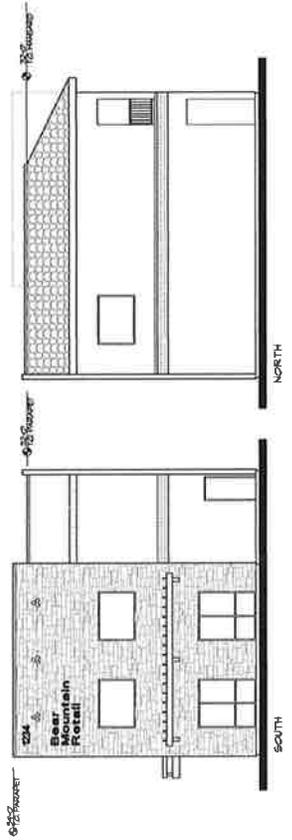
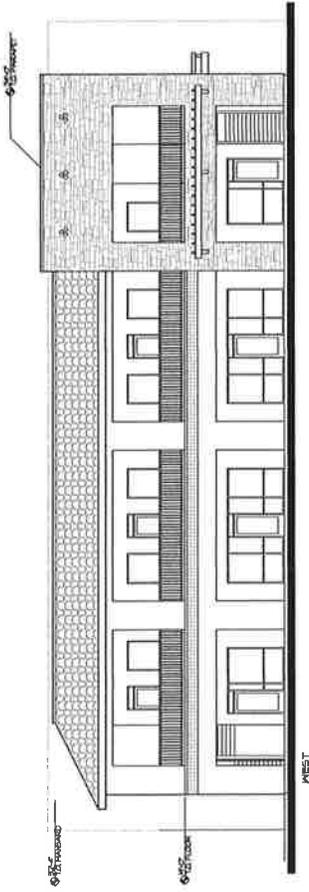
SPR-20



FIRST FLOOR PLAN 1/8"



SECOND FLOOR PLAN 1/8"



EXTERIOR ELEVATIONS 1/8"



330 Bear Mountain Blvd

PROJECT ANALYSIS

PROPERTY ADDRESS:
ASSESSORS PARCEL NUMBER:

330 BEAR MOUNTAIN BLVD
190-130-15

ZONE:

C-2

SITE AREA:

NET AREA - 33,033 SF

BUILDING AREA:

TACO BELL (FAST FOOD):
TWO STORY RETAIL/OFFICE:
 FIRST FLOOR: 3,495 SF
 SECOND FLOOR: 2,934 SF

2,070 SF
6,429 SF

TOTALS:

8,499 SF

PROPOSED:

V-B

OCCUPANCY

PROPOSED:	B/M (BUSINESS/MERCANTILE)		
PROPOSED USE	USABLE AREA	RATIO	PARKING
TACO BELL (FAST FOOD):	2,070 SF	(1/100)	21 SPACES
HIGH EMPLOYEE SHIFT FOR TACO BELL	7 EMPLOYEES		7 SPACES
TWO STORY RETAIL/OFFICE:	6,429 SF	(1/250)	26 SPACES
			<hr/>
			54 SPACES
PARKING PROVIDED			
STANDARD 9'x18' SPACES:			28 SPACES
COMPACT 7'-6"x15' SPACES:			8 SPACES
ACCESSIBLE STALLS:			4 SPACES
DRIVE THRU:			4 SPACES
<hr/>			
TOTALS:			44 SPACES

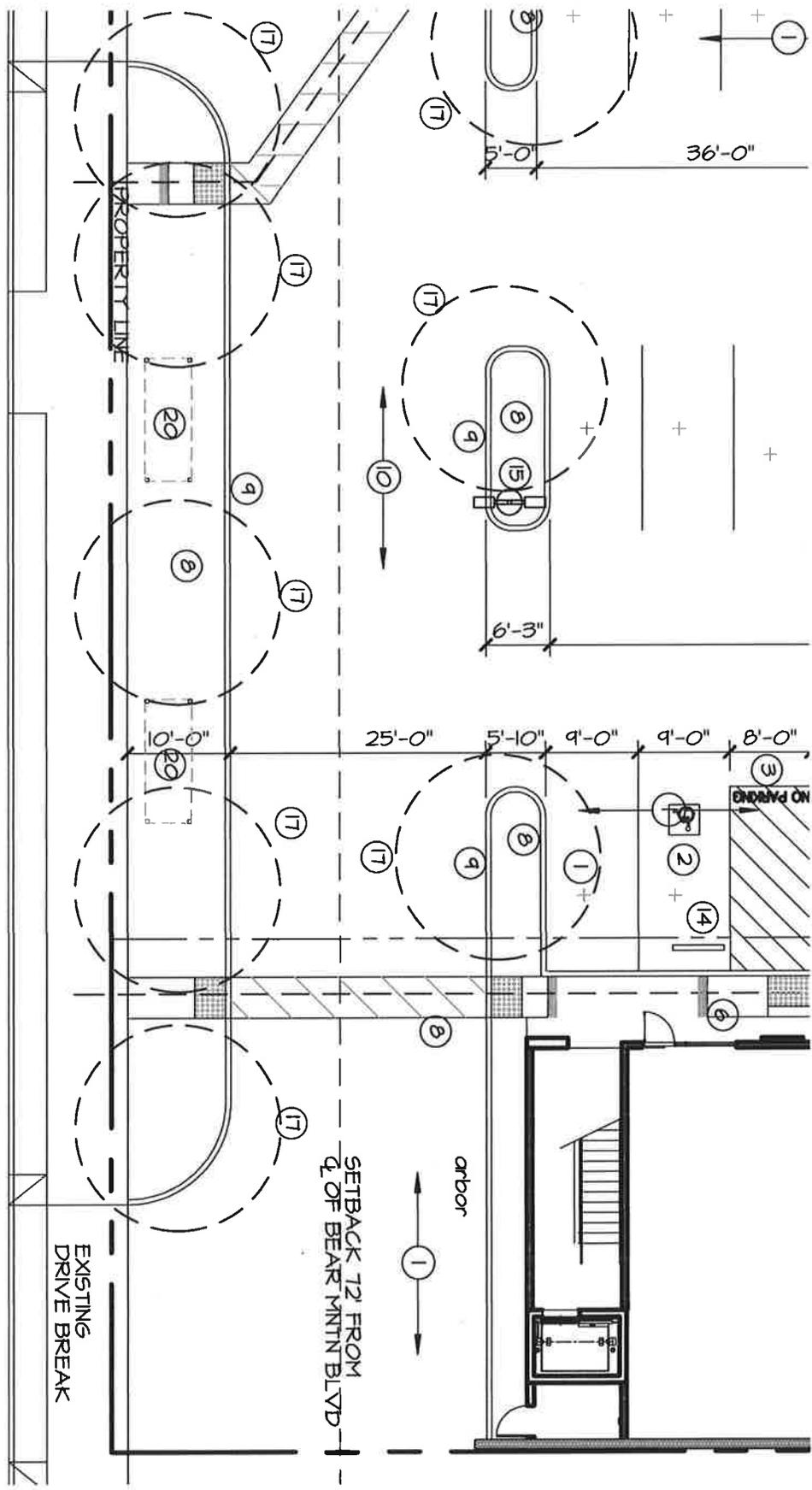
KEYNOTES

① 21' WIDE x 10' DEEP PARKING STALL PER CITY STANDARDS

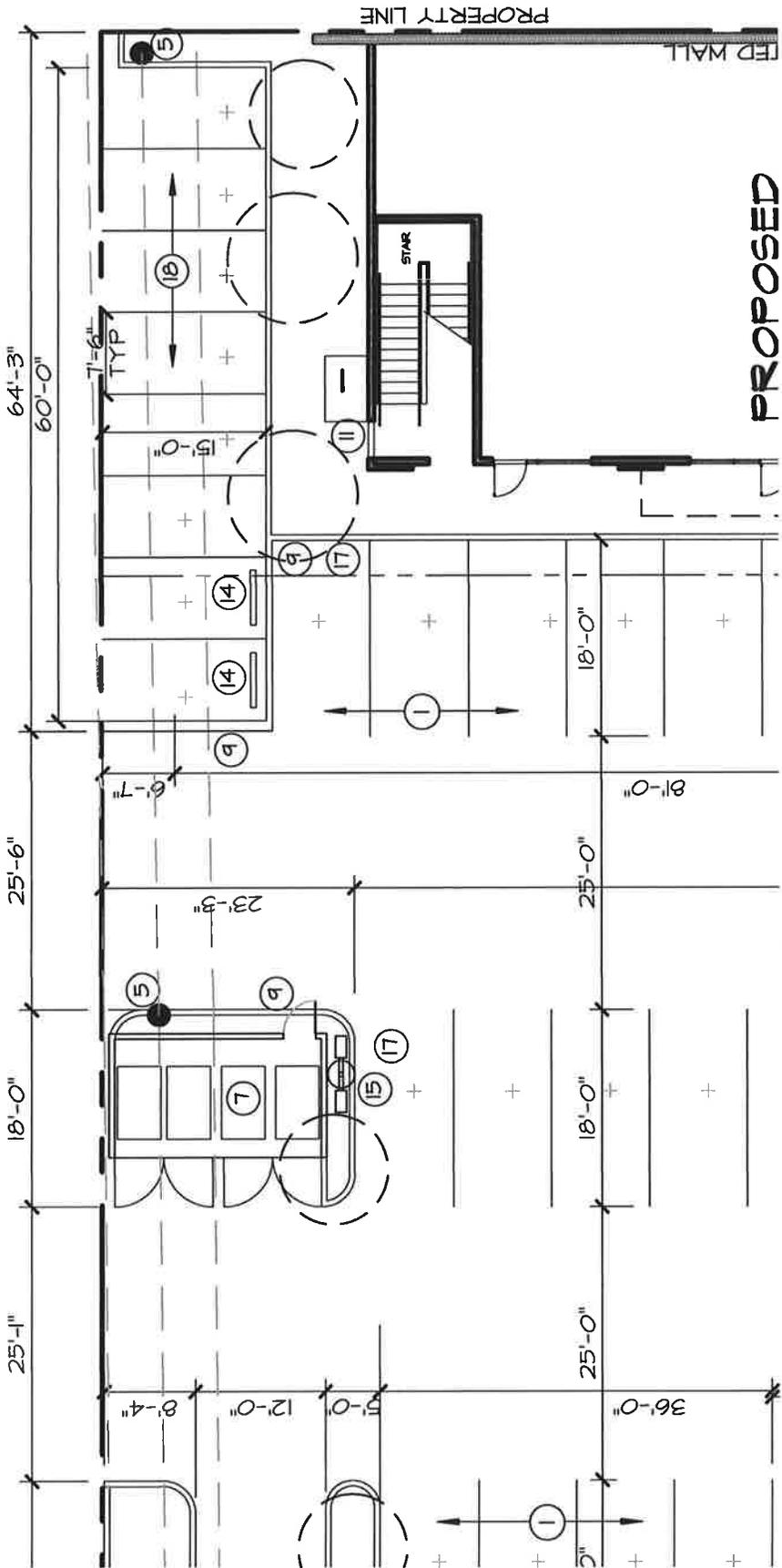
KEYNOTES

- ① 9'-0" WIDE x 19'-0" DEEP PARKING STALL PER CITY STANDARDS
- ② 9'-0" x 18'-0" HANDICAP PARKING STALL WITH 3'-0" x 3'-0" PAINTED STALL SIGN AND TO SQ IN POLE MOUNTED PARKING SIGN DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY WITH AN ADDITIONAL SIGN OR LANGUAGE STATING "MINIMUM FINE \$250.00" INCLUDE SIGN MOUNTED BELOW STATING "VAN ACCESSIBLE" WHERE APPROPRIATE PER CBC SECTION 1129B-80" MINIMUM HEIGHT TO THE BOTTOM OF ALL POLE SIGNS
- ③ 8'-0" WIDE HANDICAP ACCESS AISLE FOR VAN ACCESS WITH THE WORDS "NO PARKING" IN 12" HIGH CONTRASTING LETTERS- SLOPE NOT TO EXCEED 1/4 :12
- ④ 4'-0" WIDE HANDICAP ACCESSIBLE CURB RAMP- SLOPE SHALL NOT EXCEED 1:20 WITH 4'-0" MINIMUM LANDING AT TOP AND 1'-0" BORDER OF 1/4" WARNING GROOVES AT TOP PER CBC STANDARDS- PROVIDE RAISED TRUNCATED DOME TILES FOR THE FULL WIDTH OF BOTTOM LANDING PER CITY STANDARDS
- ⑤ EXISTING POWER POLE TO REMAIN
- ⑥ CONCRETE WALK WITH SLOPE NOT TO EXCEED 1 :20 - CROSS SLOPE NOT TO EXCEED 1/4 :12
- ⑦ COVERED TRASH ENCLOSURE WITH CONCRETE APRON PER CITY STANDARDS
- ⑧ LANDSCAPE AREA
- ⑨ 6" CONC CURB
- ⑩ ASPHALT PAVING PER CITY REQUIREMENTS
- ⑪ SHORT TERM 34" HIGH x 24" WIDE INVERTED U-STYLE LOOP BICYCLE PARKING RACKS WITH LOCATIONS FOR (2) BIKES MINIMUM (5 PERCENT) TO BE PARKED AT ONE TIME ON 3 1/2" THICK

- ✓ SLOPE NOT TO EXCEED 1/4 :12
- ⑦ COVERED TRASH ENCLOSURE WITH CONCRETE APRON PER CITY STANDARDS
- ⑧ LANDSCAPE AREA
- ⑨ 6" CONC CURB
- ⑩ ASPHALT PAVING PER CITY REQUIREMENTS
- ⑪ SHORT TERM 34" HIGH x 24" WIDE INVERTED U-STYLE LOOP BICYCLE PARKING RACKS WITH LOCATIONS FOR (2) BIKES MINIMUM (5 PERCENT) TO BE PARKED AT ONE TIME ON 3 1/2" THICK CONCRETE PAD- SEE SITE PLAN FOR DIMENSIONS (PER CGBSC DIVISION 5.106.4.1)
- ⑫ LONG TERM STORAGE LOCKER FOR (2) BIKES MINIMUM (5 PERCENT) TO BE PARKED AT ONE TIME ON 3 1/2" THICK CONCRETE PAD- SEE SITE PLAN FOR DIMENSIONS (PER CGBSC DIVISION 5.106.4.1)
- ⑬ "CLEAN AIR/VANPOOL/EV" DESIGNATED PARKING
- ⑭ CONCRETE WHEEL STOP
- ⑮ POLE MOUNTED LIGHT FIXTURE
- ⑯ PATH OF TRAVEL TO PUBLIC RIGHT OF WAY
- ⑰ PROPOSED TREE LOCATIONS
- ⑱ COMPACT PARKING
- ⑲ PROPOSED TRANSFORMER LOCATION
- ⑳ PROPOSED WOOD FRAMED ARBOR



ALLEY



PROPOSED

PROPERTY LINE

FED WALL

STAR

TYP

64'-3"
60'-0"

25'-6"

18'-0"

25'-1"

6'-7"

23'-5"

8'-4"

12'-0"

5'-0"

18'-0"

25'-0"

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**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

City of Arvin

Printed Name

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:

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:

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

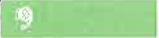
X

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
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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.

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:

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

- 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
--------------------------------	--	------------------------------	-----------

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 t Impact	No Impact
--	--------------------------------	--	--------------------------------	-----------

- 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 t Impact	No Impact
--	--------------------------------	--	--------------------------------	-----------

- 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
--------------------------------------	--	------------------------------------	--------------

- 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
--------------------------------------	--	------------------------------------	--------------

- 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
--------------------------------------	--	------------------------------------	--------------

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

<u>EXHIBITS, FIGURES ATTACHMENTS</u>		
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
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Figure 5	Active Faults	20
Figure 6	Location of Schools and Parks – Excerpt General Plan Environmental Assessment	21
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FALL DRUMS ARCHITECT



CONSULTANT

PROJECT

PROJECT

BEAR MOUNTAIN BLVD RETAIL

137 BEAR MOUNTAIN BLVD
ATLANTA, GEORGIA

DATE ISSUED FOR
NO. 137 BEAR MOUNTAIN BLVD

PROJECT ANALYSIS
PROPERTY ADDRESS
ADDRESS RANGE NUMBER
DATE

SITE AREA - TOTAL SQ FT
TOTAL SQ FT
TOTAL SQ FT
TOTAL SQ FT

CONSTRUCTION TYPE
FOUNDATION
ROOFING
WALLS
FLOORING

PROPOSED USE
PROPOSED NAME
PROPOSED ADDRESS
PROPOSED ZONING

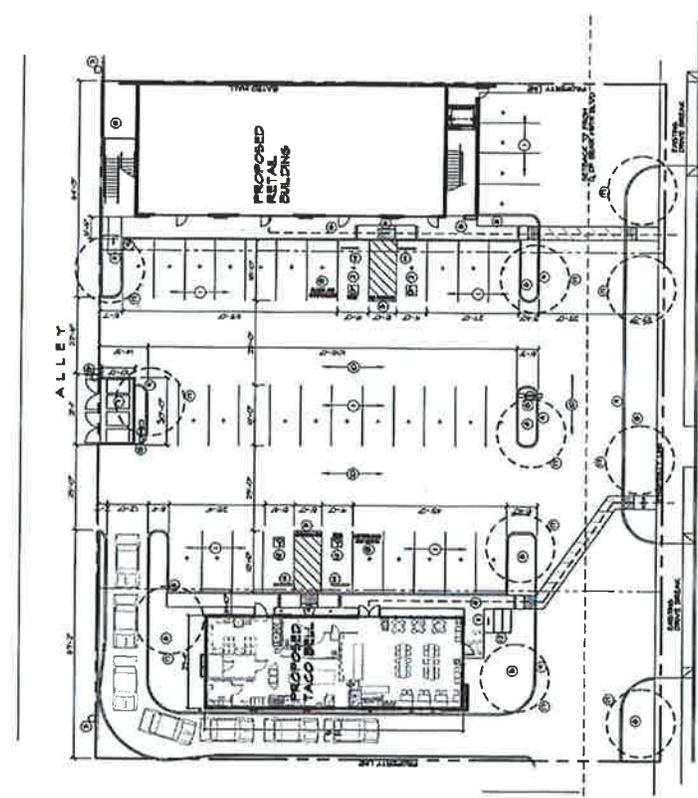
PROPOSED HEIGHT
PROPOSED AREA
PROPOSED PERCENTAGE
PROPOSED PERCENTAGE

NOTES

- 1. ALL NOTES ARE TO BE READ IN CONJUNCTION WITH THE CITY ORDINANCES...
2. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
3. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
4. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
5. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
6. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
7. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
8. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
9. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...
10. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ORDINANCES...



VICINITY MAP



SITE PLAN

1/8"

BEAR MOUNTAIN BLVD

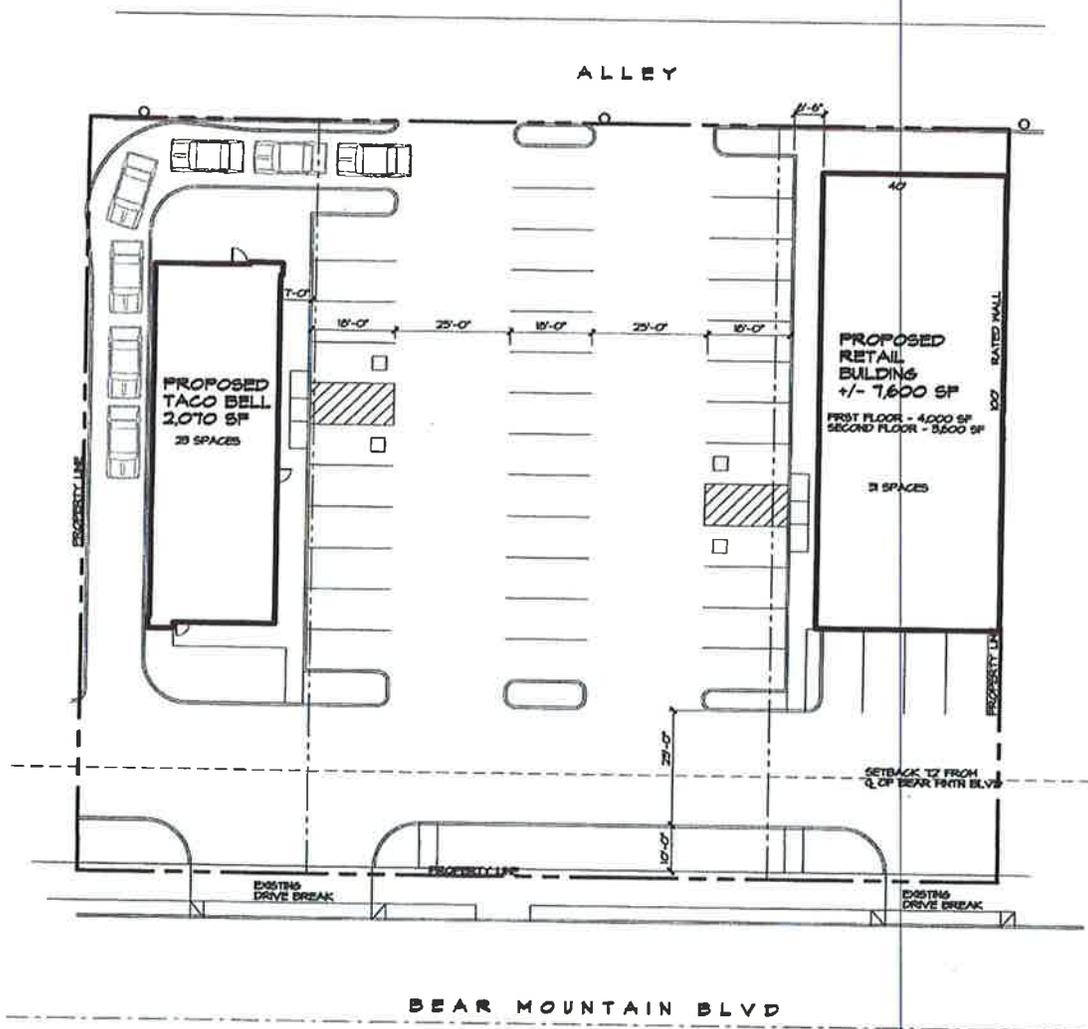
ALLEY

PROPOSED TACO BELL

PROPOSED METAL BUILDING

1 OF 7



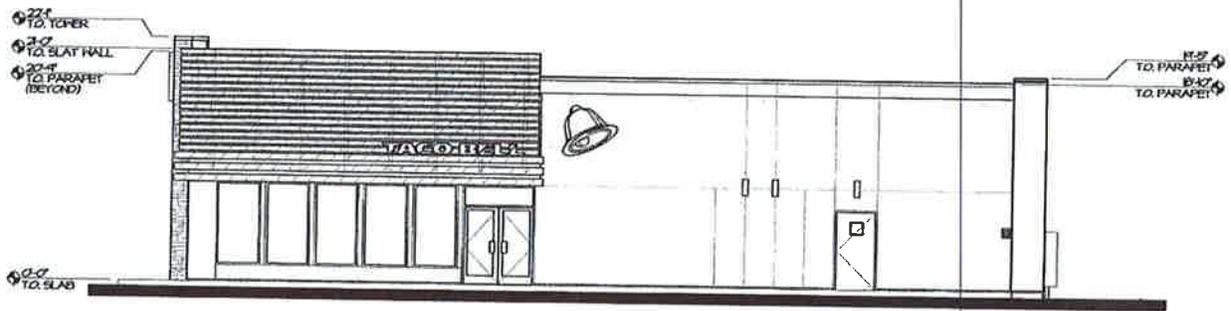


SCHEME 'B-2'
 FDA INC. 8-16

34 STALL REQUIRED
 34 STALL PROVIDED

BEAR MOUNTAIN BLVD

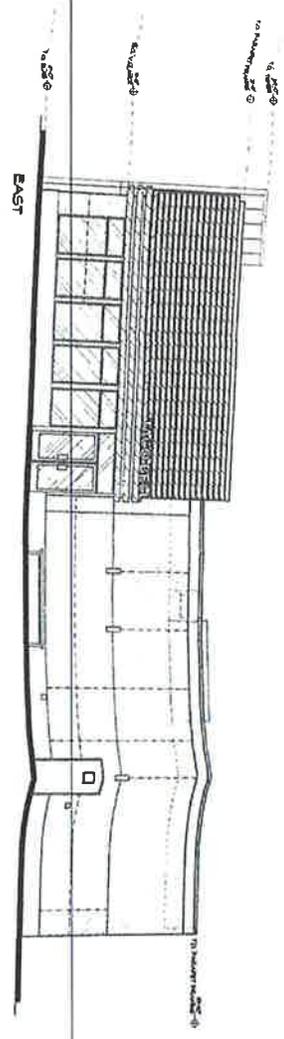
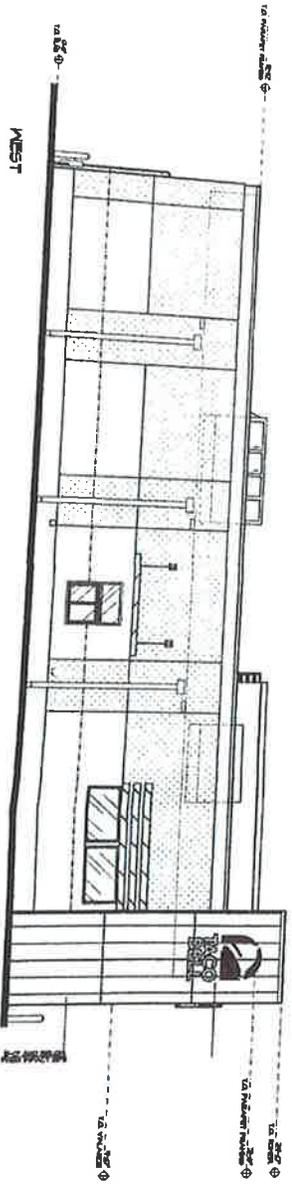
TACO BELL & OFFICE BLDG.
 SPR 2017-330 BMB



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

TACO BELL & OFFICE BLDG.
SPR 2017-330 BMB

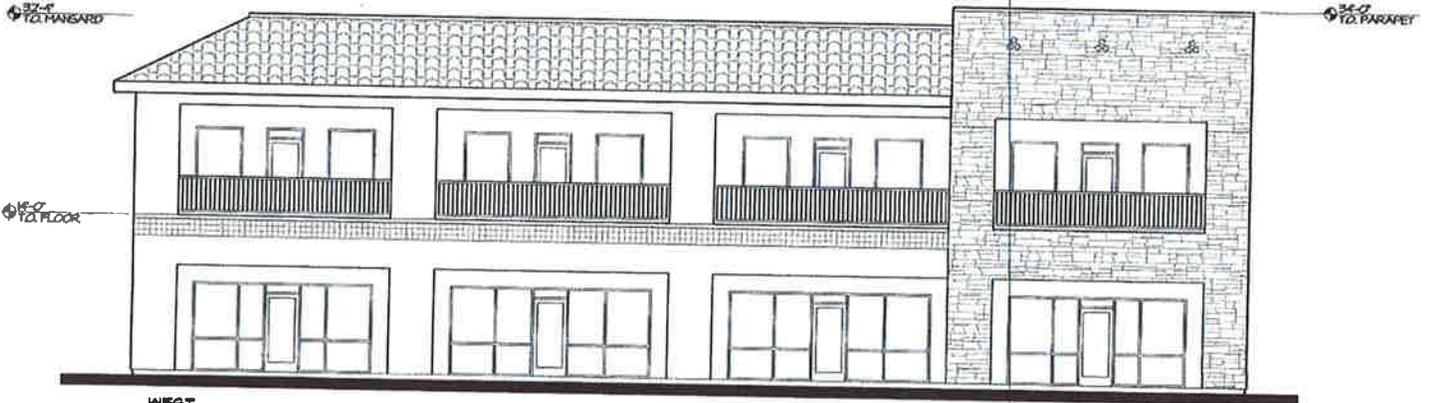
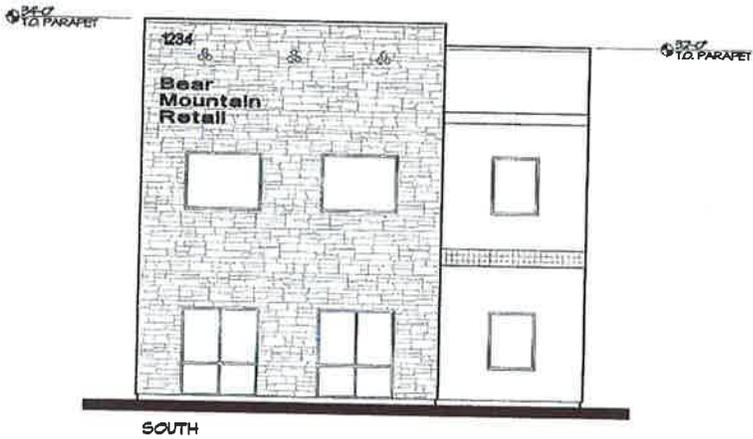
EXTERIOR ELEVATIONS



1/8"

4

4 OF 7



WEST
BEAR MOUNTAIN BLVD RETAIL
 PROPOSED EXTERIOR ELEVATION, SCHEME 'B'
 PDA INC. T-24-16

TACO BELL & OFFICE BLD.
 SPR 2017-330 BMB

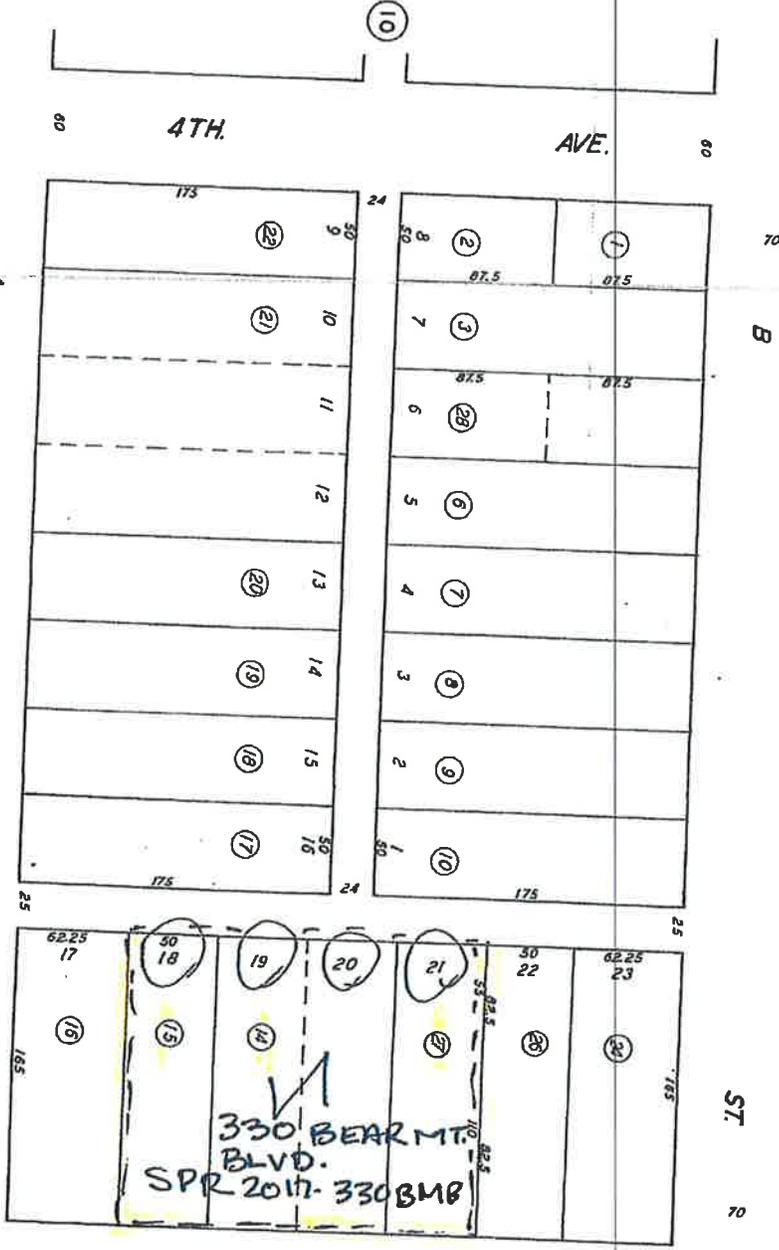
190-13

TOWNSITE OF ARVIN
BLOCK 7

SCHOOL DIST. 9-28

190-13

1" = 60'

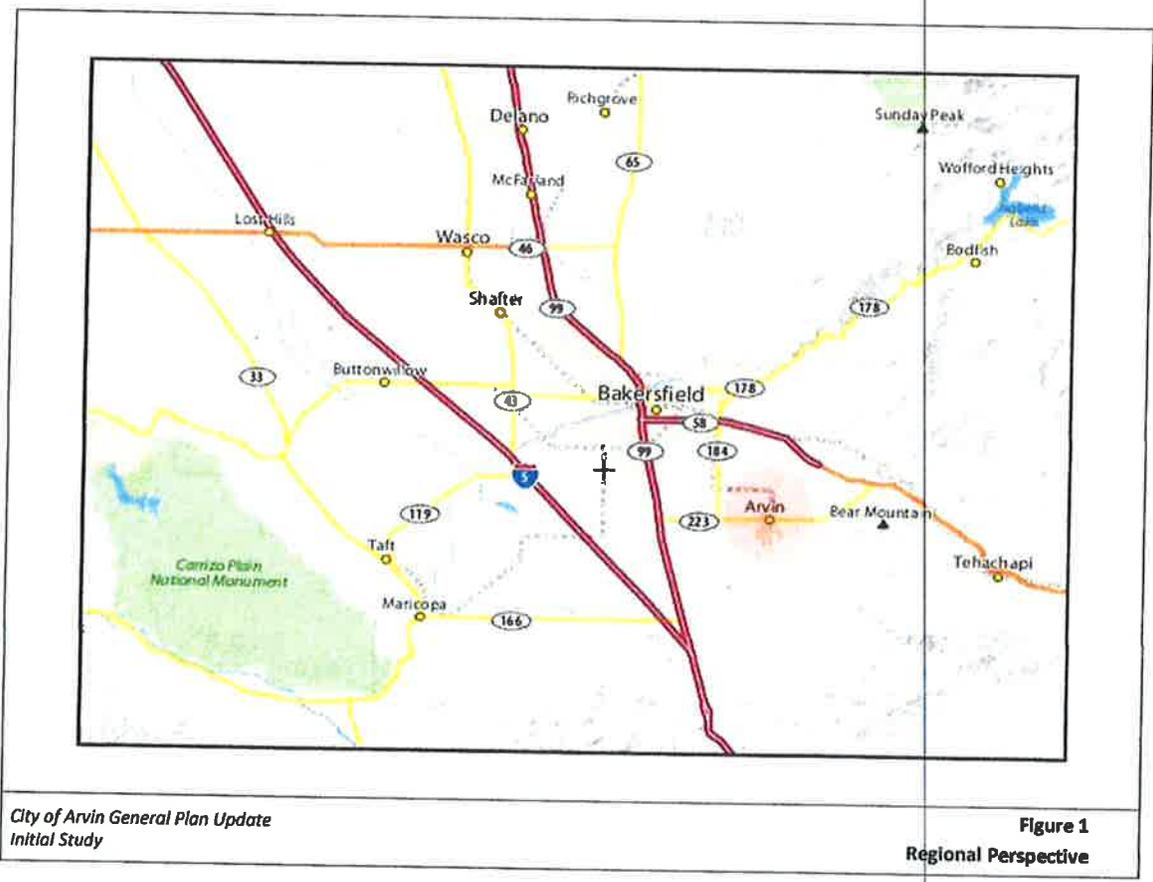


Note: This map is for assessment purposes only. It is not to be used for legal ownership or divisions of land for purposes of zoning or subdivision law.

Revised: 5/01/02

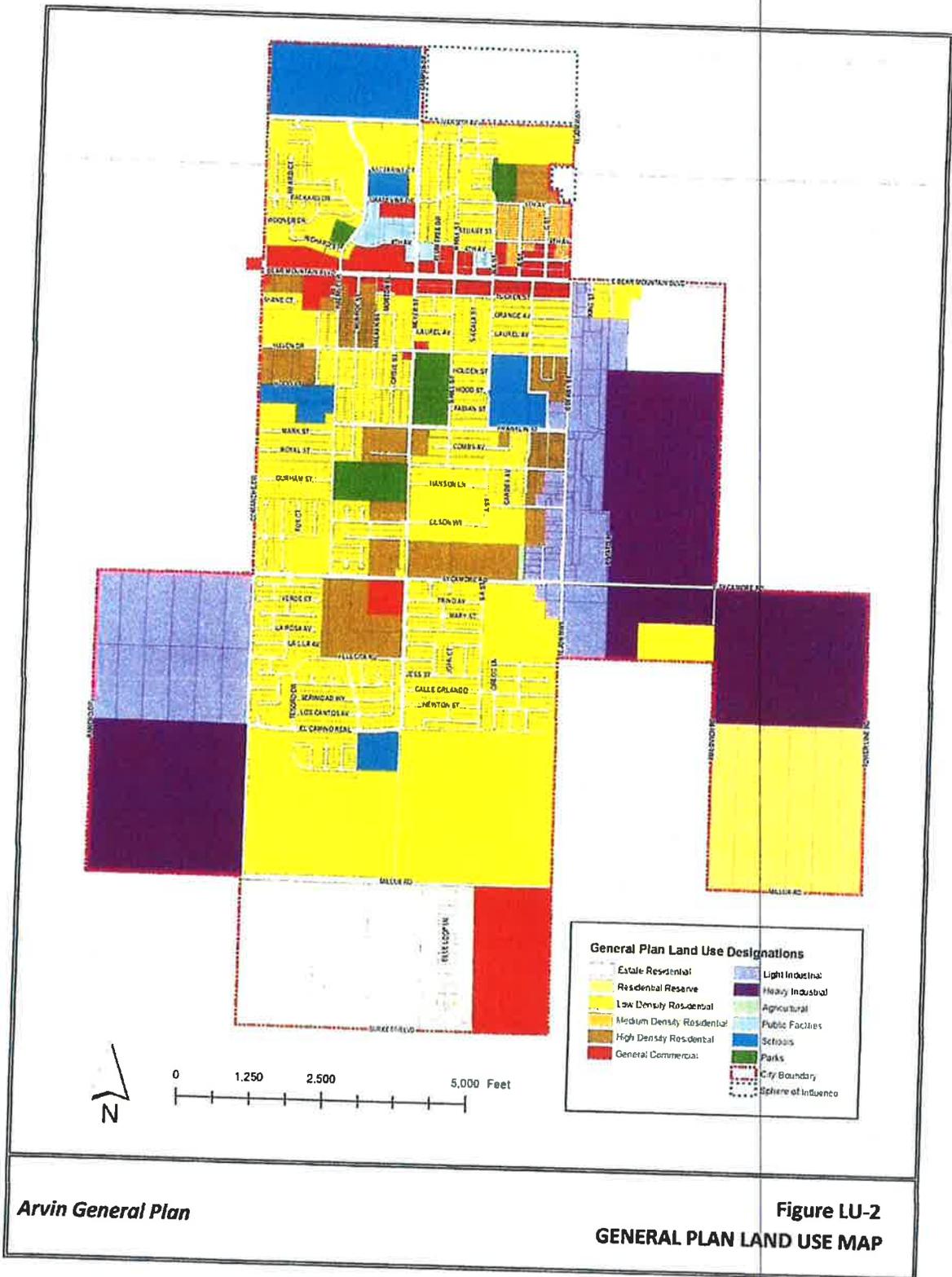
ASSESSORS MAP NO. 190-13





City of Arvin General Plan Update
Initial Study

Figure 1
Regional Perspective



Arvin General Plan

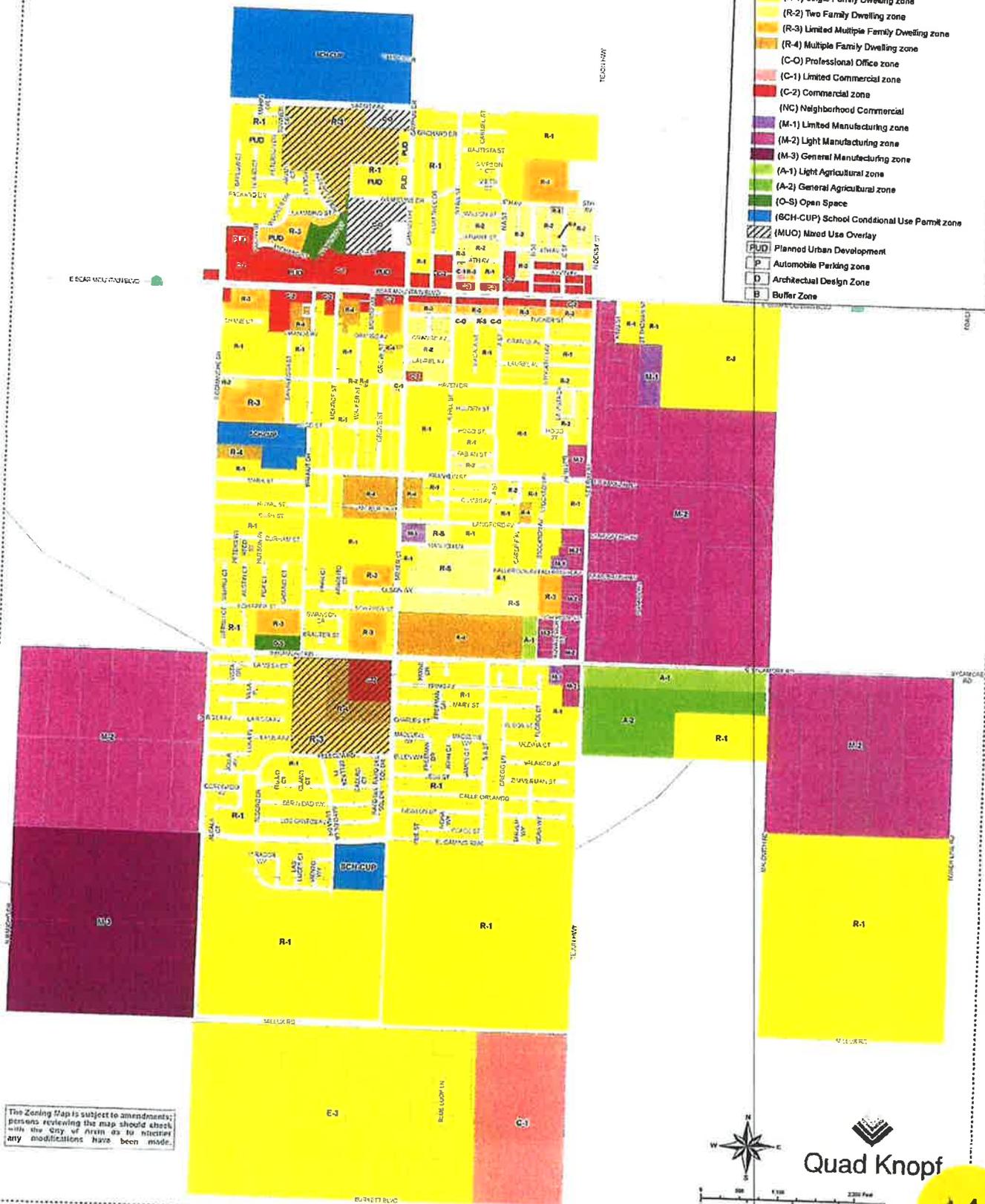
Figure LU-2
GENERAL PLAN LAND USE MAP

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 the map should check with the City of Arvin as to whether any modifications 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.

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Google Earth

feet
meters





APRIL 2017
L102 712DA
VIEW - SOUTH



APRIL 2017
VIEW - NORTH
EAST



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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: SPR 2017-330 Bear Mountain Boulevard Restaurant and Office Facility
330 Bear Mountain Boulevard, Arvin, CA
SE/4 of Section 23, 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 wells are located within or adjacent to APN 190-130-14, -15, or -27, which is within the SE/4 of Section 25, T31S, R29E. Please refer to the attached *Location Map*. The nearest wells are 1,000 feet to the south southwest 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.

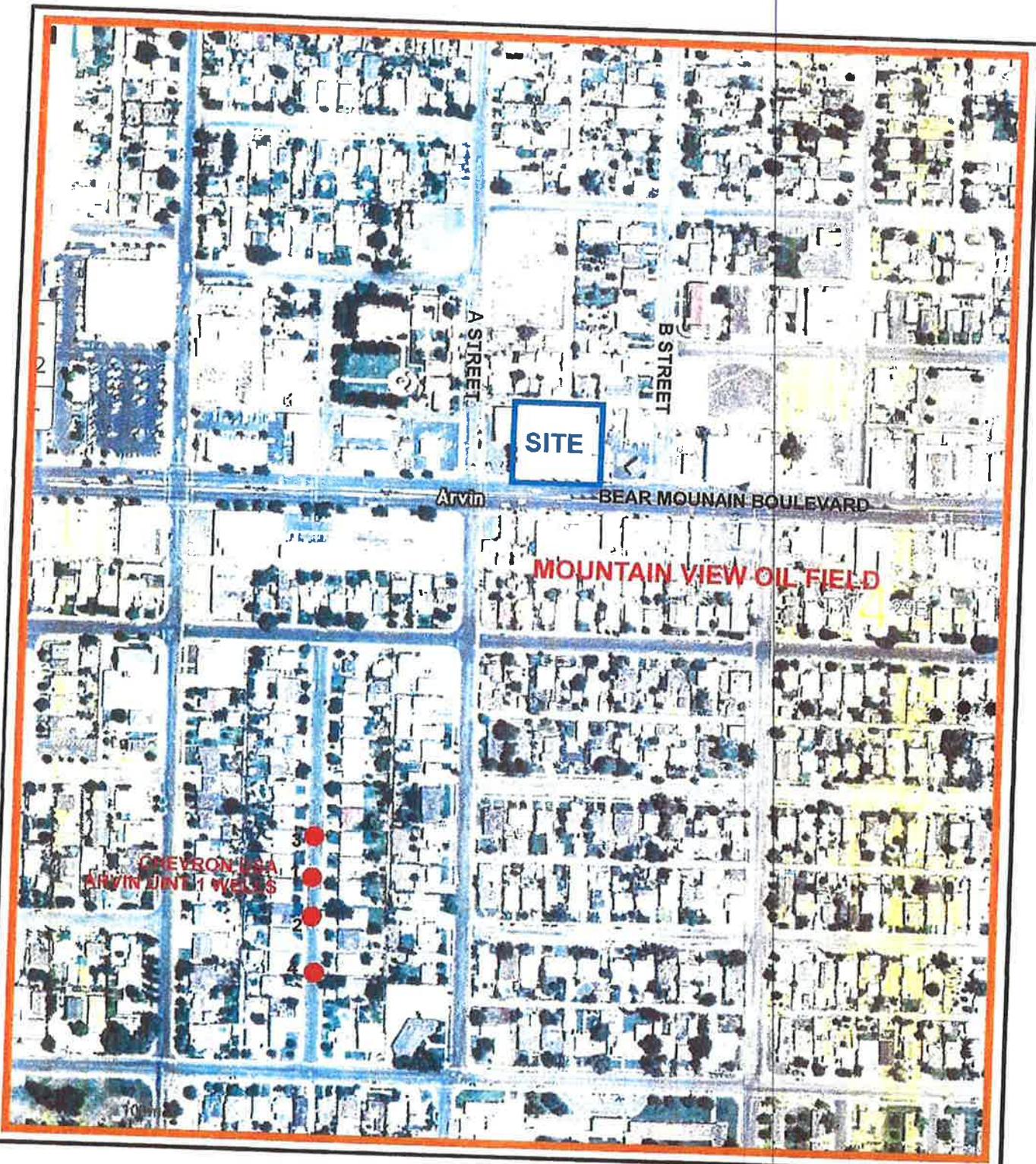
For additional information, please check the Division's website at:

http://www.conservation.ca.gov/dog/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



North



DOGGR Wellfinder
APL

SITE LOCATION MAP

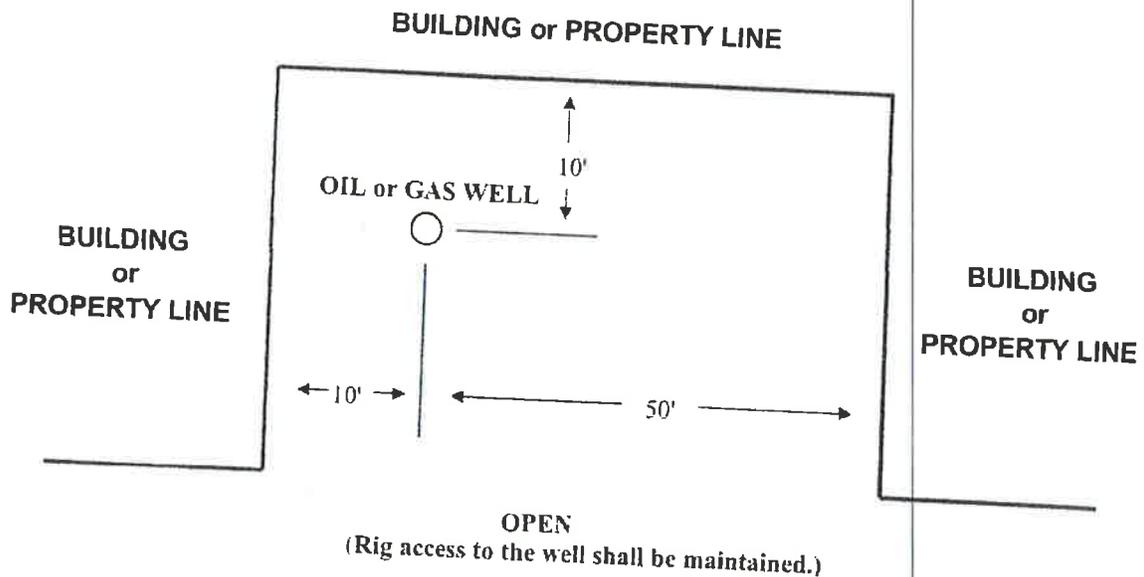
RAJI BRAR
330 BEAR MOUNTAIN BOULEVARD
RESTAURANT AND OFFICE FACILITY
SE/4 SECTION 23, T.31S., R.29E.
SPR 2017-330 REAR MOUNTAIN BOULEVARD
330 BEAR MOUNTAIN BOULEVARD
ARVIN, CA

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 4

•
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

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 studies. The proposed General Plan is consistent with forecast numbers prepared by KernCOG and the Regional Housing Element includes policies and programs to accommodate the projected growth. The proposed General Plan is consistent with the Regional Housing Needs Assessment. To further ensure that impacts are less than significant, the proposed policies of the General Plan are consistent with the principals of sustainable communities and SB 375 which aim to reduce greenhouse gas emissions through transportation and land use planning. The proposed policies are consistent with the 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:

ATT #1 AIR Q

- 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 (GANAQI).

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 (NOx), Oxides of Sulfur (SOx) 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 AJVAPCD.

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.

**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

MARY B. BEDARD
 AUDITOR CONTROLLER COUNTY CLERK
 DES 2017

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

Notice of Environmental Document
 Posted by County Clerk on 5/17/17
 and for 30 days thereafter, Pursuant to
 Section 21152(C), Public Resources Code

MAY 17 2017

<p align="center">CITY OF ARVIN</p> <p align="center">NOTICE OF INTENT TO ADOPT A FINDING OF A MITIGATED NEGATIVE DECLARATION</p> <p><u>Environmental Assessment (EA) For Site Plan Review 2017-330BMB</u></p>	<p align="center">FILED WITH:</p> <p align="center">KERN COUNTY CLERK 1115 Truxtun Avenue Bakersfield, CA 93301-4639</p>
<p>APPLICANT:</p> <p>Jhaj & Brar Investment Inc. 21959 Hwy 46 Lost Hills, CA 93249</p>	
<p>PROJECT LOCATION: 330 Bear Mountain Blvd., East of A Street and West of B Street, Arvin, CA 93203.</p> <p>Site Latitude: 35.209455 Site Longitude: -118.828354 Assessor's Parcel Numbers: 190-130-14, 190-130-15, and 190-130-27</p>	

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.

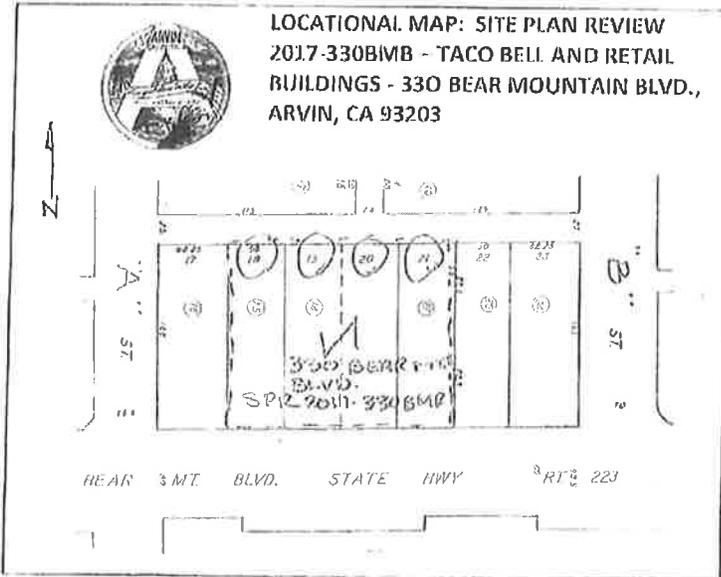
The completed environmental impact checklist, its associated narrative, and any proposed mitigation measure(s) reflect any applicable comments of responsible and trustee agencies, as well as research and analysis conducted to examine the interrelationship between the proposed project and the physical 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

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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

DATE: May 15, 2017

SUBMITTED BY:

Marti Brown
Community Dev. Director