PLANNING COMMISSION AGENDA
MEETING OF AUGUST 6, 2020
Council Chambers, City Hall South, 1501 Truxtun Avenue
Regular Meeting 5:30 P.M.

www.bakersfieldcity.us

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1. ROLL CALL

LARRY KOMAN, CHAIR
OSCAR L. RUDNICK, VICE-CHAIR
BOB BELL
MICHAEL BOWERS
DANIEL CATER
BARBARA LOMAS
PATRICK WADE

SPECIAL NOTICE: Public Participation and Accessibility
August 6, 2020 Bakersfield Planning Commission Meeting

On March 18, 2020, Governor Gavin Newsom issued Executive Order N-29-20, which includes a waiver of Brown Act provisions requiring physical presence of the Commission or the public in light of the COVID-19 pandemic. Based on guidance from the California Governor's Office and Department of Public Health, as well as the County Health Officer, in order to minimize the potential spread of the COVID-19 virus, the City of Bakersfield hereby provides notice that as a result of the declared federal, state, and local health emergencies, and in light of the Governor's order, the following adjustments have been made:

1. The meeting scheduled for **August 6, 2020, at 5:30 p.m.** will have limited public access.
2. Consistent with the Executive Order, Commissioners may elect to attend the meeting telephonically and to participate in the meeting to the same extent as if they were physically present.
3. As an alternative to attending the meeting, the public may participate in the meeting and address the Planning Commission as follows:

   · View a live video stream of the meeting at https://bakersfield.novusagenda.com/AgendaPublic/ or, on your local government channel (KGOV 2).

   · If you wish to comment on a specific agenda item, submit your comment via email to the Planning Department at DEVPln@bakersfieldcity.us **no later than 1:00 p.m., August 5, 2020**. Please clearly indicate which agenda item number your

comment pertains to. If your comment meets the foregoing criteria, it will be entered into the record during the meeting.

· If you wish to make a general public comment not related to a specific agenda item, submit your comment via email to Planning Department at DEVPln@bakersfieldcity.us **no later than 1:00 p.m., August 5, 2020**. If your comment meets the foregoing criteria, it will be entered into the record during the meeting.

· You may comment by calling **(661) 326-3043** and leaving a voicemail no later than **4:00 p.m., August 4, 2020**. Your message must clearly indicate whether your comment relates to a particular agenda item, or is a general public comment. If your comment meets the foregoing criteria, it will be transcribed as accurately as possible and then entered into the record during the meeting.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC STATEMENTS

4. CONSENT CALENDAR NON-PUBLIC HEARING

a. Approval of minutes for the Regular Planning Commission meeting of July 16, 2020.

Staff recommends approval.

5. CONSENT CALENDAR PUBLIC HEARINGS

a. Extension of Time for Vesting Tentative Tract Map 7217 (Phased): QK Inc. requests an extension of time for this tentative tract map consisting of 124 single family lots, one commercial lot, and one multiple-family lot on 39 acres, located at the southwest corner of Olive Drive and future Rosedale Ranch Parkway. Notice of Exemption on file.

Staff recommends approval.

Ward 4

b. Extension of Time for Vesting Tentative Tract Map 7218 (Phased): QK Inc. requests an extension of time for this tentative tract map consisting of 239 single family lots on 74 acres on the located southeast corner of Olive Drive and east of Santa Fe Way. Notice of Exemption on file.

Staff recommends approval.

Ward 4

c. Extension of Time for Vesting Tentative Tract Map 7219 (Phased): QK Inc. requests an extension of time for this tentative tract map consisting of 77 single family lots on 20 acres located on the northeast corner of Reina Road and Santa Fe Way. Notice of Exemption on file.

Staff recommends approval.

Ward 3

d. **Tentative Parcel Map 12334:** DPSI proposes to subdivide 596 acres into 2 residential parcels for future single-family residential development located on the northeast corner of Paladino Drive and Masterson Street. A Mitigated Negative Declaration will also be considered. *Continued from June 4 and 11, 2020.*

Staff recommends approval.

6. PUBLIC HEARINGS

7. WORKSHOPS

a. Thomas Roads Improvement Program (TRIP).

Receive and File.

8. COMMUNICATIONS

9. COMMISSION COMMENTS

10. ADJOURNMENT

Paul Johnson
Planning Director

COVER SHEET

PLANNING DEPARTMENT
STAFF REPORT

MEETING DATE: August 6, 2020 **ITEM NUMBER:** 4.(a.)

TO:

FROM:

PLANNER:

DATE:

WARD:

SUBJECT: Approval of minutes for the Regular Planning Commission meeting of July 16, 2020.

APPLICANT:

OWNER:

LOCATION:

STAFF RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

	Description	Type
	Minutes of July 16, 2020	Cover Memo

PLANNING COMMISSION MINUTES

Regular Meeting of July 16, 2020 – 5:30 p.m.
Council Chambers, City Hall, 1501 Truxtun Avenue

		ACTION TAKEN
1.	**ROLL CALL**	
	Present: Chair Koman, Bell, Bowers, Cater, Lomas, Rudnick	
	Absent: Commissioner Wade	
	Staff Present: Joshua Rudnick, Deputy City Attorney; Christopher Boyle, DS Director, Paul Johnson, DS Planning Director; Jennie Eng, DS Principal Planner; Steve Esselman, DS Principal Planner; Kassandra Gale, DS Principal Planner; Oscar Fuentes, Building Civil Engineer III, Jim Schroeter, Public Works Civil Engineer III; Dana Cornelius, Secretary.	
2.	**PLEDGE OF ALLEGIANCE**	
3.	**PUBLIC STATEMENTS**	
	None	
4.	**CONSENT CALENDAR NON-PUBLIC HEARING**	
	a. Approval of minutes for the Regular Planning Commission meeting of June 18, 2020.	
	Motion by Commissioner Cater, seconded by Commissioner Bell, to approve Consent Calendar Non-Public Hearing Items 4.a. Motion approved.	**APPROVED** **WADE ABSENT**
5.	**CONSENT CALENDAR PUBLIC HEARINGS**	
	a. Vesting Tentative Tract Map 7334 (Phased): McIntosh and Associates is proposing to subdivide 20.07 acres into 66 multi-family residential lots in an R-2 (Limited Multi-Family Dwelling) zone located at the northeast corner of Panama Lane and South Allen Road. Mitigated Negative Declaration on file. *Continued from June 18, 2020.*	**RES NO 33-20**

	ACTION TAKEN
b. Vesting Tentative Tract Map 7355 (Phased): McIntosh and Associates proposes to subdivide 55.86 acres into 154 single family residential lots, located at the southwest corner of Ming Avenue and Highgate Park Boulevard in the West Ming Specific Plan area. Previously adopted EIR on file.	**RES NO. 34-20**
c. Zone Change No. 20-0062: Dabeen LLC (applicant and property owner) requests a Zone Change from C-1 (Neighborhood Commercial) to C-2 (Regional Commercial), or a more restrictive district, on approximately 0.45 acres located at 4040 Ming Avenue. Notice of Exemption on file.	**RES NO. 35-20** **RES NO 39-40**
d. Text Amendments to Title 17 of the Bakersfield Municipal Code by adding Sections 1.28.030, 2.28.030, 2.28.110, 12.64.020, 15.66.020, 15.66.030, 15.72.040, 15.74.180, 17.04.155, 17.08.180, 17.45.050, 17.56.010, 17.56.030, 17.56.040, 17.56.050, 17.56.06017.56.080, 17.59.020, 17.60.020, 17.60.030, 17.62.050, 17.63.050, 17.64.020, 17.64.040, 17.64.042, 17.64.050, 17.64.060, 17.64.090, 17.64.110, 17.66.180, 17.68.040, and 17.71,040, and repealing Section 2.28.090 related to dissolving the Board of Zoning Adjustment and assigning its responsibilities to the Planning Commission and the Planning Director. Notice of Exemption of file.	**RES NO. 36-20**
Public hearing opened and closed.	**APPROVED**
Motion by Commissioner Lomas, seconded by Commissioner Rudnick to approve Agenda Items 5.a thru 5.d, including staff memorandums for Items 5.a thru 5.b. Motion approved.	**WADE ABSENT**

6. PUBLIC HEARINGS

a. Comprehensive Sign Plan 20-0088: Lane Engineers, Inc., requests a comprehensive sign plan for the proposed Love's Travel Stop in the M-1 (Light Manufacturing Zone) district, generally located on the northeast corner of Taft Highway and South H Street. Notice of Exemption on file.	**RES NO 37-20**
Staff report given. Public hearing open. Applicant spoke in favor of project. No one spoke in opposition. Public hearing closed. Commission deliberated.	
Motion by Commissioner Lomas, seconded by Commissioner Bell to approve Agenda Item 6.a. Motion approved.	**APPROVED** **RUDNICK –NO** **WADE ABSENT**

ACTION TAKEN

b. General Plan Update Strategy and Options Report. **RES NO 38-20**

Adopt Resolution approving a comprehensive update to the Bakersfield General Plan as outlined in the General Plan Update Strategy and Options Report, and recommend same to the City Council.

Staff report given and presentation provided by Rincon Consultants Inc., regarding the General Plan Update. Public hearing open and closed. Commission deliberated.

Motion by Commissioner Lomas, seconded by Commissioner Cater to approve Agenda Item 6.b. Motion approved. **APPROVED**

WADE ABSENT

7. COMMUNICATIONS

Planning Director Paul Johnson stated the next Planning Commission meeting of August 6, 2020, with a workshop from the Thomas Roads Improvement Program. He stated future meetings would contain workshops on items such as Conditional Use Permits.

8. COMMISSION COMMENTS

Commissioner Koman asked how long Agenda Item 6.d regarding Text Amendment to dissolve the Board of Zoning Commission take place?

Planning Director Johnson stated that it would need to go to the City Council for approval. The effective date should be by November.

9. ADJOURNMENT

There being no further business, Chair Koman adjourned the meeting at 6:35 p.m.

Dana Cornelius
Recording Secretary

Paul Johnson
Planning Director

COVER SHEET

PLANNING DEPARTMENT
STAFF REPORT

MEETING DATE: August 6, 2020	**ITEM NUMBER:** Consent Calendar Public Hearings5.(a.)

TO: Planning Commission

FROM: Paul Johnson, Planning Director

PLANNER: Jennie Eng, Principal Planner

DATE:

WARD:

SUBJECT:
Extension of Time for Vesting Tentative Tract Map 7217 (Phased): QK Inc. requests an extension of time for this tentative tract map consisting of 124 single family lots, one commercial lot, and one multiple-family lot on 39 acres, located at the southwest corner of Olive Drive and future Rosedale Ranch Parkway. Notice of Exemption on file.

APPLICANT: QK Inc.

OWNER: R.L & K.L. Grimm Marital Trusts

LOCATION: Southwest corner of Olive Drive and future Rosedale Ranch Parkway in northwest Bakersfield.

STAFF RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Resolution with Exh	Resolution
Attachment B-NOE	Backup Material

CITY OF BAKERSFIELD
PLANNING DEPARTMENT
STAFF REPORT

TO: Chair Koman and Members of the Planning Commission AGENDA ITEM: **5.a.**

FROM: Paul Johnson, Planning Director APPROVED: PJ

DATE: August 6, 2020

SUBJECT: **EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7217 (WARD 4)**

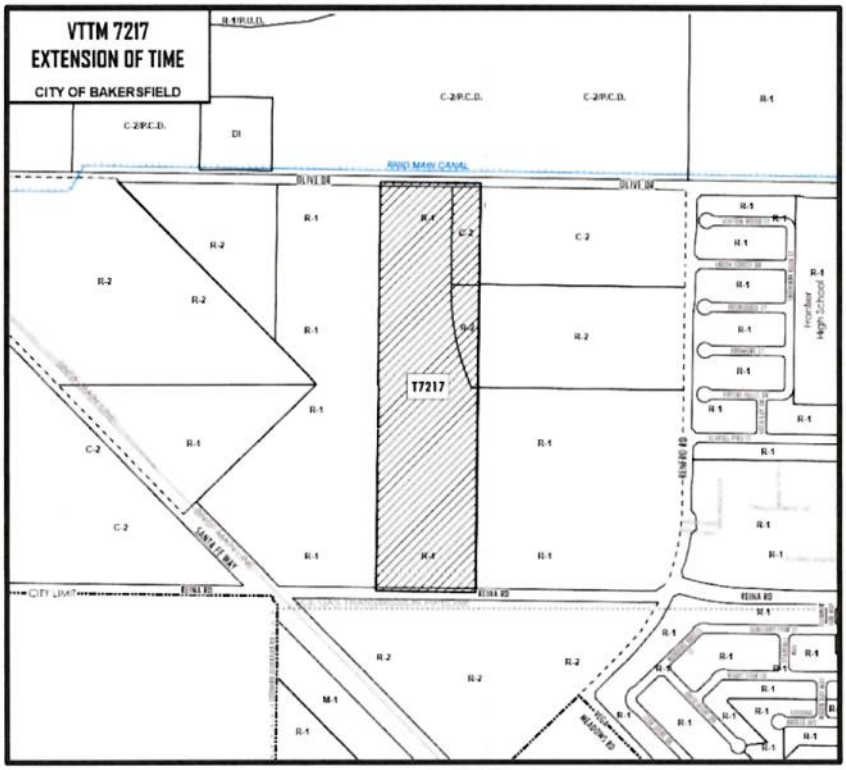
APPLICANT:

ENGINEER
QK, Inc.
5080 California Ave #220
Bakersfield, CA 93309

SUBDIVIDER/PROPERTY OWNER
R.L. and K.L. Grimm Marital Trust
c/o Western Properties
9100 Ming Ave #120
Bakersfield, CA 93311

LOCATION: Located at the southwest corner of Olive Drive and future Rosedale Ranch Parkway in northwest Bakersfield (APN #529-011-10).

Figure 1. Location Map



RECOMMENDATION:

Adopt Resolution and suggested findings **APPROVING** the extension of time for Vesting Tentative Tract Map 7217 as depicted in the project description.

PROJECT SUMMARY:

This project is a request for an extension of time for a vesting tentative tract map (No. 7217) to create 124 single family lots, one multiple-family lot, and one commercial lot on 39 acres zoned R-1 (One-Family Dwelling), R-2 (Limited Multi-Family Dwelling), and C-2 (Regional Commercial), located the southwest corner of Olive Drive and future Rosedale Ranch Parkway. Staff notes that two nearby vesting tentative tract maps are also being processed for extension of time.

Figure 2. Aerial Photo

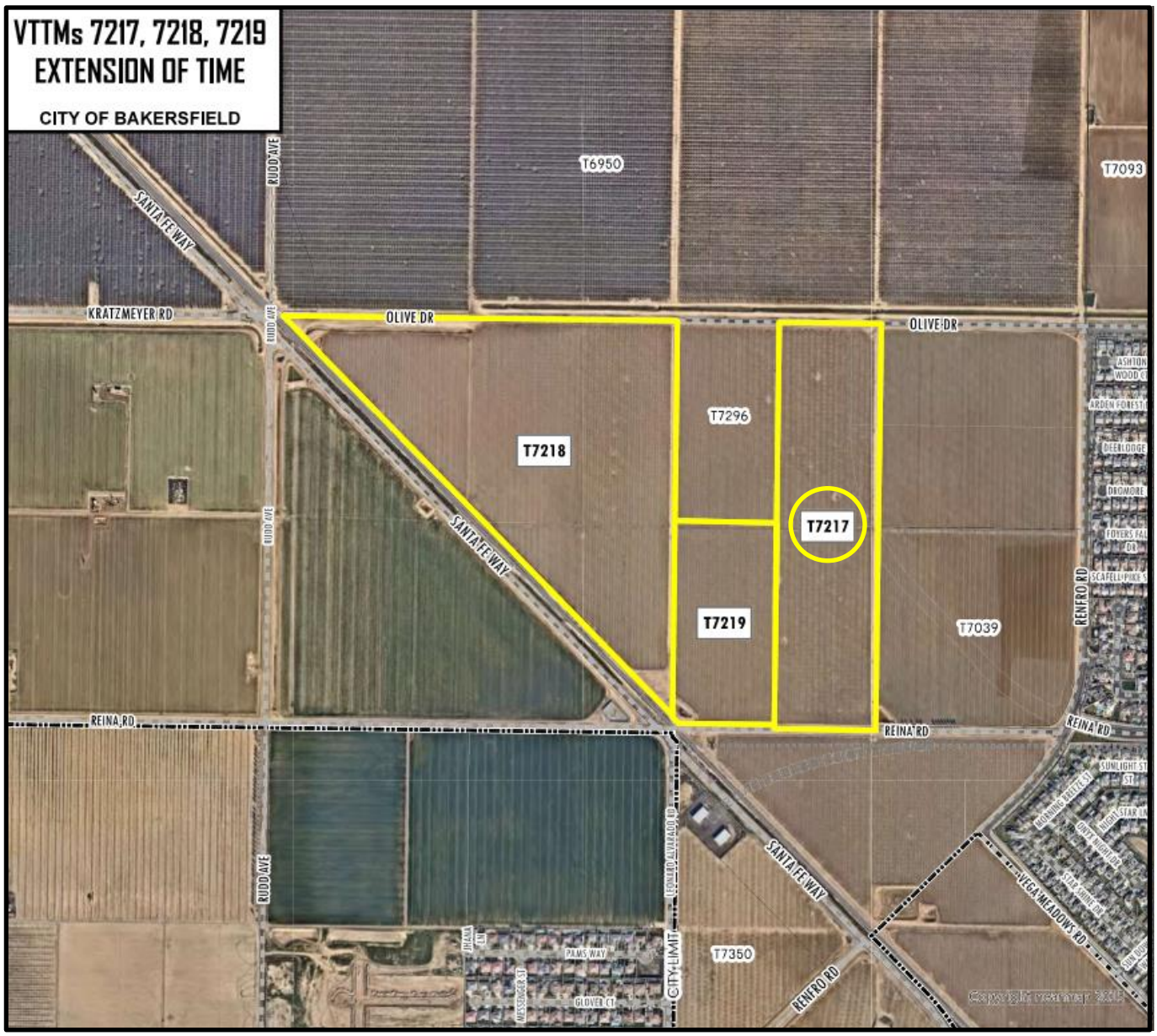


Figure 3. Site Visit Photo
View Looking South from Olive Drive

Surrounding Land Uses.

The site and surrounding property's General Plan land use designation, zoning classification, and land use are specified in Table A:

Table A. Surrounding Land Use Designations and Zoning Districts

DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
SITE	LR, GC	R-1, R-2, C-2	Agricultural crops
NORTH	MUC	C-2/PCD	Agricultural crops
WEST	LR	R-1	Agricultural crops; VTM 7219; VTM 7296
SOUTH	LMR	R-2	Agricultural crops
EAST	LMR, GC	R-1, R-2, C-2	Agricultural crops

Land Use Designations:	Zoning Designations
LR: ≤ 7.26 du/na	R-1: One Family Dwelling
LMR: > 4 ≤ 10 du/na	R-2 : Limited Multiple Family Dwelling
GC: General Commercial	C-2: Regional Commercial
MUC : Multiple Use Commercial	C-2/PCD: Regional Commercial / Planned Commercial Development

PROJECT ANALYSIS:

Background and Timeline.

January 13, 2010. City Council approved Zone Change (ZC No. 09-0951, which pre-zoned the project site from County A (Exclusive Agriculture) to City R-1 (One Family Dwelling).

March 15, 2011. The project site was annexed into the City as a portion of the Kratzmeyer Ranch Annexation (Annexation #465).

April 16, 2014. City Council approved a General Plan Amendment to the Circulation Element (GPA 13-0388), which relocated a future collector (Rosedale Ranch Parkway) and multi-use trail alignment in the area.

September 4, 2014. Your Commission originally approved VTM 7217 to create 124 single-family residential lots, one commercial lot, one multiple-family residential lot, and three landscape lots on 39 acres. A mitigated Negative Declaration was also adopted. The original subdivision application was deemed complete on July 21, 2014.

September 24, 2014. As a result of the new collector alignment under GPA 13-0388, City Council approved a zone change (ZC No. 13-0362) to change a portion of the project site from R-1 to R-2, and R-2 to R-1.

October 5, 2017. Your Commission approved a three-year extension of time for VTTM 7217, to expire on September 3, 2020.

Analysis.

The applicant is requesting a three-year extension of time to allow additional time to record this map due to the economic downturn. No phase of this map has recorded. The applicant requested the extension of time in writing prior to the September 3, 2020 expiration date and the applicant has requested additional time to allow a positive readjustment in the current real estate market thus enabling a demand and increase in new construction of single-family residential development for northwest Bakersfield.

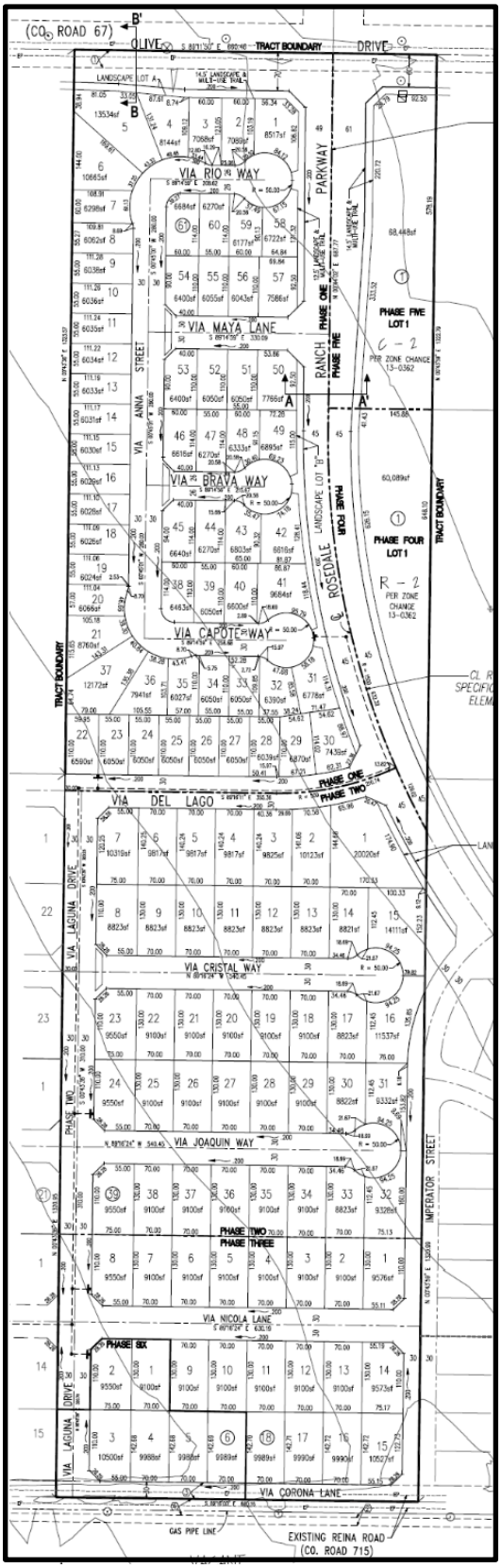
This tentative subdivision is not eligible for any of the automatic extensions the California State Legislature approved in response to the economic downturn and the recession. However, the Subdivision Map Act and the Bakersfield Municipal Code (Section 16.16.080) allow for separate extensions to be approved by your Commission with an aggregate of up to six years. City policy has been to approve extensions of time in two (2), three-year intervals. This current request represents the second request for Vesting Tentative Tract Map 7217. Staff recommends approval of a three-year extension of time to expire on September 3, 2023, with no changes to previously approved conditions of approval. Except as may otherwise be described in this staff report, the proposed project is subject to the original conditions of approval, complies with the ordinances and policies of the City of Bakersfield.

Circulation.

The proposed subdivision will gain access from Rosedale Ranch Parkway (future Collector) via Olive Drive, and proposed local roads within the project site. Rosedale Ranch Parkway is the northerly extension of the Reina Road alignment. Currently, there is no Golden Empire Transit (GET) bus service to the project site. The closest GET bus route is Route 84 traveling Old Farm Road and Olive Drive to Frontier High School, approximately one mile east of the project site. As development occurs and demand for service increases, GET bus will provide future routes.

The City's Bikeway Master Plan identifies Olive Drive as a Class 2 facility (bike lanes). Bike lanes do not currently exist but at the time Stockdale Highway frontage property is developed, each respective project will be required to construct bike lanes with street improvements. This will allow continued connection to the existing bikeway network.

Figure 4. VTTM 7217



ENVIRONMENTAL REVIEW AND DETERMINATION:

Based upon an initial environmental assessment, pursuant to the California Environmental Quality Act (CEQA), an initial study was prepared for the original project of the subject property and a Mitigated Negative Declaration (MND) was adopted by your Commission on September 4, 2014, which is applicable to Vesting Tentative Tract Map 7217. In accordance with Section 15061(b)(3) *Review for Exemption*, this extension of time is exempt from the requirements of CEQA because it will not affect the environment. Actual development of the project site will be consistent with the previously approved MND.

PUBLIC NOTIFICATION:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Development Services/Planning Division. All property owners within 300 feet of the project site were notified about the hearing at least 10 days prior to the public hearing in accordance with State law. As of this writing, no written comments have been received.

CONCLUSION:

The applicant provided the application for the Extension of Time for Vesting Tentative Tract Map 7217 in a timely manner, and has requested a three-year extension to allow more time to record final maps. The three-year extension is reasonable and complies with the extensions permitted by Bakersfield Municipal Code 16.16.080. Based on the foregoing, staff recommends approval of the request to extend the tentative map to expire on September 3, 2023.

Exhibits (attached):

A: Resolution
  A-1 Location Map with Zoning
  A-2 Vesting Tentative Tract Map 7217
B: Notice of Exemption

EXHIBIT A

RESOLUTION NO. _____

DRAFT

RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION TO APPROVE AN EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7217 (PHASED) LOCATED AT THE SOUTHWEST CORNER OF OLIVE DRIVE AND FUTURE ROSEDALE RANCH PARKWAY.

WHEREAS, QK Inc., representing Western Properties, filed an application with the City of Bakersfield Planning Department requesting an extension of time for Vesting Tentative Tract Map 7217 (the "Project") located in the City of Bakersfield as shown on attached (Exhibit "A"); and

WHEREAS, the application was submitted on July 7, 2020, which is prior to the expiration date of September 3, 2020, and in accordance with the provisions of Section 16.16.080 of the Bakersfield Municipal Code; and

WHEREAS, the original application of the tentative map was deemed complete on July 21, 2014, conditionally approved by the Planning Commission on September 4, 2014; and

WHEREAS, a mitigated negative declaration was previously approved by the Planning Commission on September 4, 2014 for Vesting Tentative Tract Map 7217; and

WHEREAS, there have been no substantial changes to the Project or circumstances under which it will be undertaken; and

WHEREAS, no new environmental impacts have been identified; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant State CEQA Guidelines Section 15061(b)(3), Exemption from Review; and

WHEREAS, the Secretary of the Planning Commission set, Thursday, August 6, 2020 at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the application, and notice of the public hearing was given in the manner provided in Title Sixteen of the Bakersfield Municipal Code; and

WHEREAS, the facts presented in the staff report, environmental review evidence received both in writing, and the verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and

published in the *Bakersfield Californian*, a local newspaper of general circulation, 10 days prior to the hearing.

2. The provisions of the CEQA have been followed.

3. Pursuant to State CEQA Guidelines Section 15061(b) (3), Exemption from Review, the Project is exempt from the requirements of CEQA because it will not affect the environment. The Notice of Exemption was properly noticed for public review.

4. This request for an extension of time is pursuant to Bakersfield Municipal Code Section 16.16.080 and Subdivision Map Act Section 66452.6 (e).

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

1. The above recitals, incorporated herein, are true and correct.

2. The project is exempt from CEQA, pursuant to CEQA Guidelines Section 15061(b)(3).

3. The expiration date of Vesting Tentative Map 7217 is hereby extended until September 3, 2023.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on August 6, 2020, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

APPROVED

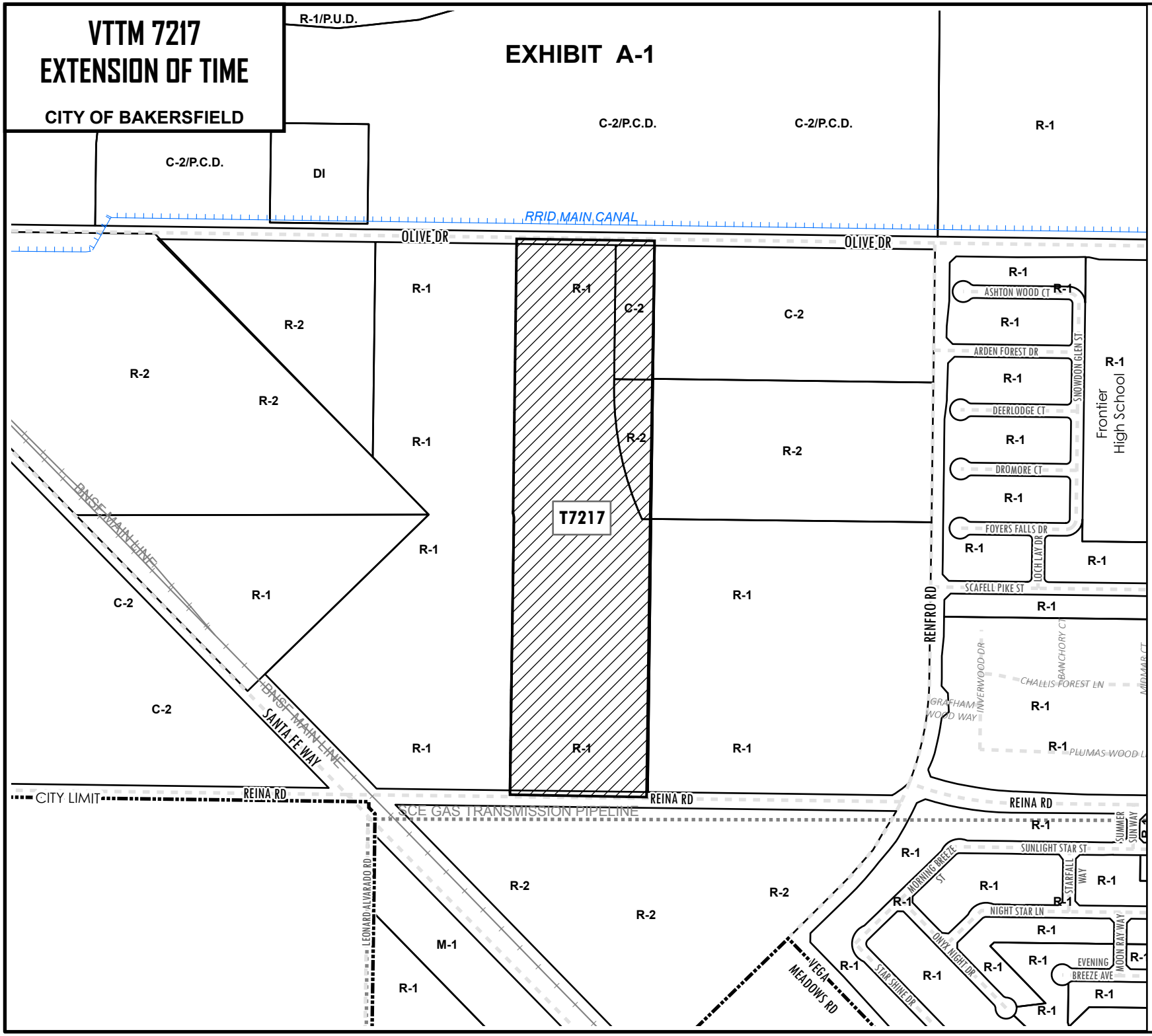
_____
LARRY KOMAN, CHAIR
City of Bakersfield Planning Commission

Exhibits: A-1 Location Map with Zoning
A-2 Vesting Tentative Tract Map

VTTM 7217
EXTENSION OF TIME

CITY OF BAKERSFIELD

EXHIBIT A-1



LEGEND (ZONE DISTRICTS)

R-1 One Family Dwelling
6,000 sq.ft. min lot size
R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
E Estate
10,000 sq.ft. min lot size
R-S Residential Suburban
24,000 sq.ft./dwelling unit
R-S-( ) Residential Suburban
1, 2.5, 5 or 10 min lot size
R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
R-H Residential Holding
20 acre min lot size
A Agriculture
6,000 sq.ft. min lot size
A-20A Agriculture
20 acre min lot size
PUD Planned Unit Development
TT Travel Trailer Park
MH Mobilehome
C-O Professional and Administrative Office
C-1 Neighborhood Commercial
C-2 Regional Commercial
C-C Commercial Center
C-B Central Business
PCD Planned Commercial Development
M-1 Light Manufacturing
M-2 General Manufacturing
M-3 Heavy Industrial
P Automobile Parking
RE Recreation
Ch Church Overlay
OS Open Space
HOSP Hospital Overlay
AD Architectural Design Overlay
FP-P Floodplain Primary
FP-S Floodplain Secondary
AA Airport Approach
DI Drilling Island
PE Petroleum Extraction Combining
SC Senior Citizen Overlay
HD Hillside Development Combining
WM- West Ming Specific Plan

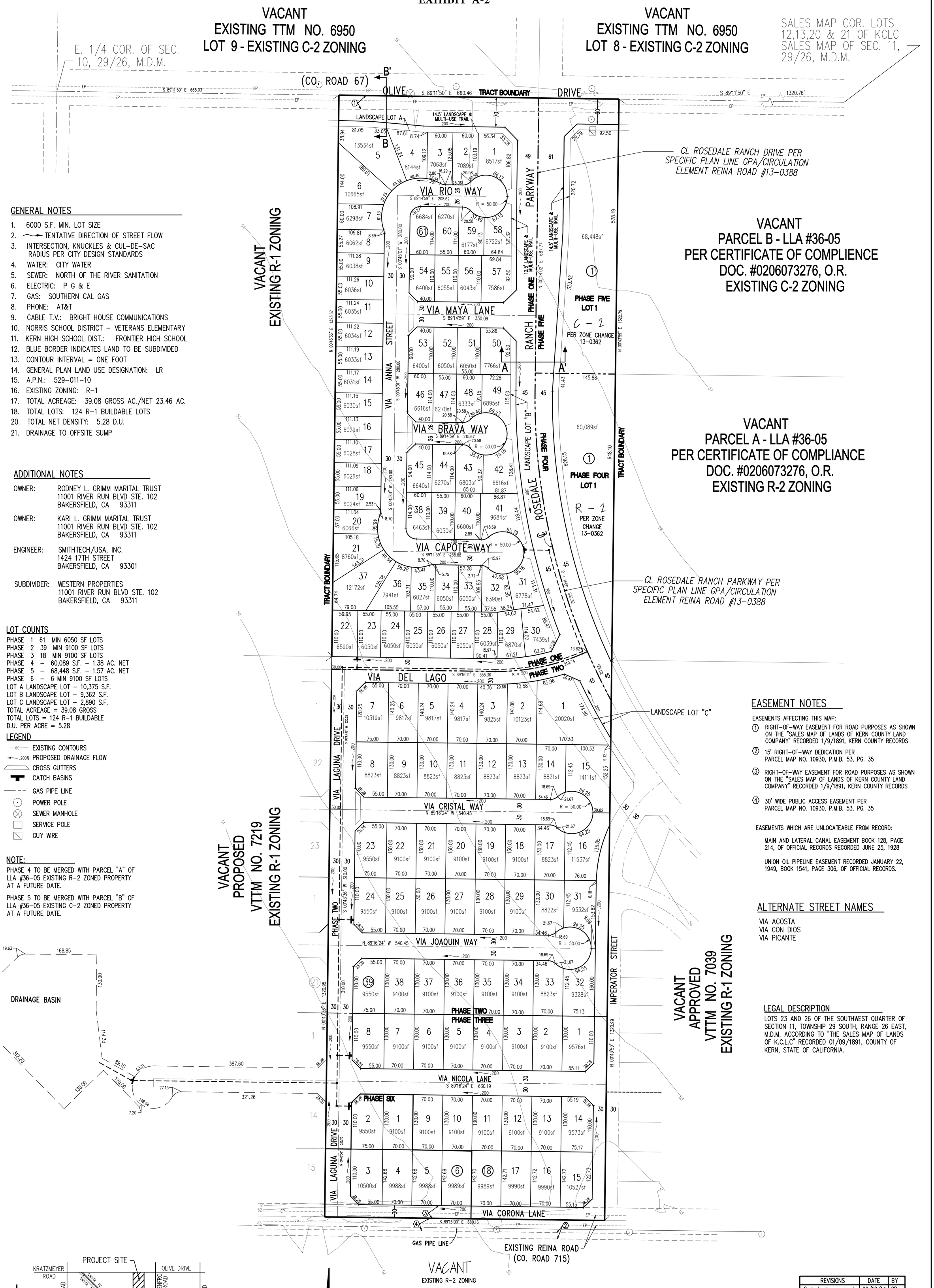
BAKERSFIELD

Feet

0 330 660

Document Name: 2020_07_01

EXHIBIT A-2



GENERAL NOTES

1. 6000 S.F. MIN. LOT SIZE
2. TENTATIVE DIRECTION OF STREET FLOW
3. INTERSECTION, KNUCKLES & CUL-DE-SAC RADIUS PER CITY DESIGN STANDARDS
4. WATER: CITY WATER
5. SEWER: NORTH OF THE RIVER SANITATION
6. ELECTRIC: P G & E
7. GAS: SOUTHERN CAL GAS
8. PHONE: AT&T
9. CABLE T.V.: BRIGHT HOUSE COMMUNICATIONS
10. NORRIS SCHOOL DISTRICT - VETERANS ELEMENTARY
11. KERN HIGH SCHOOL DIST.: FRONTIER HIGH SCHOOL
12. BLUE BORDER INDICATES LAND TO BE SUBDIVIDED
13. CONTOUR INTERVAL = ONE FOOT
14. GENERAL PLAN LAND USE DESIGNATION: LR
15. A.P.N.: 529-011-10
16. EXISTING ZONING: R-1
17. TOTAL ACREAGE: 39.08 GROSS AC./NET 23.46 AC.
18. TOTAL LOTS: 124 R-1 BUILDABLE LOTS
20. TOTAL NET DENSITY: 5.28 D.U.
21. DRAINAGE TO OFFSITE SUMP

ADDITIONAL NOTES

OWNER: RODNEY L. GRIMM MARITAL TRUST
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

OWNER: KARI L. GRIMM MARITAL TRUST
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

ENGINEER: SMITHTECH/USA, INC.
1424 17TH STREET
BAKERSFIELD, CA 93301

SUBDIVIDER: WESTERN PROPERTIES
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

LOT COUNTS

PHASE 1 61 MIN 6050 SF LOTS
PHASE 2 39 MIN 9100 SF LOTS
PHASE 3 18 MIN 9100 SF LOTS
PHASE 4 - 60,089 S.F. - 1.38 AC. NET
PHASE 5 - 68,448 S.F. - 1.57 AC. NET
PHASE 6 - 6 MIN 9100 SF LOTS
LOT A LANDSCAPE LOT - 10,375 S.F.
LOT B LANDSCAPE LOT - 9,362 S.F.
LOT C LANDSCAPE LOT - 2,890 S.F.
TOTAL ACREAGE = 39.08 GROSS
TOTAL LOTS = 124 R-1 BUILDABLE
D.U. PER ACRE = 5.28

LEGEND

- EXISTING CONTOURS
- .200% PROPOSED DRAINAGE FLOW
- CROSS GUTTERS
- CATCH BASINS
- GAS PIPE LINE
- POWER POLE
- SEWER MANHOLE
- SERVICE POLE
- GUY WIRE

NOTE:

PHASE 4 TO BE MERGED WITH PARCEL "A" OF LLA #36-05 EXISTING R-2 ZONED PROPERTY AT A FUTURE DATE.

PHASE 5 TO BE MERGED WITH PARCEL "B" OF LLA #36-05 EXISTING C-2 ZONED PROPERTY AT A FUTURE DATE.

EASEMENT NOTES

EASEMENTS AFFECTING THIS MAP:

1. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 1/9/1891, KERN COUNTY RECORDS
2. 15' RIGHT-OF-WAY DEDICATION PER PARCEL MAP NO. 10930, P.M.B. 53, PG. 35
3. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 1/9/1891, KERN COUNTY RECORDS
4. 30' WIDE PUBLIC ACCESS EASEMENT PER PARCEL MAP NO. 10930, P.M.B. 53, PG. 35

EASEMENTS WHICH ARE UNLOCATEABLE FROM RECORD:

MAIN AND LATERAL CANAL EASEMENT BOOK 128, PAGE 214, OF OFFICIAL RECORDS RECORDED JUNE 25, 1928

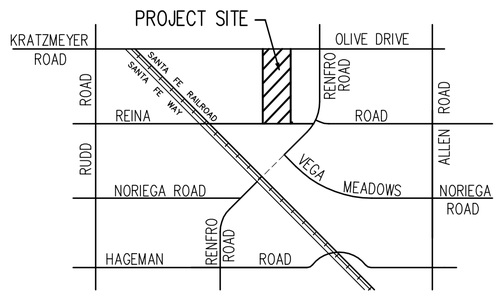
UNION OIL PIPELINE EASEMENT RECORDED JANUARY 22, 1949, BOOK 1541, PAGE 306, OF OFFICIAL RECORDS.

ALTERNATE STREET NAMES

VIA ACOSTA
VIA CON DIOS
VIA PICANTE

LEGAL DESCRIPTION

LOTS 23 AND 26 OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 29 SOUTH, RANGE 26 EAST, M.D.M. ACCORDING TO "THE SALES MAP OF LANDS OF K.C.L.C" RECORDED 01/09/1891, COUNTY OF KERN, STATE OF CALIFORNIA.



VICINITY MAP
N.T.S.

SCALE: 1" = 100'

0 FT 100FT 200 FT 300 FT

REVISIONS	DATE	BY
2nd check comments	06/12/14	CP

"VESTING"

TRACT NO. 7217 Phases 1 - 6
TENTATIVE TRACT MAP

SmithTech USA INCORPORATED
HABERFELDE BUILDING
1424 17TH STREET
BAKERSFIELD, CALIFORNIA 93301
(805) 327-8492 FAX 327-8493

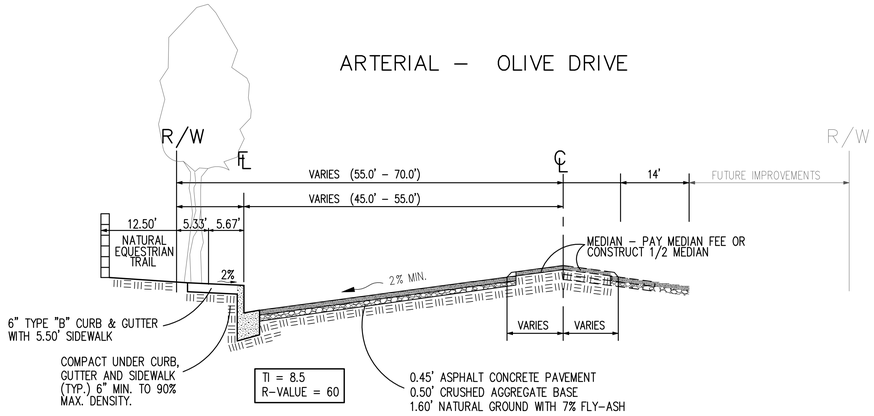
LICENSED LAND SURVEYOR
ROBERT E. SMITH
L.S. 5565
Exp. 9-30-15
STATE OF CALIFORNIA

ROBERT E. SMITH RCE 35473 DATE

JOB NO. - 09-101.01 SHEET 1 OF 2 SHEETS

EXHIBIT A-2

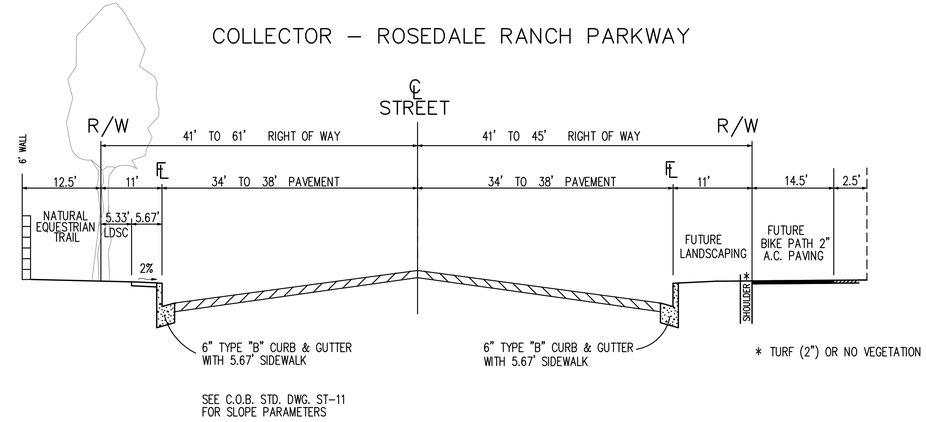
ARTERIAL – OLIVE DRIVE



DESIGN OF MULTI-USE TRAIL
ADJACENT TO ARTERIAL

B — NTS — B'

COLLECTOR – ROSEDALE RANCH PARKWAY

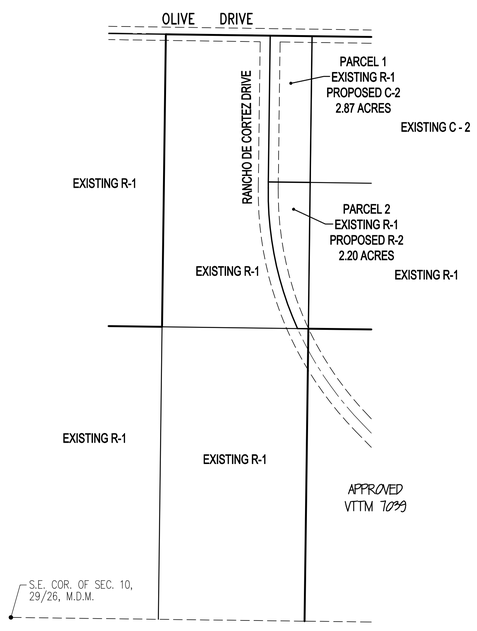


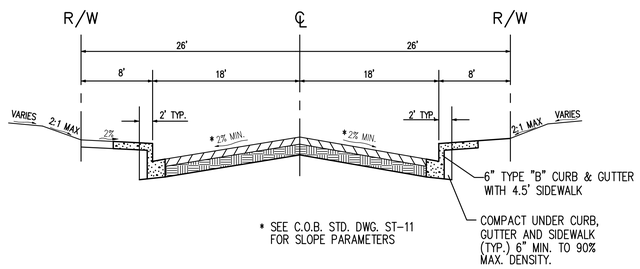
DESIGN OF MULTI-USE TRAIL
ADJACENT TO COLLECTOR
PER THE "WESTERN ROSEDALE SPECIFIC PLAN"

A — NTS — A'

KEY MAP

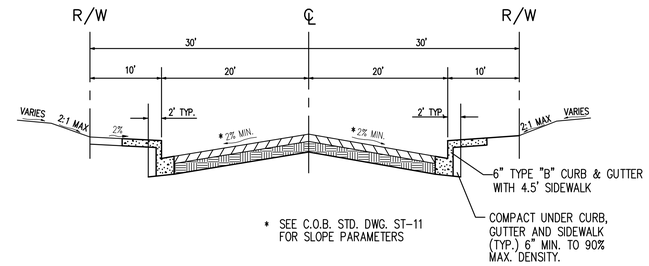
KRATZMEYER RANCH ZONING ADJUSTMENT





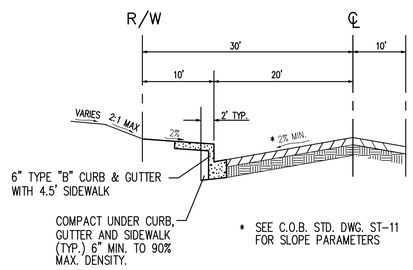
52' RIGHT OF WAY
TYPICAL LOCAL STREET SECTION

NTS



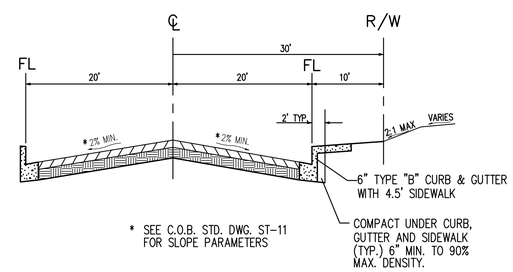
60' RIGHT OF WAY
TYPICAL LOCAL STREET SECTION

NTS



VIA CORONA LANE
TYPICAL LOCAL STREET SECTION

NTS



VIA LAGUNA DRIVE
TYPICAL LOCAL STREET SECTION

NTS

"VESTING"

REGISTERED PROFESSIONAL ENGINEER
ROBERT E. SMITH
No. 35473
9/30/15
CIVIL
STATE OF CALIFORNIA

TRACT No. 7217 PHASES 1 – 5
TENTATIVE TRACT MAP

SmithTech USA
INCORPORATED
HABERFELDE BUILDING
1424 17TH STREET
BAKERSFIELD, CALIFORNIA 93301
(661) 327-8492 FAX 327-8493

ROBERT E. SMITH RCE 35473 DATE
JOB NO. – 09-101.01 SHEET 2 OF 2 SHEETS

EXHIBIT B - NOTICE OF EXEMPTION

TO: __ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

X County Clerk
County of Kern
1115 Truxtun Avenue
Bakersfield, CA 93301

FROM: City of Bakersfield
Planning Division
1715 Chester Avenue
Bakersfield, CA 93301

Project Title: Extension of Time for Vesting Tentative Tract Map 7217

Project Location-Specific: southwest corner of Olive Dr. and future Rosedale Ranch Parkway.

Project Location-City: Bakersfield **Project Location-County:** Kern

Description of Project:
Extension of Time for Vesting Tentative Tract Map 7217 (Phased): QK Inc. requests an extension of time for Vesting Tentative Tract 7217 consisting of 124 single family lots, one commercial lot, and one multiple-family lot on 39 acres zoned R-1, R-2 and, C-2.

Name of Public Agency Approving Project: City of Bakersfield

Name of Person or Agency Carrying Out Project: QK, Inc.

Exempt Status:

__ Ministerial (Sec.21080(b)(1); 15268));
__ Declared Emergency (Sec.21080(b)(3); 15269(a));
__ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
__ Categorical Exemption. State type and section number.
__ Statutory Exemptions. State section number. _____
X Project is exempt from CEQA pursuant to Section 15061(b)(3)

Reasons why project is exempt: Will not have an effect on the environment based on the criteria listed in this exemption.

Lead Agency: Contact Person: Jennie Eng Telephone/Ext.: 661-326-3043

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes__ No_

Signature:_____ **Title**: Principal Planner **Date**:_____

X Signed by Lead Agency
_____Signed by Applicant

Date received for filing at OPR: _____

COVER SHEET

PLANNING DEPARTMENT
STAFF REPORT

MEETING DATE: August 6, 2020	**ITEM NUMBER:** Consent Calendar Public Hearings5.(b.)

TO: Planning Commission

FROM: Paul Johnson, Planning Director

PLANNER: Jennie Eng, Principal Planner

DATE:

WARD: Ward 4

SUBJECT:
Extension of Time for Vesting Tentative Tract Map 7218 (Phased): QK Inc. requests an extension of time for this tentative tract map consisting of 239 single family lots on 74 acres on the located southeast corner of Olive Drive and east of Santa Fe Way. Notice of Exemption on file.

APPLICANT: QK Inc.

OWNER: Diamond Farming Co.

LOCATION: Located on the southeast of Olive Drive and Santa Fe Way in northwest Bakersfield.

STAFF RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Resolution with Exh	Resolution
Attachment B-NOE	Backup Material

CITY OF BAKERSFIELD
PLANNING DEPARTMENT
STAFF REPORT

TO: Chair Koman and Members of the Planning Commission AGENDA ITEM: **5.b.**

FROM: Paul Johnson, Planning Director APPROVED: PJ

DATE: August 6, 2020

SUBJECT: **EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7218 (WARD 4)**

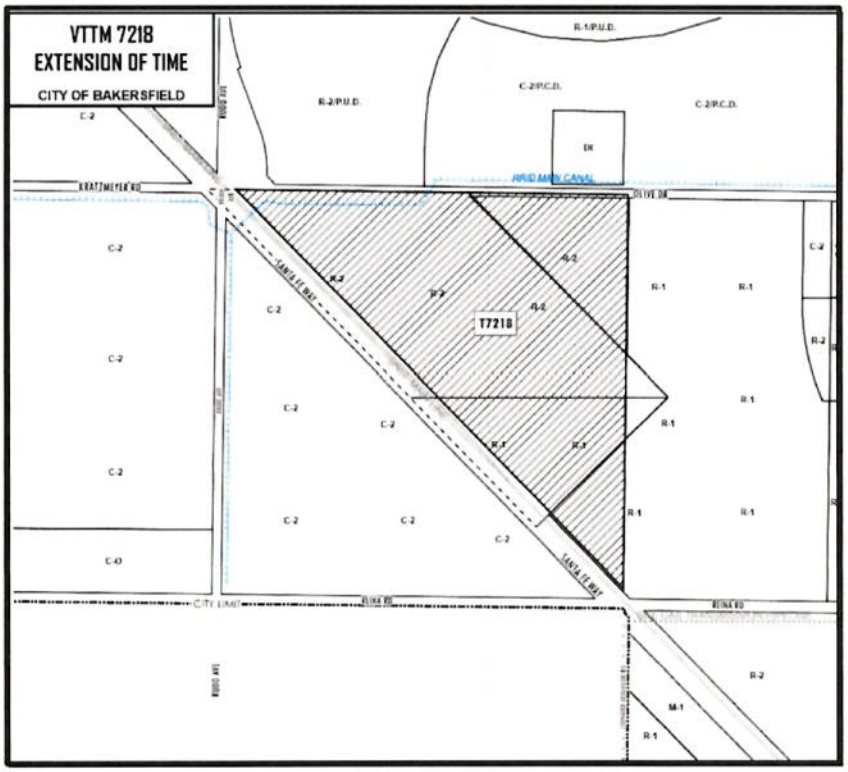
APPLICANT:

ENGINEER
QK, Inc.
5080 California Ave #220
Bakersfield, CA 93309

SUBDIVIDER/PROPERTY OWNER
Diamond Farming Co
c/o Western Properties
9100 Ming Ave #120
Bakersfield, CA 93311

LOCATION: Located at the southeast corner of Olive Drive and Santa Fe Way in northwest Bakersfield (APN # 529-011-12).

Figure 1. Location Map



RECOMMENDATION:

Adopt Resolution and suggested findings **APPROVING** the extension of time for Vesting Tentative Tract Map 7218 as depicted in the project description.

PROJECT SUMMARY:

This project is a request for an extension of time for a vesting tentative tract map (No. 7218) to create 239 single family lots, 2 sump lots and 3 landscape lots on 74 acres zoned R-1 (One-Family Dwelling) and R-2 (Limited Multi-Family Dwelling), located at the southeast corner of Olive Drive and Santa Fe Way. Staff notes that two nearby vesting tentative tract maps are also being processed for extension of time.

Figure 2. Aerial Photo

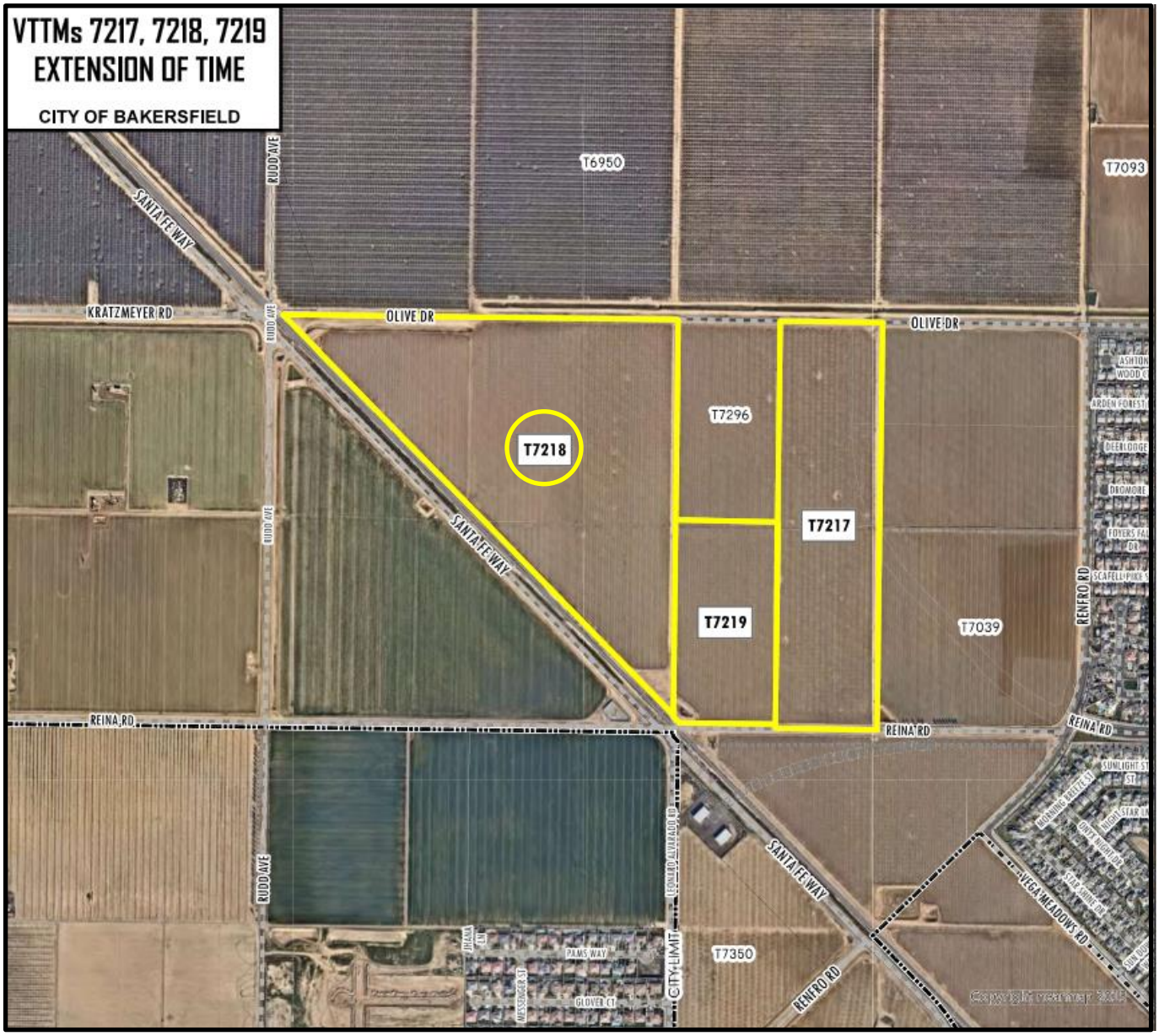


Figure 3. Site Visit Photo
View Looking Southwest from Olive Drive

Surrounding Land Uses.

The site and surrounding property's General Plan land use designation, zoning classification, and land use are specified in Table A:

Table A. Surrounding Land Use Designations and Zoning Districts

DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
SITE	LR, HMR	R-1, R-2	Agricultural crops
NORTH	MUC, HMR	C-2/PCD, R-2/PUD, DI	Agricultural crops
WEST	GC	C-2	Railroad; Agricultural crops
SOUTH	City: R-IA County: R-IA	City: Not pre-zoned County: A	Agricultural crops
EAST	LR, HMR	R-1, R-2	Agricultural crops, VTM 7219; VTM 7296

Land Use Designations:	Zoning Designations
R-IA : Resource – intensive Agriculture LR: ≤ 7.26 du/na HMR: > 7.26 ≤ 17.42 du/na GC: General Commercial MUC : Multiple Use Commercial	R-1: One Family Dwelling R-2: Limited Multiple Family Dwelling R-2/PUD: Limited Multiple Family Dwelling / Planned Unit Development C-2: Regional Commercial C-2/PCD: Regional Commercial / Planned Commercial Development DI : Drill Island County A : Exclusive Agriculture

PROJECT ANALYSIS:

Background and Timeline.

January 13, 2010. City Council approved Zone Change (ZC No. 09-0951, which pre-zoned the project site from County A (Exclusive Agriculture) to City R-1 (One Family Dwelling).

March 15, 2011. The project site was annexed into the City as a portion of the Kratzmeyer Ranch Annexation (Annexation #465).

April 16, 2014. City Council approved a General Plan Amendment to the Circulation Element (GPA 13-0388), which relocated a future collector (Rosedale Ranch Parkway) and multi-use trail alignment in the area.

September 4, 2014. Your Commission originally approved VTM 7218 to create 239 single-family lots, 2 sump lots, and landscape lots on 74 acres. A mitigated Negative Declaration was also adopted. The original subdivision application was deemed complete on July 21, 2014.

September 24, 2014. As a result of the new collector alignment under GPA 13-0388, City Council approved a zone change (ZC No. 13-0362) to change a portion of the project site from R-1 to R-2.

October 5, 2017. Your Commission approved a three-year extension of time for VTTM 7218, to expire on September 3, 2020.

Analysis.

The applicant is requesting a three-year extension of time to allow additional time to record this map due to the economic downturn. No phase of this map has recorded. The applicant requested the extension of time in writing prior to the September 3, 2020 expiration date and the applicant has requested additional time to allow a positive readjustment in the current real estate market thus enabling a demand and increase in new construction of single-family residential development for northwest Bakersfield.

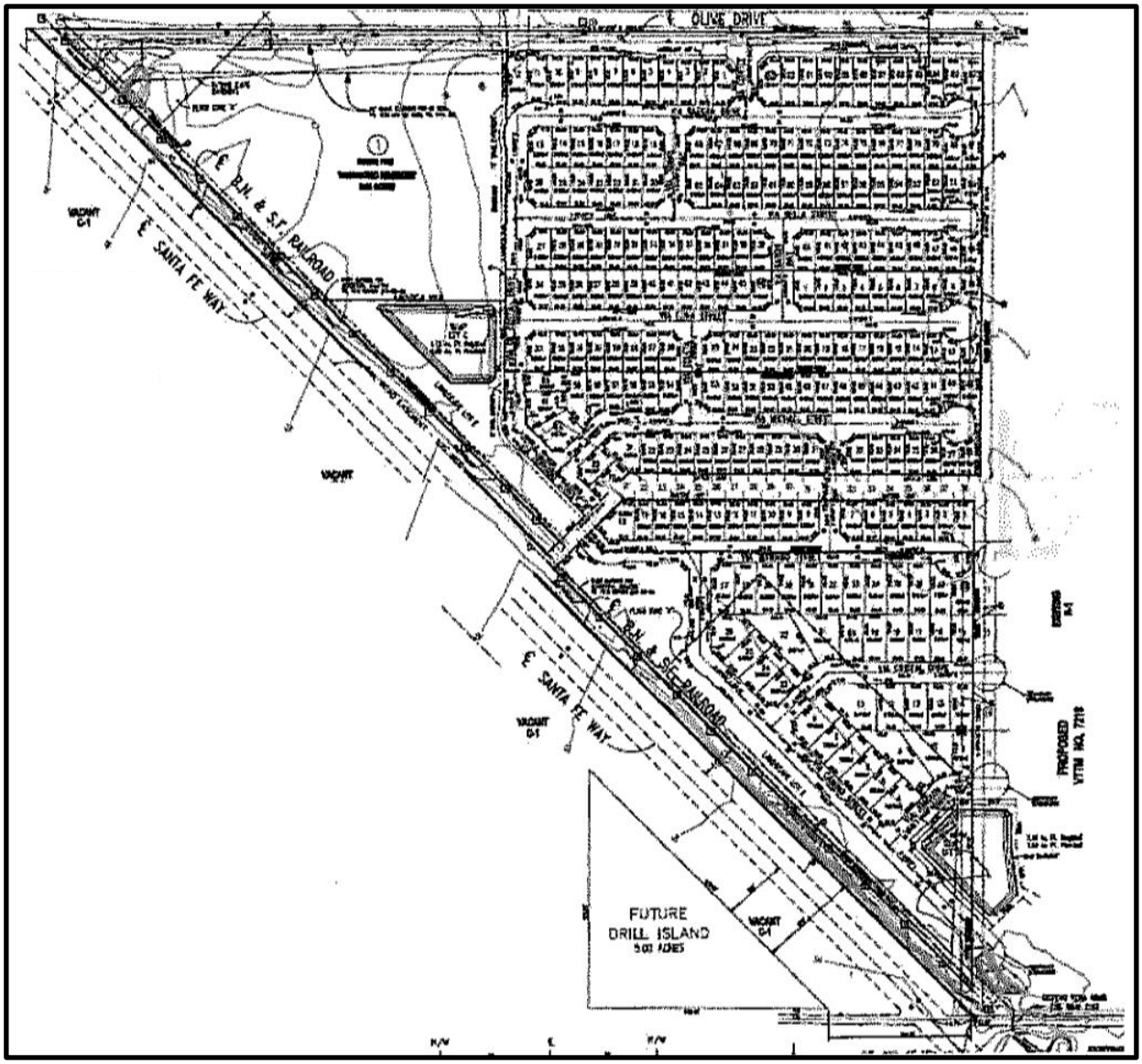
This tentative subdivision is not eligible for any of the automatic extensions the California State Legislature approved in response to the economic downturn and the recession. However, the Subdivision Map Act and the Bakersfield Municipal Code (Section 16.16.080) allow for separate extensions to be approved by your Commission with an aggregate of up to six years. City policy has been to approve extensions of time in two (2), three-year intervals. This current request represents the second request for Vesting Tentative Tract Map 7218. Staff recommends approval of a three-year extension of time to expire on September 3, 2023, with no changes to previously approved conditions of approval. Except as may otherwise be described in this staff report, the proposed project is subject to the original conditions of approval, complies with the ordinances and policies of the City of Bakersfield.

Circulation.

The proposed subdivision will gain access from Olive Drive, and proposed local roads within the project site. Currently, there is no Golden Empire Transit (GET) bus service to the project site. The closest GET bus route is Route 84 traveling Old Farm Road and Olive Drive to Frontier High School, approximately one mile east of the project site. As development occurs and demand for service increases, GET bus will provide future routes.

The City's Bikeway Master Plan identifies Olive Drive as a Class 2 facility (bike lanes). Bike lanes do not currently exist but at the time Stockdale Highway frontage property is developed, each respective project will be required to construct bike lanes with street improvements. This will allow continued connection to the existing bikeway network.

Figure 4. VTTM 7218



ENVIRONMENTAL REVIEW AND DETERMINATION:

Based upon an initial environmental assessment, pursuant to the California Environmental Quality Act (CEQA), an initial study was prepared for the original project of the subject property and a Mitigated Negative Declaration (MND) was adopted by your Commission on September 4, 2014, which is applicable to Vesting Tentative Tract Map 7218. In accordance with Section 15061(b)(3) *Review for Exemption*, this extension of time is exempt from the requirements of CEQA because it will not affect the environment. Actual development of the project site will be consistent with the previously approved MND.

PUBLIC NOTIFICATION:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Development Services/Planning Division. All property owners within 300 feet of the project site

were notified about the hearing at least 10 days prior to the public hearing in accordance with State law. As of this writing, no written comments have been received.

CONCLUSION:

The applicant provided the application for the Extension of Time for Vesting Tentative Tract Map 7218 in a timely manner, and has requested a three-year extension to allow more time to record final maps. The three-year extension is reasonable and complies with the extensions permitted by Bakersfield Municipal Code 16.16.080. Based on the foregoing, staff recommends approval of the request to extend the tentative map to expire on September 3, 2023.

Exhibits (attached):

A: Resolution
   A-1 Location Map with Zoning
   A-2 Vesting Tentative Tract Map 7218
B: Notice of Exemption

EXHIBIT A

RESOLUTION NO. _____

DRAFT

RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION TO APPROVE AN EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7218 (PHASED) LOCATED SOUTH OF OLIVE DRIVE AND EAST OF SANTA FE WAY.

WHEREAS, QK Inc., representing Western Properties, filed an application with the City of Bakersfield Planning Department requesting an extension of time for Vesting Tentative Tract Map 7218 (the "Project") located in the City of Bakersfield as shown on attached (Exhibit "A"); and

WHEREAS, the application was submitted on July 7, 2020, which is prior to the expiration date of September 3, 2020, and in accordance with the provisions of Section 16.16.080 of the Bakersfield Municipal Code; and

WHEREAS, the original application of the tentative map was deemed complete on July 9, 2014, conditionally approved by the Planning Commission on September 4, 2014; and

WHEREAS, a mitigated negative declaration was previously approved by the Planning Commission on September 4, 2014 for Vesting Tentative Tract Map 7218; and

WHEREAS, there have been no substantial changes to the Project or circumstances under which it will be undertaken; and

WHEREAS, no new environmental impacts have been identified; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant State CEQA Guidelines Section 15061(b)(3), Exemption from Review; and

WHEREAS, the Secretary of the Planning Commission set, Thursday, August 6, 2020 at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the application, and notice of the public hearing was given in the manner provided in Title Sixteen of the Bakersfield Municipal Code; and

WHEREAS, the facts presented in the staff report, environmental review evidence received both in writing, and the verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and published in the *Bakersfield Californian*, a local newspaper of general circulation, 10 days prior to the hearing.

2. The provisions of the CEQA have been followed.

3. Pursuant to State CEQA Guidelines Section 15061(b) (3), Exemption from Review, the Project is exempt from the requirements of CEQA because it will not affect the environment. The Notice of Exemption was properly noticed for public review.

4. This request for an extension of time is pursuant to Bakersfield Municipal Code Section 16.16.080 and Subdivision Map Act Section 66452.6 (e).

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

1. The above recitals, incorporated herein, are true and correct.

2. The project is exempt from CEQA, pursuant to CEQA Guidelines Section 15061(b)(3).

3. The expiration date of Vesting Tentative Map 7218 is hereby extended until September 3, 2023.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on August 6, 2020, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

APPROVED

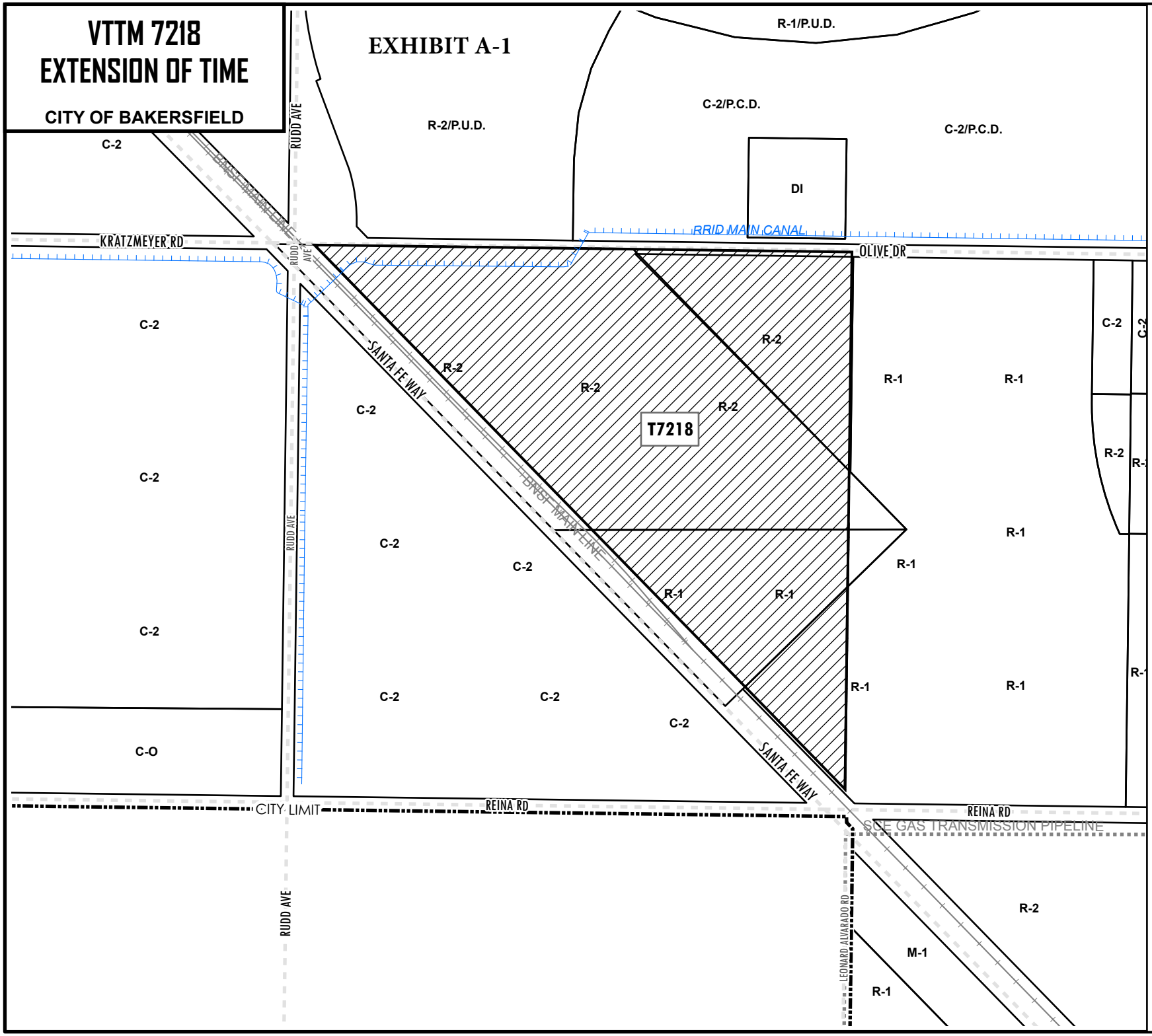
_____
LARRY KOMAN, CHAIR
City of Bakersfield Planning Commission

Exhibits: A-1 Location Map with Zoning
A-2 Vesting Tentative Tract Map

VTTM 7218
EXTENSION OF TIME

CITY OF BAKERSFIELD

EXHIBIT A-1



LEGEND (ZONE DISTRICTS)

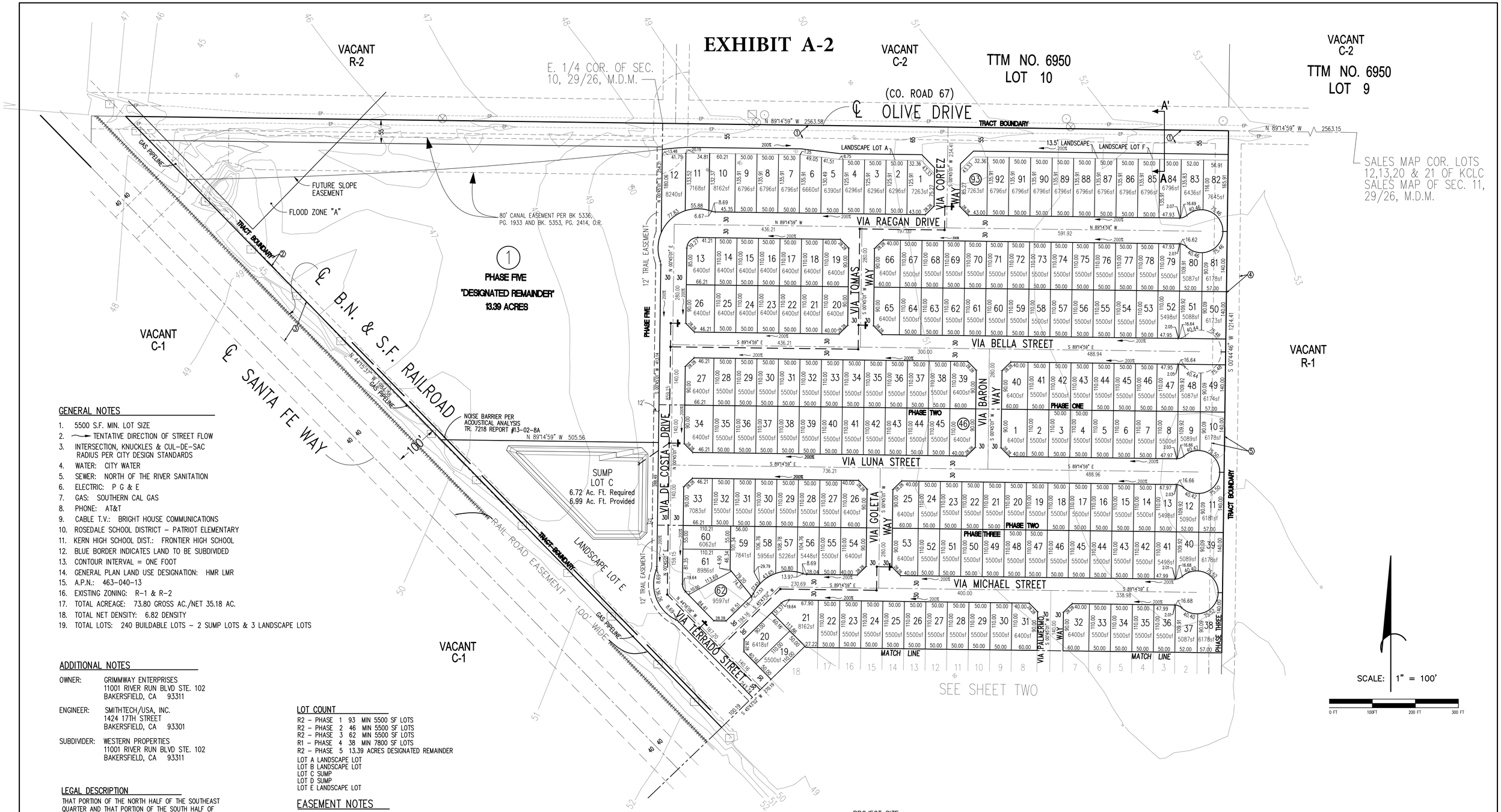
R-1 One Family Dwelling
6,000 sq.ft. min lot size
R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
E Estate
10,000 sq.ft. min lot size
R-S Residential Suburban
24,000 sq.ft./dwelling unit
R-S-( ) Residential Suburban
1, 2.5, 5 or 10 min lot size
R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
R-H Residential Holding
20 acre min lot size
A Agriculture
6,000 sq.ft. min lot size
A-20A Agriculture
20 acre min lot size
PUD Planned Unit Development
TT Travel Trailer Park
MH Mobilehome
C-O Professional and Administrative Office
C-1 Neighborhood Commercial
C-2 Regional Commercial
C-C Commercial Center
C-B Central Business
PCD Planned Commercial Development
M-1 Light Manufacturing
M-2 General Manufacturing
M-3 Heavy Industrial
P Automobile Parking
RE Recreation
Ch Church Overlay
OS Open Space
HOSP Hospital Overlay
AD Architectural Design Overlay
FP-P Floodplain Primary
FP-S Floodplain Secondary
AA Airport Approach
DI Drilling Island
PE Petroleum Extraction Combining
SC Senior Citizen Overlay
HD Hillside Development Combining
WM- West Ming Specific Plan

BAKERSFIELD

Feet
0 330 660

Document Name: 2020_07_01

EXHIBIT A-2



GENERAL NOTES

1. 5500 S.F. MIN. LOT SIZE
2. ⟶ TENTATIVE DIRECTION OF STREET FLOW
3. INTERSECTION, KNUCKLES & CUL-DE-SAC RADIUS PER CITY DESIGN STANDARDS
4. WATER: CITY WATER
5. SEWER: NORTH OF THE RIVER SANITATION
6. ELECTRIC: P G & E
7. GAS: SOUTHERN CAL GAS
8. PHONE: AT&T
9. CABLE T.V.: BRIGHT HOUSE COMMUNICATIONS
10. ROSEDALE SCHOOL DISTRICT – PATRIOT ELEMENTARY
11. KERN HIGH SCHOOL DIST.: FRONTIER HIGH SCHOOL
12. BLUE BORDER INDICATES LAND TO BE SUBDIVIDED
13. CONTOUR INTERVAL = ONE FOOT
14. GENERAL PLAN LAND USE DESIGNATION: HMR LMR
15. A.P.N.: 463-040-13
16. EXISTING ZONING: R-1 & R-2
17. TOTAL ACREAGE: 73.80 GROSS AC./NET 35.18 AC.
18. TOTAL NET DENSITY: 6.82 DENSITY
19. TOTAL LOTS: 240 BUILDABLE LOTS – 2 SUMP LOTS & 3 LANDSCAPE LOTS

ADDITIONAL NOTES

OWNER: GRIMMWAY ENTERPRISES
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

ENGINEER: SMITHTECH/USA, INC.
1424 17TH STREET
BAKERSFIELD, CA 93301

SUBDIVIDER: WESTERN PROPERTIES
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10 TOWNSHIP 29 SOUTH, RANGE 26 EAST, M.D.M.

LEGEND

- 60 EXISTING CONTOURS
- 200% PROPOSED DRAINAGE FLOW
- CROSS GUTTERS
- CATCH BASINS
- GAS PIPE LINE
- POWER POLE
- SEWER MANHOLE
- SERVICE POLE
- GUY WIRE
- TELEPHONE POLE

LOT COUNT

R2 – PHASE 1 93 MIN 5500 SF LOTS
R2 – PHASE 2 46 MIN 5500 SF LOTS
R2 – PHASE 3 62 MIN 5500 SF LOTS
R1 – PHASE 4 38 MIN 7800 SF LOTS
R2 – PHASE 5 13.39 ACRES DESIGNATED REMAINDER
LOT A LANDSCAPE LOT
LOT B LANDSCAPE LOT
LOT C SUMP
LOT D SUMP
LOT E LANDSCAPE LOT

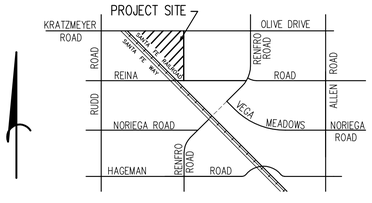
EASEMENT NOTES

EASEMENTS AFFECTING THIS MAP:

1. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 1/9/1891, KERN COUNTY RECORDS
2. 15' GAS PIPELINE EASEMENT PER INST. #0202032421, O.R.
3. 100' EASEMENT FOR RAILROAD PURPOSES PER BOOK 15, PAGE 301 OF DEEDS
4. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 1/9/1891, KERN COUNTY RECORDS
5. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 9/10/1829, KERN COUNTY RECORDS

ALTERNATE STREET NAMES

VIA ALISA
VIA GREGORIO
VIA MONTECITO
VIA RIVERIA
VIA ZAMORA



VICINITY MAP
N.T.S.

SCALE: 1" = 100'
0 FT 100FT 200 FT 300 FT

REVISIONS	DATE	BY
2nd check comments	06/12/14	CP

"VESTING"

LICENSED LAND SURVEYOR
ROBERT E. SMITH
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Exp. 9-30-15
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SmithTech USA INCORPORATED
HABERFELDE BUILDING
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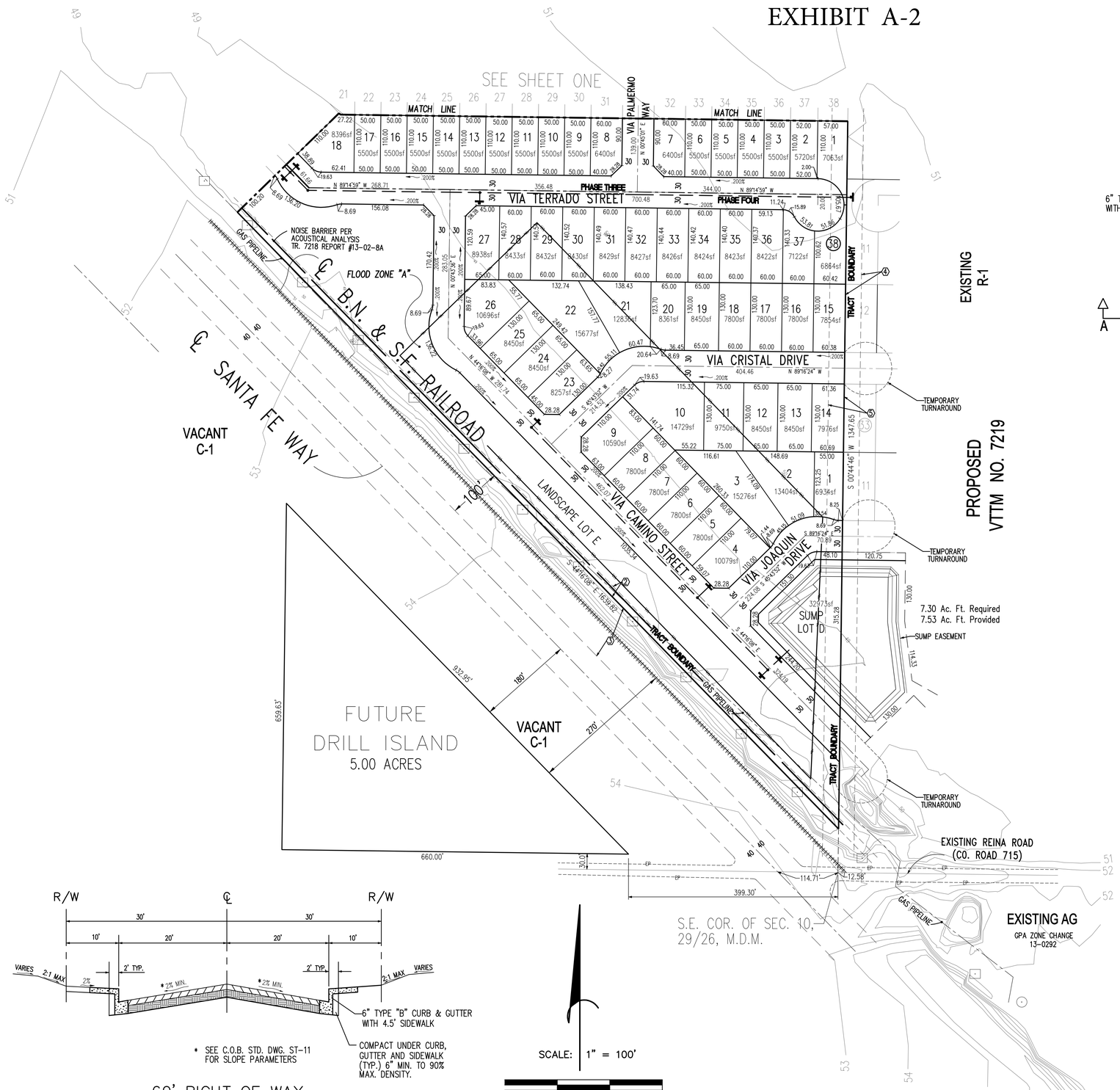
BAKERSFIELD, CALIFORNIA 93301
(805) 327-8492 FAX 327-8493

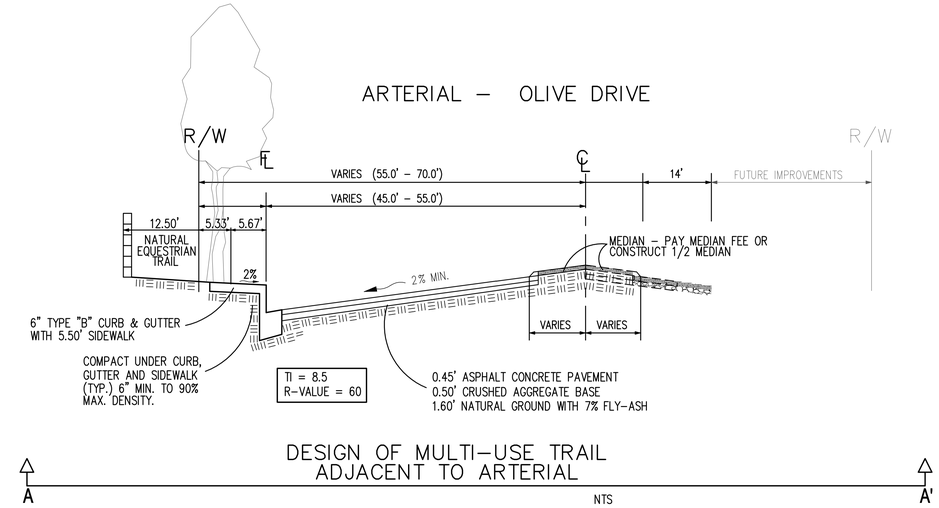
TRACT NO. 7218
TENTATIVE TRACT MAP

ROBERT E. SMITH RCE 35473 DATE

JOB NO. – 12-106 SHEET 1 OF 2 SHEETS

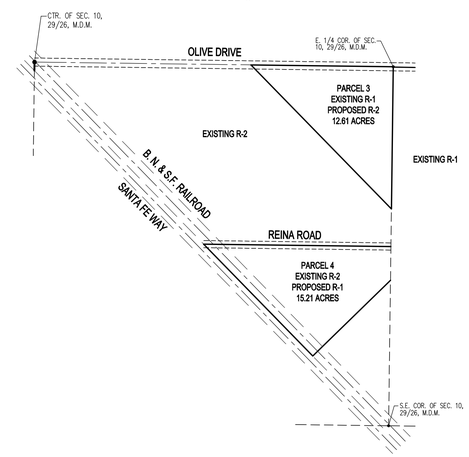
EXHIBIT A-2





KRATZMEYER RANCH ZONING ADJUSTMENT

PER CASE #13-0362



KEY MAP

LEGEND

- 60 EXISTING CONTOURS
- .200% PROPOSED DRAINAGE FLOW
- CROSS GUTTERS
- CATCH BASINS
- GAS PIPE LINE
- POWER POLE
- TELEPHONE POLE

60' RIGHT OF WAY
TYPICAL LOCAL STREET SECTION

NTS

LICENSED LAND SURVEYOR
ROBERT E. SMITH
L.S. 5565
Exp. 9-30-15
STATE OF CALIFORNIA

SmithTech USA INCORPORATED
HABERFELDE BUILDING
1424 17TH STREET
BAKERSFIELD, CALIFORNIA 93301
(805) 327-8492 FAX 327-8493

VESTING TENTATIVE TRACT NO. 7218

ROBERT E. SMITH RCE 35473 DATE

JOB NO. – 12-106 SHEET 2 OF 2 SHEETS

EXHIBIT B - NOTICE OF EXEMPTION

TO: __ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

X County Clerk
County of Kern
1115 Truxtun Avenue
Bakersfield, CA 93301

FROM: City of Bakersfield
Planning Division
1715 Chester Avenue
Bakersfield, CA 93301

Project Title: Extension of Time for Vesting Tentative Tract Map 7218 (Phased)

Project Location-Specific: South of Olive Dr. and east of Santa Fe Way.

Project Location-City: Bakersfield **Project Location-County:** Kern

Description of Project:
Extension of Time for Vesting Tentative Tract Map 7218 (Phased): QK Inc. requests an extension of time for Vesting Tentative Tract 7218 consisting of 239 single family lots, 2 sump lots and landscape lots on 74 acres zoned R-1 and R-2.

Name of Public Agency Approving Project: City of Bakersfield

Name of Person or Agency Carrying Out Project: QK, Inc.

Exempt Status:
__ Ministerial (Sec.21080(b)(1); 15268));
__ Declared Emergency (Sec.21080(b)(3); 15269(a));
__ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
__ Categorical Exemption. State type and section number.
__ Statutory Exemptions. State section number. _____
X Project is exempt from CEQA pursuant to Section 15061(b)(3)

Reasons why project is exempt: Will not have an effect on the environment based on the criteria listed in this exemption.

Lead Agency: Contact Person: Jennie Eng Telephone/Ext.: 661-326-3043

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes__ No_

Signature:_____ **Title**: Principal Planner **Date**:_____

X Signed by Lead Agency
_____ Signed by Applicant

Date received for filing at OPR: _____

COVER SHEET

PLANNING DEPARTMENT
STAFF REPORT

MEETING DATE: August 6, 2020	**ITEM NUMBER:** Consent Calendar Public Hearings5.(c.)

TO: Planning Commission

FROM: Paul Johnson, Planning Director

PLANNER: Jennie Eng, Principal Planner

DATE:

WARD: Ward 4

SUBJECT:
Extension of Time for Vesting Tentative Tract Map 7219 (Phased): QK Inc. requests an extension of time for this tentative tract map consisting of 77 single family lots on 20 acres located on the northeast corner of Reina Road and Santa Fe Way. Notice of Exemption on file.

APPLICANT: QK Inc.

OWNER: Diamond Farming Co.

LOCATION: Located on the northeast corner of Reina Road and east of Santa Fe Way in northwest Bakersfield.

STAFF RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Resolution with Exh	Resolution
Attachment B-NOE	Backup Material

CITY OF BAKERSFIELD
PLANNING DEPARTMENT
STAFF REPORT

TO: Chair Koman and Members of the Planning Commission AGENDA ITEM: **5.c.**

FROM: Paul Johnson, Planning Director APPROVED: PJ

DATE: August 6, 2020

SUBJECT: **EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7219 (WARD 4)**

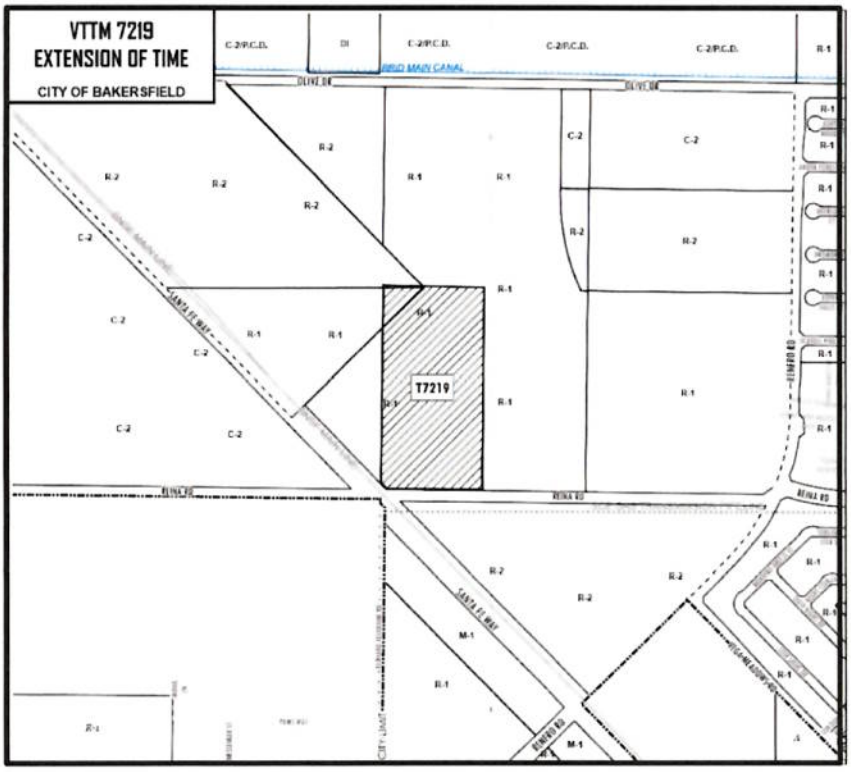
APPLICANT:

ENGINEER
QK, Inc.
5080 California Ave #220
Bakersfield, CA 93309

SUBDIVIDER/PROPERTY OWNER
Diamond Farming Co.
c/o Western Properties
9100 Ming Ave #120
Bakersfield, CA 93311

LOCATION: Located at the northeast corner of Reina Road and Santa Fe Way in northwest Bakersfield (APN #463-040-13).

Figure 1. Location Map



RECOMMENDATION:

Adopt Resolution and suggested findings **APPROVING** the extension of time for Vesting Tentative Tract Map 7219 as depicted in the project description.

PROJECT SUMMARY:

This project is a request for an extension of time for a vesting tentative tract map (No. 7219) to create 77 single family lots, one sump lot and one landscape lot on 20 acres zoned R-1 (One-Family Dwelling), located at the northeast corner of Reina Road and Santa Fe Way. Staff notes that two nearby vesting tentative tract maps are also being processed for extension of time.

Figure 2. Aerial Photo

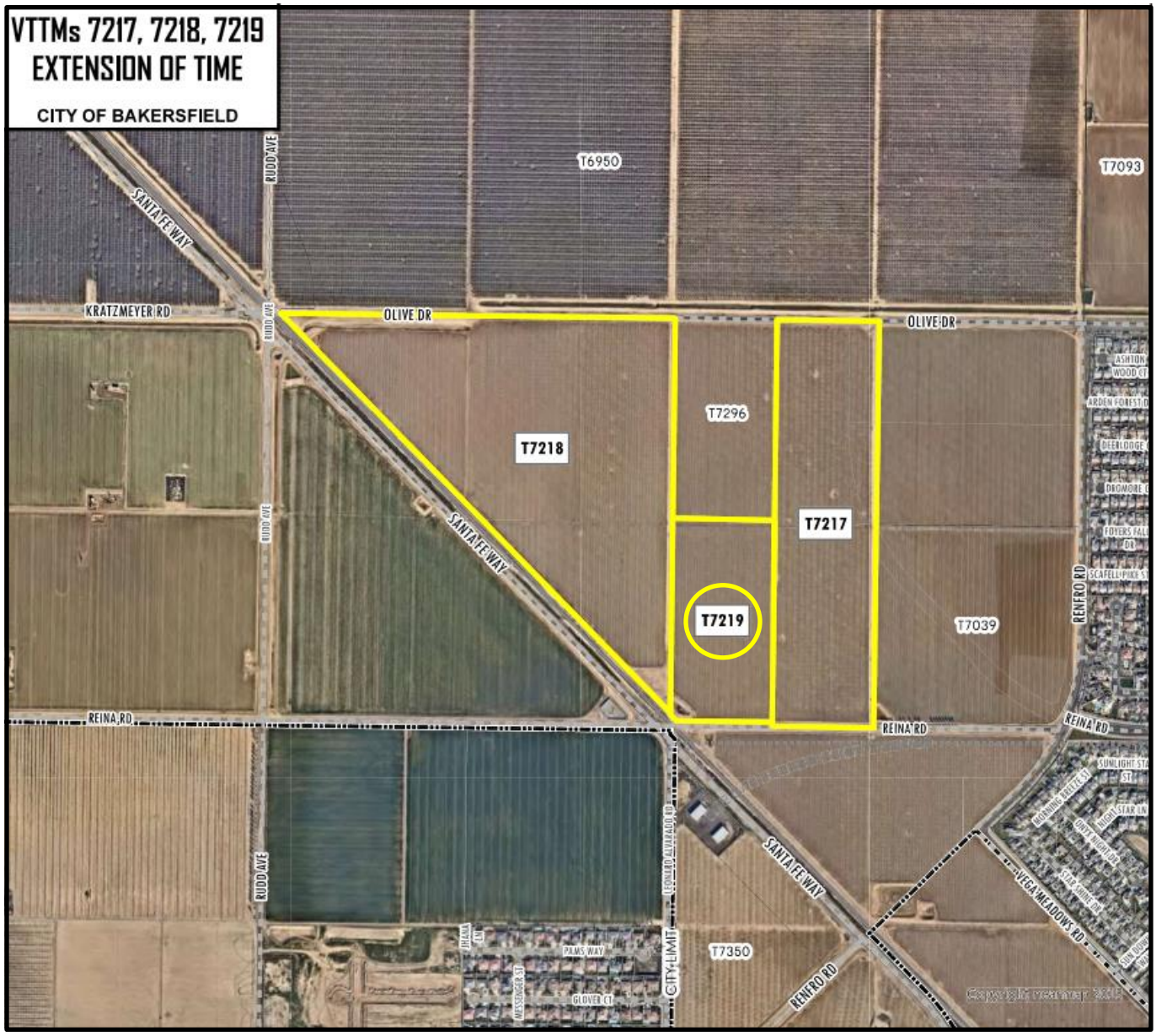


Figure 3. Site Visit Photo
View Looking North from Reina Road

Surrounding Land Uses.

The site and surrounding property's General Plan land use designation, zoning classification, and land use are specified in Table A:

Table A. Surrounding Land Use Designations and Zoning Districts

DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
SITE	LR, HMR	R-1	Agricultural crops
NORTH	LR, HMR	R-1, R-2	Agricultural crops; VTM 7296
WEST	LR, HMR	R-1	Agricultural crops; VTM 7218
SOUTH	LMR	R-2	Agricultural crops
EAST	LR	R-1	Agricultural crops; VTM 7217
Land Use Designations: LR: ≤ 7.26 du/na HMR: > 7.26 ≤ 17.42 du/na		Zoning Designations R-1: One Family Dwelling R-2 : Limited Multiple Family Dwelling	

PROJECT ANALYSIS:

Background and Timeline.

January 13, 2010. City Council approved Zone Change (ZC No. 09-0951, which pre-zoned the project site from County A (Exclusive Agriculture) to City R-1 (One Family Dwelling).

March 15, 2011. The project site was annexed into the City as a portion of the Kratzmeyer Ranch Annexation (Annexation #465).

April 16, 2014. City Council approved a General Plan Amendment to the Circulation Element (GPA 13-0388), which relocated a future collector (Rosedale Ranch Parkway) and multi-use trail alignment in the area.

September 4, 2014. Your Commission originally approved VTM 7219 to create 77 single family lots, a sump lot and a landscape lot on 20 acres. A mitigated Negative Declaration was also adopted. The original subdivision application was deemed complete on July 21, 2014.

September 24, 2014. As a result of the new collector alignment under GPA 13-0388, City Council approved a zone change (ZC No. 13-0362) to change a portion of the project site from R-1 to R-2 and R-1 to C-2.

October 5, 2017. Your Commission approved a three-year extension of time for VTTM 7219, to expire on September 3, 2020.

Analysis.

The applicant is requesting a three-year extension of time to allow additional time to record this map due to the economic downturn. No phase of this map has recorded. The applicant requested the extension of time in writing prior to the September 3, 2020 expiration date and the applicant has requested additional time to allow a positive readjustment in the current real estate market thus enabling a demand and increase in new construction of single-family residential development for northwest Bakersfield.

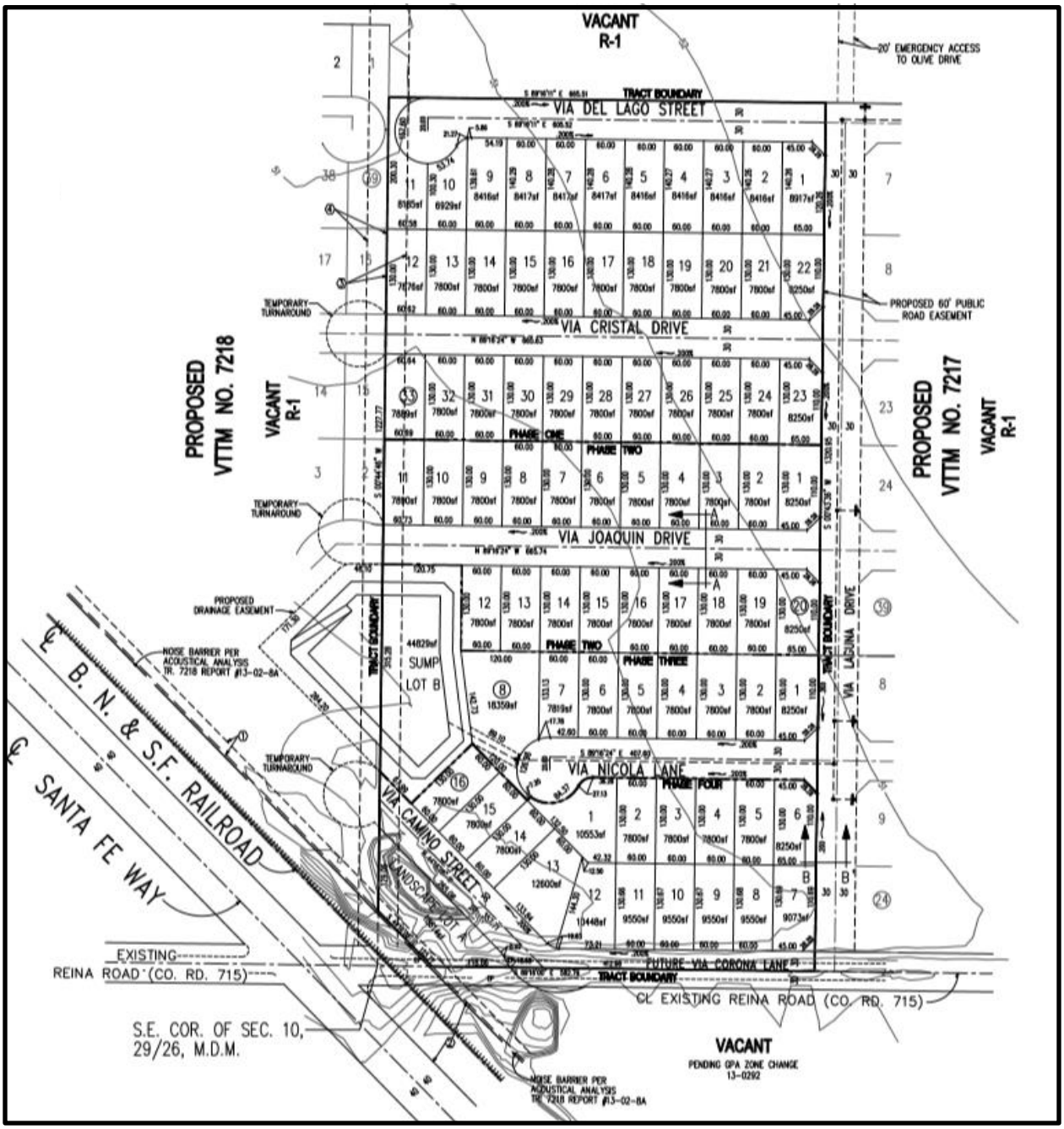
This tentative subdivision is not eligible for any of the automatic extensions the California State Legislature approved in response to the economic downturn and the recession. However, the Subdivision Map Act and the Bakersfield Municipal Code (Section 16.16.080) allow for separate extensions to be approved by your Commission with an aggregate of up to six years. City policy has been to approve extensions of time in two (2), three-year intervals. This current request represents the second request for Vesting Tentative Tract Map 7219. Staff recommends approval of a three-year extension of time to expire on September 3, 2023, with no changes to previously approved conditions of approval. Except as may otherwise be described in this staff report, the proposed project is subject to the original conditions of approval, complies with the ordinances and policies of the City of Bakersfield.

Circulation.

The proposed subdivision will gain access from Rosedale Ranch Parkway (future Collector) via Olive Drive, and proposed local roads within the project site. Rosedale Ranch Parkway is the northerly extension of the Reina Road alignment. Currently, there is no Golden Empire Transit (GET) bus service to the project site. The closest GET bus route is Route 84 traveling Old Farm Road and Olive Drive to Frontier High School, approximately one mile east of the project site. As development occurs and demand for service increases, GET bus will provide future routes.

The City's Bikeway Master Plan identifies Olive Drive as a Class 2 facility (bike lanes). Bike lanes do not currently exist but at the time Stockdale Highway frontage property is developed, each respective project will be required to construct bike lanes with street improvements. This will allow continued connection to the existing bikeway network.

Figure 4. VTTM 7219



ENVIRONMENTAL REVIEW AND DETERMINATION:

Based upon an initial environmental assessment, pursuant to the California Environmental Quality Act (CEQA), an initial study was prepared for the original project of the subject property and a Mitigated Negative Declaration (MND) was adopted by your Commission on September 4, 2014, which is applicable to Vesting Tentative Tract Map 7219. In accordance with Section 15061(b)(3) *Review for Exemption*, this extension of time is exempt from the requirements of CEQA because it will not affect the environment. Actual development of the project site will be consistent with the previously approved MND.

PUBLIC NOTIFICATION:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Development Services/Planning Division. All property owners within 300 feet of the project site were notified about the hearing at least 10 days prior to the public hearing in accordance with State law. As of this writing, no written comments have been received.

CONCLUSION:

The applicant provided the application for the Extension of Time for Vesting Tentative Tract Map 7219 in a timely manner, and has requested a three-year extension to allow more time to record final maps. The three-year extension is reasonable and complies with the extensions permitted by Bakersfield Municipal Code 16.16.080. Based on the foregoing, staff recommends approval of the request to extend the tentative map to expire on September 3, 2023.

Exhibits (attached):

A: Resolution
  A-1 Location Map with Zoning
  A-2 Vesting Tentative Tract Map 7219
B: Notice of Exemption

EXHIBIT A

RESOLUTION NO. _____

DRAFT

RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION TO APPROVE AN EXTENSION OF TIME FOR VESTING TENTATIVE TRACT MAP 7219 (PHASED) LOCATED SOUTH OF OLIVE DRIVE AND EAST OF SANTA FE WAY.

WHEREAS, QK Inc., representing Western Properties, filed an application with the City of Bakersfield Planning Department requesting an extension of time for Vesting Tentative Tract Map 7219 (the "Project") located in the City of Bakersfield as shown on attached (Exhibit "A"); and

WHEREAS, the application was submitted on July 7, 2020, which is prior to the expiration date of September 3, 2020, and in accordance with the provisions of Section 16.16.080 of the Bakersfield Municipal Code; and

WHEREAS, the original application of the tentative map was deemed complete on July 9, 2014, conditionally approved by the Planning Commission on September 4, 2014; and

WHEREAS, a mitigated negative declaration was previously approved by the Planning Commission on September 4, 2014 for Vesting Tentative Tract Map 7219; and

WHEREAS, there have been no substantial changes to the Project or circumstances under which it will be undertaken; and

WHEREAS, no new environmental impacts have been identified; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant State CEQA Guidelines Section 15061(b)(3), Exemption from Review; and

WHEREAS, the Secretary of the Planning Commission set, Thursday, August 6, 2020 at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the application, and notice of the public hearing was given in the manner provided in Title Sixteen of the Bakersfield Municipal Code; and

WHEREAS, the facts presented in the staff report, environmental review evidence received both in writing, and the verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and published in the *Bakersfield Californian*, a local newspaper of general circulation, 10 days prior to the hearing.

2. The provisions of the CEQA have been followed.

3. Pursuant to State CEQA Guidelines Section 15061(b) (3), Exemption from Review, the Project is exempt from the requirements of CEQA because it will not affect the environment. The Notice of Exemption was properly noticed for public review.

4. This request for an extension of time is pursuant to Bakersfield Municipal Code Section 16.16.080 and Subdivision Map Act Section 66452.6 (e).

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

1. The above recitals, incorporated herein, are true and correct.

2. The project is exempt from CEQA, pursuant to CEQA Guidelines Section 15061(b)(3).

3. The expiration date of Vesting Tentative Map 7219 is hereby extended until September 3, 2023.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on_____, 2020, on a motion by Commissioner _____ and seconded by Commissioner _____, by the following vote.

AYES:

NOES:

ABSENT:

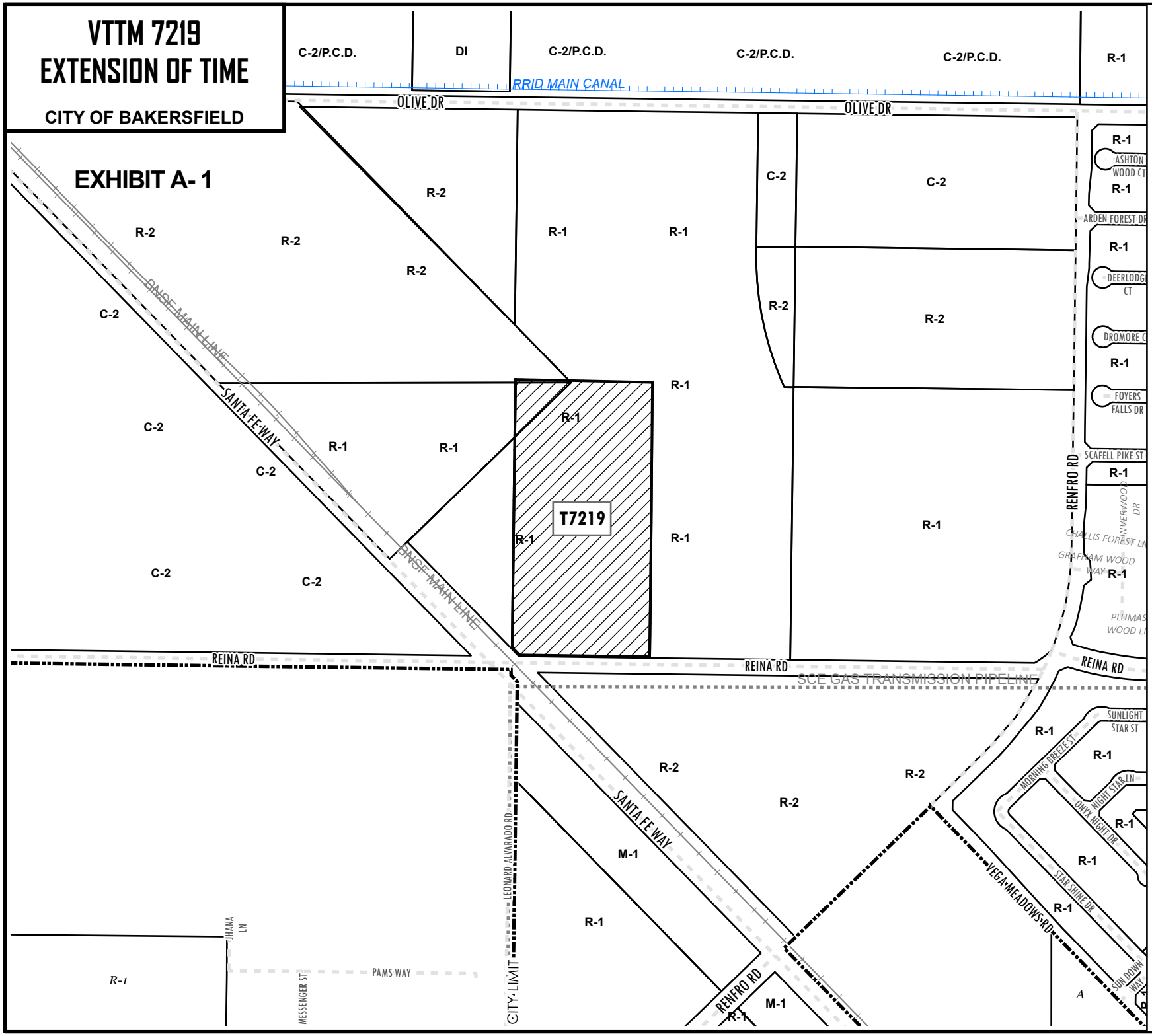
APPROVED

_____
LARRY KOMAN, CHAIR
City of Bakersfield Planning Commission

Exhibits: A-1 Location Map with Zoning
A-2 Vesting Tentative Tract Map

VTTM 7219
EXTENSION OF TIME

CITY OF BAKERSFIELD



LEGEND (ZONE DISTRICTS)

R-1 One Family Dwelling
6,000 sq.ft. min lot size
R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
E Estate
10,000 sq.ft. min lot size
R-S Residential Suburban
24,000 sq.ft./dwelling unit
R-S-( ) Residential Suburban
1, 2.5, 5 or 10 min lot size
R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
R-H Residential Holding
20 acre min lot size
A Agriculture
6,000 sq.ft. min lot size
A-20A Agriculture
20 acre min lot size
PUD Planned Unit Development
TT Travel Trailer Park
MH Mobilehome
C-O Professional and Administrative Office
C-1 Neighborhood Commercial
C-2 Regional Commercial
C-C Commercial Center
C-B Central Business
PCD Planned Commercial Development
M-1 Light Manufacturing
M-2 General Manufacturing
M-3 Heavy Industrial
P Automobile Parking
RE Recreation
Ch Church Overlay
OS Open Space
HOSP Hospital Overlay
AD Architectural Design Overlay
FP-P Floodplain Primary
FP-S Floodplain Secondary
AA Airport Approach
DI Drilling Island
PE Petroleum Extraction Combining
SC Senior Citizen Overlay
HD Hillside Development Combining
WM- West Ming Specific Plan

BAKERSFIELD

Feet

0 330 660

Document Name: 2020_07_01

KEY MAP

KRATZMEYER RANCH ZONING ADJUSTMENT

PER CASE #13-0362

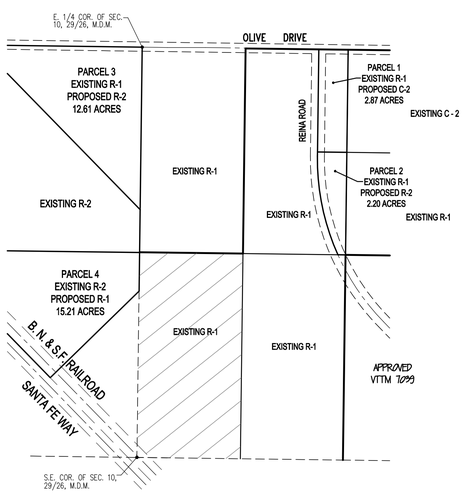
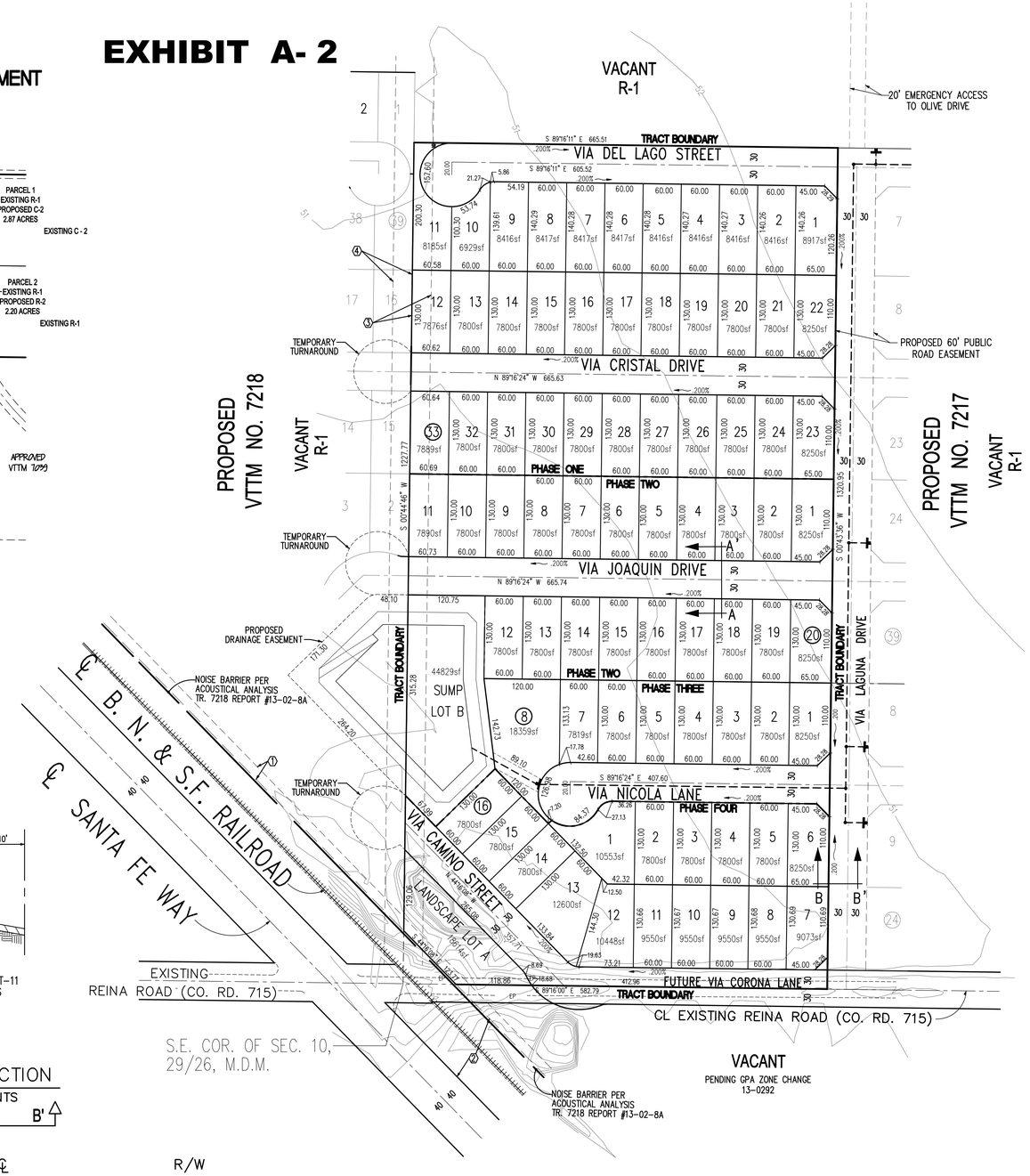
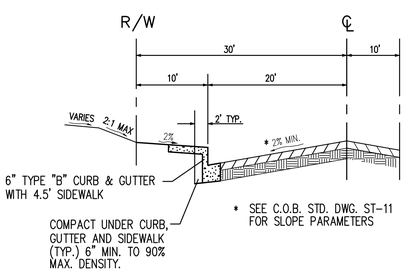


EXHIBIT A- 2

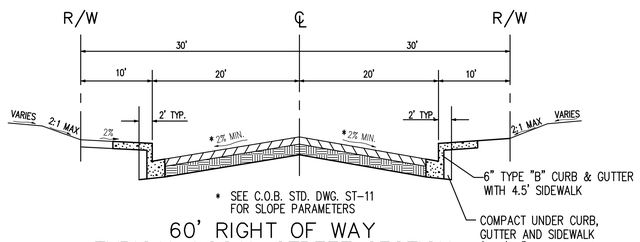




VIA LAGUNA DRIVE
TYPICAL LOCAL STREET SECTION

NTS

B — B'



60' RIGHT OF WAY
TYPICAL LOCAL STREET SECTION

NTS

A — A'

GENERAL NOTES

1. 6000 S.F. MIN. LOT SIZE
2. TENTATIVE DIRECTION OF STREET FLOW
3. INTERSECTION, KNUCKLES & CUL-DE-SAC RADIUS PER CITY DESIGN STANDARDS
4. WATER: CITY WATER
5. SEWER: NORTH OF THE RIVER SANITATION
6. ELECTRIC: P G & E
7. GAS: SOUTHERN CAL GAS
8. PHONE: AT&T
9. CABLE T.V.: BRIGHT HOUSE COMMUNICATIONS
10. ROSEDALE SCHOOL DISTRICT: PATRIOT ELEMENTARY
11. KERN HIGH SCHOOL DIST.: FRONTIER HIGH SCHOOL
12. BLUE BORDER INDICATES LAND TO BE SUBDIVIDED
13. CONTOUR INTERVAL = ONE FOOT
14. GENERAL PLAN LAND USE DESIGNATION: HMR LMR
15. A.P.N.: 529-011-12
16. EXISTING ZONING: R-1
17. TOTAL LOTS: 77 BUILDABLE LOTS - 1 SUMP LOT 1 LANDSCAPE LOT
18. TOTAL ACRES: 14.56 NET AC./GROSS 20.10 AC.
19. RESIDENTIAL DENSITY: 5.29 D.U.

ADDITIONAL NOTES

OWNER: GRIMMWAY ENTERPRISES
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

ENGINEER: SMITHTECH/USA, INC.
1424 17TH STREET
BAKERSFIELD, CA 93301

SUBDIVIDER: WESTERN PROPERTIES
11001 RIVER RUN BLVD STE. 102
BAKERSFIELD, CA 93311

LEGAL DESCRIPTION

LOT 25 OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 29 SOUTH, RANGE 26 EAST, M.D.M.

ALTERNATE STREET NAMES

VIA AURORA
VIA CANDELLA
VIA CRESTA
VIA MAGNOLIA
VIA PACIFICA
VIA SAN LUCAS
VIA SORRENTO

LEGEND

EXISTING CONTOURS
PROPOSED DRAINAGE FLOW
CROSS GUTTERS
CATCH BASINS

LOT COUNT

R1 - PHASE 1 = 33 MIN 6000 SF LOTS
R1 - PHASE 2 = 20 MIN 6000 SF LOTS
R1 - PHASE 3 = 8 MIN 6000 SF LOTS
R1 - PHASE 3 = 16 MIN 6000 SF LOTS

LOT A LANDSCAPE LOT (NORTH OF THE RIVER PARKS)
LOT B SUMP LOT

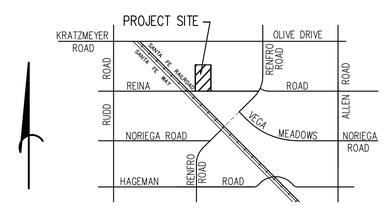
EASEMENT NOTES

EASEMENTS AFFECTING THIS MAP:

1. 15' GAS PIPELINE EASEMENT PER INST. #0202032421, O.R.
2. 100' EASEMENT FOR RAILROAD PURPOSES PER BOOK 15, PAGE 301 OF DEEDS
3. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 1/9/1891, KERN COUNTY RECORDS
4. RIGHT-OF-WAY EASEMENT FOR ROAD PURPOSES AS SHOWN ON THE "SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY" RECORDED 9/10/1829, KERN COUNTY RECORDS

SCALE: 1" = 100'

0 FT 100FT 200 FT 300 FT



VICINITY MAP
N.T.S.

REVISIONS	DATE	BY
2nd check comments	06/12/14	CP

"VESTING"

LICENSED LAND SURVEYOR
ROBERT E. SMITH
L.S. 5565
Exp. 9-30-15
STATE OF CALIFORNIA

TRACT NO. 7219 Phases 1 - 4
TENTATIVE TRACT MAP

SmithTech USA INCORPORATED
HABERFELDE BUILDING
1424 17TH STREET
BAKERSFIELD, CALIFORNIA 93301
(805) 327-8492 FAX 327-8493

ROBERT E. SMITH RCE 35473 DATE

JOB NO. - 09-101.03 SHEET 1 OF 1 SHEETS

EXHIBIT B - NOTICE OF EXEMPTION

TO: __ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

X County Clerk
County of Kern
1115 Truxtun Avenue
Bakersfield, CA 93301

FROM: City of Bakersfield
Planning Division
1715 Chester Avenue
Bakersfield, CA 93301

Project Title: Extension of Time for Vesting Tentative Tract Map 7219 (Phased)

Project Location-Specific: south of Olive Dr. and east of Santa Fe Way.

Project Location-City: Bakersfield **Project Location-County:** Kern

Description of Project:
Extension of Time for Vesting Tentative Tract Map 7219 (Phased): QK Inc. requests an extension of time for Vesting Tentative Tract 7219 consisting of 77 single family lots, a sump lot and a landscape lot on 20 acres zoned R-1 and R-2.

Name of Public Agency Approving Project: City of Bakersfield

Name of Person or Agency Carrying Out Project: QK, Inc.

Exempt Status:
__ Ministerial (Sec.21080(b)(1); 15268));
__ Declared Emergency (Sec.21080(b)(3); 15269(a));
__ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
__ Categorical Exemption. State type and section number.
__ Statutory Exemptions. State section number. _____
X Project is exempt from CEQA pursuant to Section 15061(b)(3)

Reasons why project is exempt: Will not have an effect on the environment based on the criteria listed in this exemption.

Lead Agency: Contact Person: Jennie Eng Telephone/Ext.: 661-326-3043

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes__ No_

Signature:_____ **Title**: Principal Planner **Date**:_____

__X__Signed by Lead Agency
_____Signed by Applicant

Date received for filing at OPR: _____

COVER SHEET

PLANNING DEPARTMENT
STAFF REPORT

MEETING DATE: August 6, 2020	**ITEM NUMBER:** Consent - Public Hearing5.(d.)

TO: Planning Commission

FROM: Paul Johnson, Planning Director

PLANNER: Jennie Eng, Principal Planner

DATE:

WARD: Ward 3

SUBJECT:
Tentative Parcel Map 12334: DPSI proposes to subdivide 596 acres into 2 residential parcels for future single-family residential development located on the northeast corner of Paladino Drive and Masterson Street. A Mitigated Negative Declaration will also be considered. *Continued from June 4 and 11, 2020.*

APPLICANT: DPSI

OWNER: Vista Montaire, LLC

LOCATION: Northeast corner of Paladino Drive and Masterson Street in northeast Bakersfield.

STAFF RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description	Type
Staff Report	Staff Report
Resolution	Resolution
Attachment A	Backup Material
Attachment B - MND	Backup Material

CITY OF BAKERSFIELD
PLANNING DEPARTMENT
STAFF REPORT

TO: Chair Koman and Members of the Planning Commission AGENDA ITEM: **5.d.**

FROM: Paul Johnson, Planning Director APPROVED: PJ

DATE: August 6, 2020

SUBJECT: **TENTATIVE PARCEL MAP 12334 (WARD 3)**

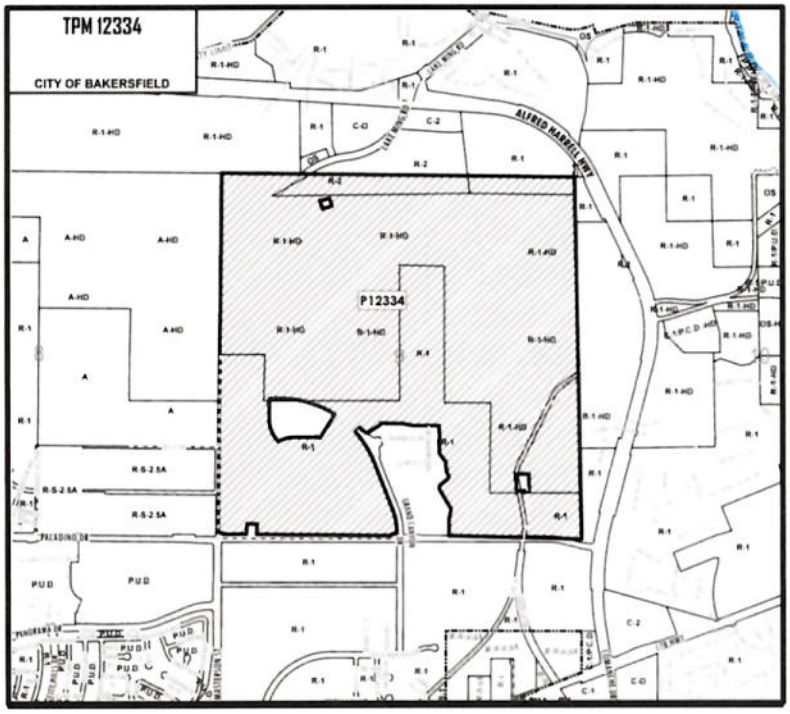
APPLICANT:

ENGINEER
DPSI
5351 Olive Dr. #100
Bakersfield, CA 93308

PROPERTY OWNER / SUBDIVIDER
Vista Montaire, LLC
532 Camino Mercado
Arroyo Grande, CA 93420

LOCATION: Located on the northeast corner of Paladino Drive and Masterson Street in northeast Bakersfield (APN: 386-050-60).

Figure 1. Location Map



RECOMMENDATION

Adopt the Resolution, and suggested findings **APPROVING** the Mitigated Negative Declaration and Tentative Parcel Map 12334 as depicted in the project description and recommended conditions.

PROJECT SUMMARY:

This project is a request to subdivide 596 acres into two parcels for future single family residential development in an R-1 (One-Family Dwelling) zone and R-1/HD (One-Family Dwelling/Hillside Development) zone located on the northeast corner of Paladino Drive and Masterson Street in northeast Bakersfield.

Figure 2. Aerial Photo

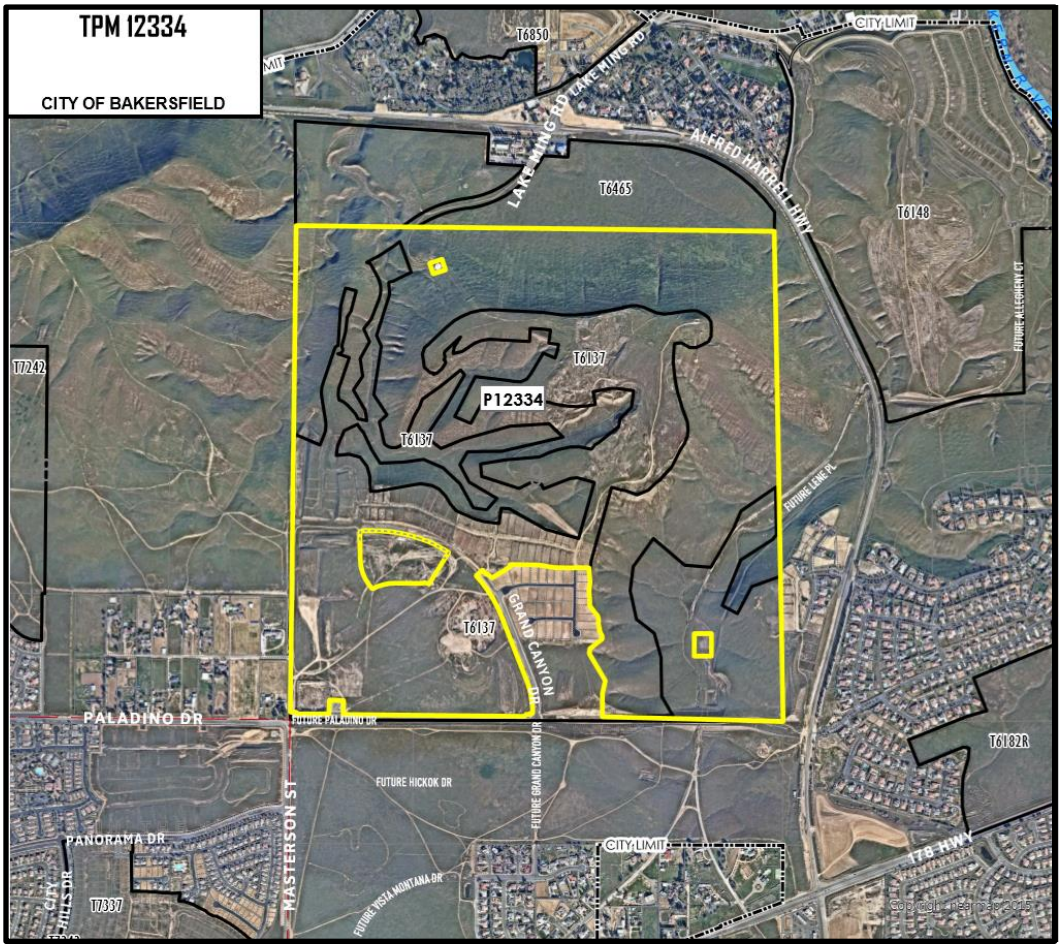


Figure 3. Site Visit Photo

View Looking East from Masterson St. and Pitts Ave.

Surrounding Land Uses.

The site and surrounding property's General Plan land use designation, zoning classification, and land use are specified in Table A.

Table A. Surrounding Land Use Designations and Zoning Districts

DIRECTION	LAND USE DESIGNATION	ZONING DISTRICT	EXISTING LAND USE
SITE	OS-S; LR; LMR	R-1; R-1-HD; R-2	Vacant
NORTH	OS-P; LR; LMR	OS; R-1; R-1-HD; R-2	Vacant; Office buildings
WEST	OS-S; LR	A, A-HD; R-S-2.5A	Vacant; Ranchette homes
SOUTH	LR	R-1	Vacant, Recorded Tract 6137 (Phase 1)
EAST	OS-S; LR	R-1; R-1-HD	Vacant; single family homes

Land Use Designations:	Zoning Designations:
OS-P : Open Space-Park OS-S : Open Space-Slope LR: $\leq$ 7.26 du/na LMR: > 4 $\leq$ 10 du/na	OS : Open Space A: Agriculture A-HD: Agriculture-Hillside Development RS-2.5A: Residential-Suburban- 2.5 acre minimum lot size R-1: One Family Dwelling R-1-HD: One Family Dwelling- Hillside Development R-2 : Limited Multiple Family Dwelling

PROJECT ANALYSIS:

Background and Timeline.

September 9, 1977. The project site was annexed to the City of Bakersfield as part of the Rio Bravo Annexation (Annexation #240).

November 15, 2006. City Council approved Ordinance 4391 adopting the HD (Hillside Development) combining zone for areas with greater than 30% slopes. A portion of Parcel 2 in Tentative Parcel Map (TPM) 12334 is subject to the HD combining zone.

March 26, 2003. City Council approved a Mitigated Negative Declaration and Vesting Tentative Tract Map (VTM) 6137. The decision was a result of an appeal by the Sierra Club (appeal denied). VTM 6137 consists of 316 single-family lots and various open space lots, and generally encompasses the same boundaries as the proposed TPM 12334. Phase 1 of VTM 6137 has been recorded and is not part of TPM 12334 (see "salmon" color on Figure 4a).

March 27, 2006. The first Substantial Conformance request for VTM 6137 was approved to provide a secondary emergency access road, and access to the sewer lift station.

August 22, 2006. The Public Works Department approved a 3-year extension of time for VTM 6137 pursuant Section 66452(6) (a) (1) of the Subdivision Map Act.

December 12, 2007. The City of Bakersfield and Vista Montaire, LLC recorded an agreement for acquisition and dedication of a 10-acre park located at Grand Canyon Drive east of Masterson Street and Staging Area #1 (Agreement #07-413) to satisfy the park land condition of VTM 6137.

December 18, 2007. Phase 3 of VTM 6137 recorded containing 36 lots on 30 acres. No homes have been developed on this site. Phase 3 is located in the southern portion of the subdivision. Attachment A provides background regarding agreements for improvements since Phase 3 recorded before Phases 1 and 2.

2008, 2010, 2011, 2013, and 2015. VTM 6137 received the automatic extensions of time as approved by State legislation.

February 1, 2018. Planning Commission approved a 3-year extension to expire on March 25, 2023.

December 11, 2019. The second Substantial Conformance request for VTM 6137 was approved to allow: 1) relocation of the secondary emergency access road to a different area determined to be more feasible based on topography; 2) adjustment of the alignment of one residential street; and 3) revision to the phase lines to match approved Improvement Plans.

June 4 and 11, 2020. Due to cancellation of the June 4, 2020 regularly scheduled Planning Commission meeting, this project was continued to the June 11, 2020 meeting. However, the applicant requested the public hearing be further continued to the August 6, 2020 meeting. The additional time was requested to allow for the applicant to discuss the project with the Sierra Club.

Figure 4a. VTM 6137

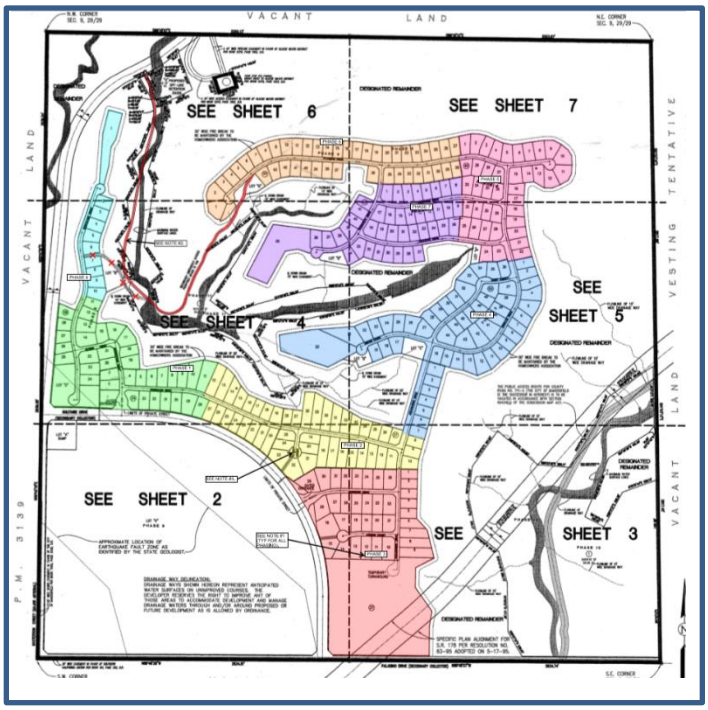
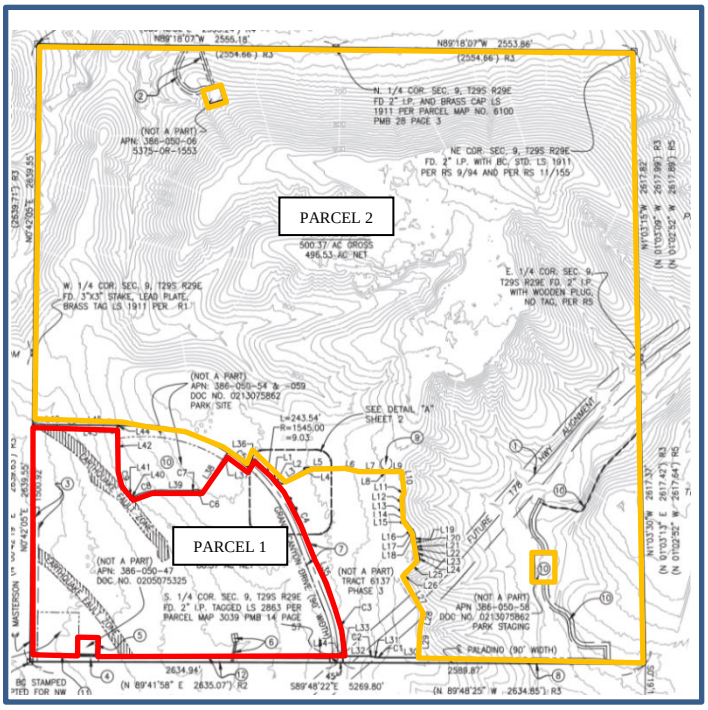


Figure 4b. TPM 12334



Analysis.

The proposed tentative parcel map consists of two parcels on 596 acres; Parcel 1 (95.73 acres) and Parcel 2 (500.37 acres), both zoned for single-family residential development. The application was deemed complete on March 27, 2020.

The stated purpose of TPM 12334 is to create two parcels that generally encompass the boundaries of VTM 6137. If approved, Parcel 1 of TPM 12334 could be sold and developed separately to facilitate balancing the cost of improvements for Parcel 2. The subdivider intends for Parcel 1 to be further subdivided into single-family homes with a subsequent tentative tract

map processed by the new developer. Conceptually, approximately 220 single-family homes could be developed within Parcel 1 while adhering to the required structural setbacks from two Alquist-Priolo Special Studies geological hazardous zones (see "Environmental Review" section below for further analysis). Parcel 2 of TPM 12334 could continue to be developed with the single-family lots and street layouts reflected in VTM 6137.

Consistency/Deviation from Design Standards.

As stated above, the two parcels each exceed twenty acres in size; Parcel 1 (95.73 acres) and Parcel 2 (500.37 acres). It is City policy not to require improvements on tentative parcel maps when all parcels exceed 20 acres in size.

Circulation.

TPM 12334 has access to Paladino Drive to the west and Masterson Street to the south (both arterial streets). In 2014, the Public Works Department reviewed and clarified the type and timing of improvements based on a change in the phasing plan for VTM 6137. This determination is stated in a letter of understanding provided to the applicant (Attachment A). TPM 12334 does not alter the requirements to construct improvements.

The closest Golden Empire Transit (GET) bus stop is located approximately 3 miles west of the project site at Fairfax Road and Auburn Street (Route 4). The City's Bikeway Master Plan identifies Paladino Drive (southern boundary of project site) and Masterson Street (western boundary of project site) as a Class 2 facility (bike lanes). The Traffic Engineer will evaluate if bike lane striping should be installed along project street frontages or delayed if their installation will compromise public safety (e.g. short lengths of unconnected bike lanes that would confuse drivers and cyclists increasing the likelihood of accidents). Striping would then occur at the time the City added bike lanes along the streets with connections to the existing bikeway network.

Park Land In-Lieu Fees/Dedication.

The City of Bakersfield provides park and recreational services to the project site. The City acquired a 10-acre park site located along the north boundary of Parcel 1 that will have access from future Grand Canyon Drive. This park site and a trail staging area were acquired in 2007 by the City as part of the approval for VTM 6137 and will be developed when homes in the vicinity are developed and when the need for service levels are met. No further parkland is required.

Mineral Rights:

Mineral right owners' signatures are not required on the final map pursuant to Bakersfield Municipal Code Section 16.22.030.B. In accordance with Subdivision Map Act Section 66445(e), mineral rights owners' signatures are not required on final parcel maps with 4 or fewer parcels. As proposed TPM 12334 contains two buildable parcels.

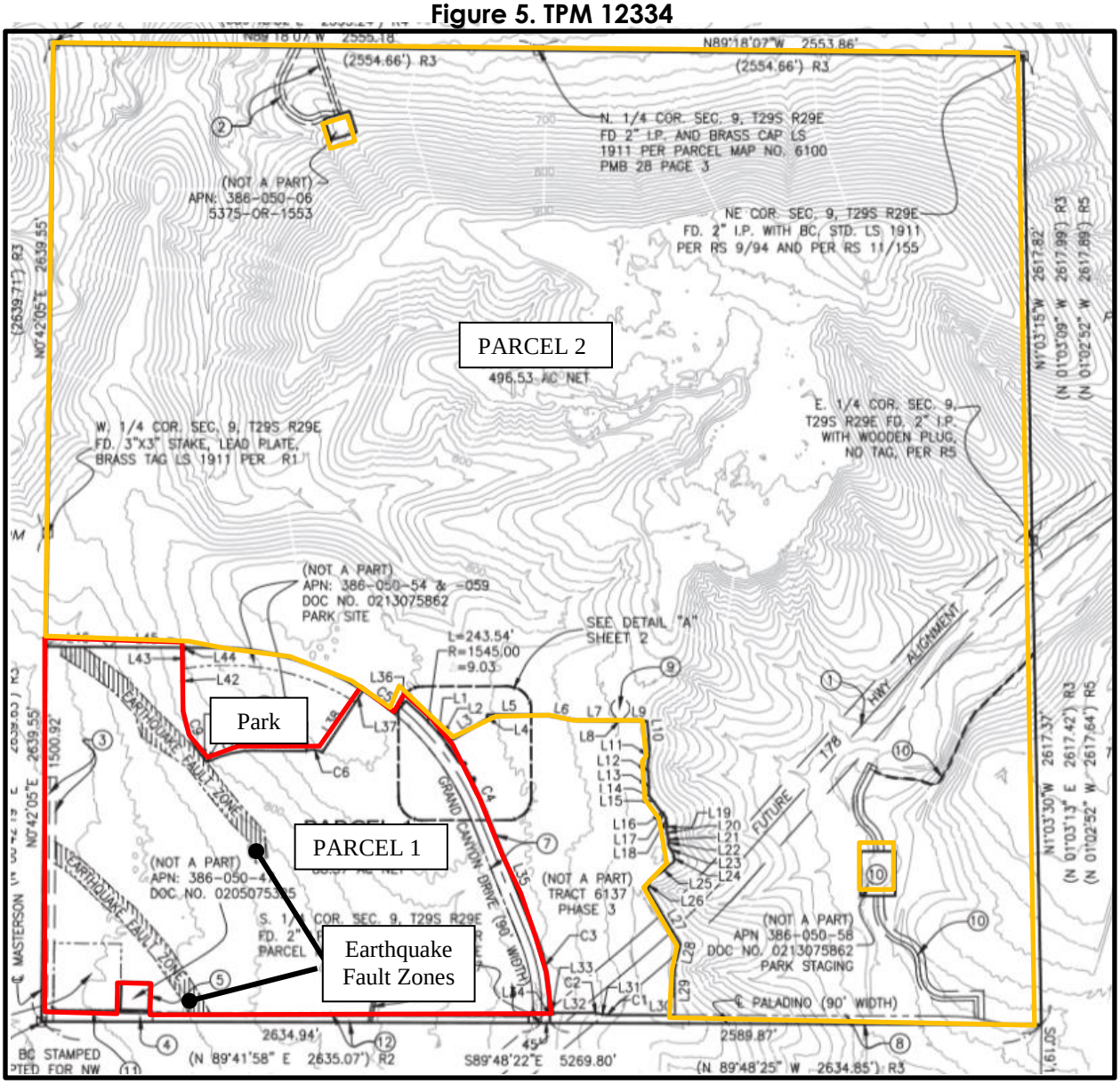
ENVIRONMENTAL REVIEW AND DETERMINATION:

Based upon an initial environmental assessment, staff determined the proposed project will not significantly affect the physical environment or existing residential development in the area, therefore a Mitigated Negative Declaration was prepared, and the Initial Study is attached. Biological resources, cultural and paleontology, and geologic hazards were found to potentially result in significant impacts.

The project is subject to the terms of the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) and associated U.S. Fish & Wildlife Service and California Department of Fish & Wildlife (CDFW) permits. Mitigation Measures require a survey and compliance with mitigation measures outlined in the wildlife agency permits. In addition, a survey for the burrowing owl and compliance with the CDFW mitigation measures. A cultural resources assessment and addendum determined there are no significant cultural, historical or archaeological resources on the project site. However, as with all ground disturbance activities, there is a potential to unearth previously unknown resources. In addition, there is potential to unearth previously unknown paleontological resources at the site when accessing elevations between 600 and 700 feet. Mitigation measures are recommended to reduce the impacts to less than significant.

A "Geologic Hazard Report" was prepared and analyzed the two Alquist-Priolo Special Studies geologic hazard zones (earthquake faults) located within Parcel 1. A mitigation measure requiring a 50-foot structural setback from the geological hazardous zones, and compliance the current California Building Code are sufficient to reduce the impact to less than significant.

Figure 5. TPM 12334



With incorporation of mitigation measures to address impacts related to biological resources, cultural and paleontology, and geologic hazards, these impacts would be considered less than significant. Therefore, staff recommends adoption of a Mitigated Negative Declaration.

PUBLIC NOTIFICATION:

Notice of public hearing before the Planning Commission of the City of Bakersfield for the project with the associated proposed Mitigated Negative Declaration was advertised in the newspaper and posted on the bulletin board of the Bakersfield City Planning Department. All property owners within 300 feet of the project site were notified about the hearing and the proposed subdivision at least 20 days prior to the public hearing in accordance with State law. The applicant has provided proof that signs giving public notice of the proposed parcel map were posted on the property 20 to 60 days prior to the public hearing before the Planning Commission. As of this writing, no written correspondence has been received.

CONCLUSION:

The applicant has requested approval of Tentative Parcel Map 12334 to subdivide 596 acres into 2 parcels. The purpose of this request is to create two separate parcels in order to sell and develop Parcel 1 separately from Parcel 2. This action would facilitate development of the area including improvements to serve both parcels. Staff finds that the proposed subdivision is reasonable, and Staff recommends approval of Tentative Parcel Map 12334 as requested with conditions and mitigation measures as shown in the attached Exhibit A.

Exhibits (attached)

Resolution
- A. Conditions of Approval
- B. Location Map with Zoning
- C. Tentative Map

Attachment A: Background Letters Related to Phasing and Improvements
Attachment B: CEQA document (Mitigated Negative Declaration)

ATTACHMENT A

DRAFT

RESOLUTION NO. _____

RESOLUTION OF THE BAKERSFIELD PLANNING COMMISSION TO ADOPT A MITIGATED NEGATIVE DECLARATION AND APPROVE TENTATIVE PARCEL MAP 12334 LOCATED ON THE NORTHEAST CORNER OF PALADINO DRIVE AND MASTERSON STREET.

WHEREAS, DPSI representing Vista Montaire, LLC (property owner), filed an application with the City of Bakersfield Planning Department requesting Tentative Parcel Map 12334 (the "Project"), consisting of 2 Parcels on 596 acres for future residential development, as shown on attached Exhibit "B", located on the northeast corner of Paladino Drive and Masterson Street in northeast Bakersfield as shown on attached Exhibit "C"; and

WHEREAS, the application was deemed complete on March 27, 2020; and

WHEREAS, an initial study was conducted that determined the Project would not have a significant effect on the environment, and a Mitigated Negative Declaration was prepared in accordance with California Environmental Quality Act (CEQA); and

WHEREAS, the Secretary of the Planning Commission, did set, Thursday, June 4, 2020, at 5:30 p.m. in the Council Chambers of City Hall, 1501 Truxtun Avenue, Bakersfield, California, as the time and place for a public hearing before the Planning Commission to consider the *proposed* Mitigated Negative Declaration and the Project, and notice of the public hearing was given in the manner provided in Title 16 of the Bakersfield Municipal Code; and

WHEREAS, the laws and regulations relating to CEQA and the City of Bakersfield's CEQA Implementation Procedures have been duly followed by city staff and the Planning Commission; and

WHEREAS, the City of Bakersfield Planning Department (1715 Chester Avenue, Bakersfield, California) is the custodian of all documents and other materials upon which the environmental determination is based; and

WHEREAS, the facts presented in the staff report, environmental review, and special studies (if any), and evidence received both in writing and by verbal testimony at the above referenced public hearing support the following findings:

1. All required public notices have been given. Hearing notices regarding the Project were mailed to property owners within 300 feet of the Project area and published in the *Bakersfield Californian*, a local newspaper of general circulation, 20 days prior to the hearing.

2. The provisions of CEQA, the State CEQA Guidelines, and the City of Bakersfield CEQA Implementation Procedures have been followed. Staff determined that the application is a project under CEQA and an initial study and a Mitigated Negative Declaration were prepared and duly noticed for public review.

3. A Mitigated Negative Declaration for the Project is the appropriate environmental document to accompany its approval. In accordance with the State CEQA Guidelines, staff prepared an initial study and indicated that because mitigation measures relating to biological and cultural resources, and geologic hazard have been incorporated into the Project, the Project will not significantly impact the physical environment.

4. Urban services are available for the proposed development. The Project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the Project will deliver utilities to the individual lots or parcels to be created.

5. The application, together with the provisions for its design and improvement, is consistent with the Metropolitan Bakersfield General Plan. (Subdivision Map Act Section 66473.5) The proposed density and intensity of development are consistent with the Low Density Residential and Open Space-Slope land use classifications on the property. Proposed road improvements are consistent with the Circulation Element. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.

6. Mineral right owners' signatures are not required on the final map pursuant to Bakersfield Municipal Code Section BMC Section 16.22.030.B. In accordance with Subdivision Map Act Section 66445(e), mineral rights owners' signatures are not required on final parcel maps with 4 or fewer parcels (BMC Section 16.22.030.B). This parcel map contains 4 buildable parcels.

8. The request for modification(s) is consistent with sound engineering practices or subdivision design features.

9. The conditions of approval are necessary for orderly development and to provide for the public health, welfare, and safety.

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

1. The recitals above are true and correct and incorporated herein by this reference.

2. The Mitigated Negative Declaration is hereby approved.

3. Tentative Parcel Map 12334, is hereby approved with conditions of approval and mitigation measures shown on Exhibit "A".

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Bakersfield at a regular meeting thereof held on June 4, 2020, on a motion by Commissioner _____and seconded by Commissioner _____, by the following vote.

AYES:
NOES:
ABSENT:

APPROVED

LARRY KOMAN, CHAIR
City of Bakersfield Planning Commission

Exhibits (attached):

Exhibit A: Conditions of Approval
Exhibit B: Location Map
Exhibit C: Tentative Map

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EXHIBIT "A"
TENTATIVE PARCEL 12334
CONDITIONS OF APPROVAL

NOTE to Subdivider/Applicant: It is <u>important</u> that you review and comply with requirements and deadlines listed in the "FOR YOUR INFORMATION" packet that is provided separately. This packet contains existing ordinance requirements, policies, and departmental operating procedures as they may apply to this subdivision.

<u>PUBLIC WORKS</u>

1. The map TPM 12334 as submitted has proposed no phasing.

2. The following conditions are based upon the premise that filing of the recordable Final Map will contain 2 parcels in substantial conformance with the tentative map. As shown the tentative map shows two parcels, both of which are over 20 acres. Therefore, no improvements are required for recordation of this Parcel Map.

3. If the number of phases or the boundaries of the phases are changed, the developer must submit to the City Engineer an exhibit showing the number and configuration of the proposed phases. The City Engineer will review the exhibit and determine the order and extent of improvements to be constructed with each new phase. The improvement plans may require revision to conform to the new conditions.

4. The City acknowledges the Applicant's Background Statement, the November 14, 2014, letter to DPSI (VTTM 6137, the October 9, 2015, letter to DPSI (VTTM 6137), and the July 23, 2018, letter to S&S Homes (sump block walls). (See Attachment A)

5. Prior to recordation of each Final Map, the subdivider shall:
   5.1. The subdivider shall submit an enforceable, recordable document approved by the City Attorney to be recorded concurrently with the Final Map containing information with respect to the addition of this subdivision to the consolidated maintenance district. If the parcel is already within a consolidated maintenance district, the owner shall update the maintenance district documents.
   5.2. Where no streets are to be improved, the subdivider shall post a faithful performance bond to guarantee the setting of all the property boundary monuments in accordance with Municipal Code section 16.32.100, unless monuments are already set in place before the recording of the Parcel Map.

6. Prior to grading plan review, submit the following for review and approval:
   6.1. A drainage study for the entire subdivision. Ensure the retention basin site is designed to retain the drainage from the entire subdivision.
   6.2. A sewerage study to include providing service to the entire subdivision and showing what surrounding areas may be served by the main line extensions.
   6.3. Verification from the responsible authority that all the wells have been properly abandoned.

7. Final plan check fees for the Final Map shall be submitted with the first plan check submission.

8. The use of interim, non-standard drainage retention areas shall be in accordance with the drainage policy adopted by letter dated January 22, 1997, and updated October, 2000.

9. Concurrently with recordation of each Final Map, the following covenant shall be recorded by the property owner: a covenant containing information with respect to the addition of this subdivision to the consolidated maintenance district. Said covenant shall also contain information pertaining to the maximum anticipated annual cost per single family dwelling for the maintenance of landscaping associated with this tract. Said covenant shall be provided to each new property owner through escrow proceedings.

10. Approval of this tentative map does not indicate approval of grading, drainage lines and appurtenant facilities shown, or any variations from ordinance, standard, and policy requirements which have neither been requested nor specifically approved.

WATER RESOURCES

11. Prior to recordation of each final map, subdivider shall record a covenant affecting each lot prohibiting the pumping and taking of groundwater from the property for any use off the property; provided, however, such pumping and taking may be carried out by the authorized urban water purveyor which provides water service to the subdivided land, or by a county-wide governmental entity with water banking powers, and such pumping is part of an adopted water banking program that will not have a significant adverse impact on the groundwater levels or diminish the quality of water underlying the subdivision.

Orderly development and as required by BMC Section 16.40.101.B.

CITY ATTORNEY

12. In consideration by the City of Bakersfield for land use entitlements, including but not limited to related environmental approvals related to or arising from this project, the applicant, and/or property owner and/or subdivider ("Applicant" herein) agrees to indemnify, defend, and hold harmless the City of Bakersfield, its officers, agents, employees, departments, commissioners and boards ("City" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this application, including without limitation any CEQA approval or any related development approvals or conditions whether imposed by the City, or not, except for CITY's sole active negligence or willful misconduct.

This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

The City will promptly notify Applicant of any such claim, action or proceeding, falling under this condition within thirty (30) days of actually receiving such claim. The City, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend the City at the sole cost and expense of the Applicant and the City is not obligated to use any law firm or attorney chosen by another entity or party.

PLANNING

13. Prior to recordation of each final map, subdivider shall submit a "will serve" or "water availability" letter or other documentation acceptable to the Planning Director from the water purveyor stating the purveyor will provide water service to the phase to be recorded.

    Required for orderly development and provide for the public health, welfare and safety by ensuring water service to the subdivision at the time of final map recordation.

14. In the event a previously undocumented well is uncovered or discovered on the project site, the subdivider is responsible to contact the Department of Conservation's Division of Geologic Energy Management (GEM) (formally Division of Oil, Gas, and Geothermal Resources (DOGGR)). The subdivider is responsible for any remedial operations on the well required by GEM. Subdivider shall also be subject to provisions of BMC Section 15.66.080 (B.)

    Police power based on public health, welfare and safety.

Biological Resources Impact Mitigation Measures:

15. Prior to ground disturbance, the applicant/developer shall have a California Department of Fish and Wildlife (CDFW) approved wildlife biologist ("qualified biologist") survey the location for species (i.e., Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and Bakersfield cactus) covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by CDFW. The applicant/developer shall be subject to additional mitigation measures recommended by the qualified biologist. A copy of the survey shall be provided to the Planning Division and wildlife agencies no more than 30 days prior to ground disturbance.

    The current MBHCP expires on February 28, 2022. To ensure take of covered species does not occur after the expiration date, fees must be paid no later than August 31, 2021 and all covered activities must be completed by the MBHCP expiration date of February 28, 2022. As determined by the City, only projects ready to be issued an urban development

permit, grading plan approval, or building permit will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2022 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the U.S. Fish & Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW).

16. Prior to ground disturbance, a focused survey for burrowing owl shall be submitted to California Department of Fish and Wildlife (CDFW) and Planning Division by the applicant/developer. The survey shall follow the methodology developed by the California Burrowing Owl Consortium (CBOC 1993).

    If the survey results the presence of burrowing owl nests, prior to grading (including staging, clearing, and grubbing), surveys for active nests shall be conducted by a qualified wildlife biologist no more than 30 days prior to the start of any ground disturbance and in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected directly and/or indirectly by the project. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. If the Project applicant identifies active nests, CDFW shall be notified and recommended protocols for mitigation shall be followed, and a copy of the mitigation protocols shall be submitted to Planning Division.

    If any ground disturbing activities occur during the burrowing owl nesting season (approximately February 1 through August 31), and potential burrowing owl burrows are present within the project footprint, avoidance measures shall be implemented. In the event that burrowing owls are found, the applicant/developer shall follow CDFW protocol for mitigation and comply with the provisions of the Migratory Bird Treaty Act.

17. Prior to ground disturbance, the subdivider shall have a qualified consultant survey the location for blunt nose leopard lizard. Survey protocol shall be that recommended by the State Department of Fish and Game. Subdivider shall be subject to the mitigation measures recommended by the consultant. A copy of the survey shall be provided to the Planning Department prior to ground disturbance.

Cultural Resources Impact Mitigation Measures:

18. Prior to ground disturbance and as needed throughout the construction period, a construction worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist.

19. During ground disturbance, if cultural resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified cultural resource specialist that meets the

Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. These additional studies may include avoidance, testing, and excavation. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's Southern San Joaquin Valley Information Center at California State University Bakersfield.

20. During ground disturbance, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation.

21. Prior to grading and/or earth-disturbing activities at elevations between 600 and 700 feet, subdivider shall:
    a. Submit a map delineating the areas within 600 and 700 feet elevation of the subdivision to be disturbed.
    b. Retain a qualified paleontologist to attend a pre-grading meeting, and set forth the procedures to be followed during the monitoring program.
    c. A full-time paleontological monitor that is trained and equipped to allow rapid removal of fossils with minimal construction delay shall be on the project site during ground disturbance activities within 600 and 700 feet elevation.

22. If fossils are found within an area being cleared or graded, earth-disturbing activities shall be diverted elsewhere until the monitor has completed salvage of the fossils. If construction personnel make the discovery, the grading contractor shall immediately divert construction and call the monitor to the site for fossil salvage.

23. The project paleontologist shall prepare, identify and curate all recovered fossils. Upon completion of grading, the project paleontologist shall prepare a summary report documenting mitigation measures and results, with itemized inventory of collected specimens. Paleontologist shall submit the report to the City of Bakersfield, and any other appropriate agency, and transfer fossil collection to an appropriate depository.

Geology and Soils Impact Mitigation Measures:

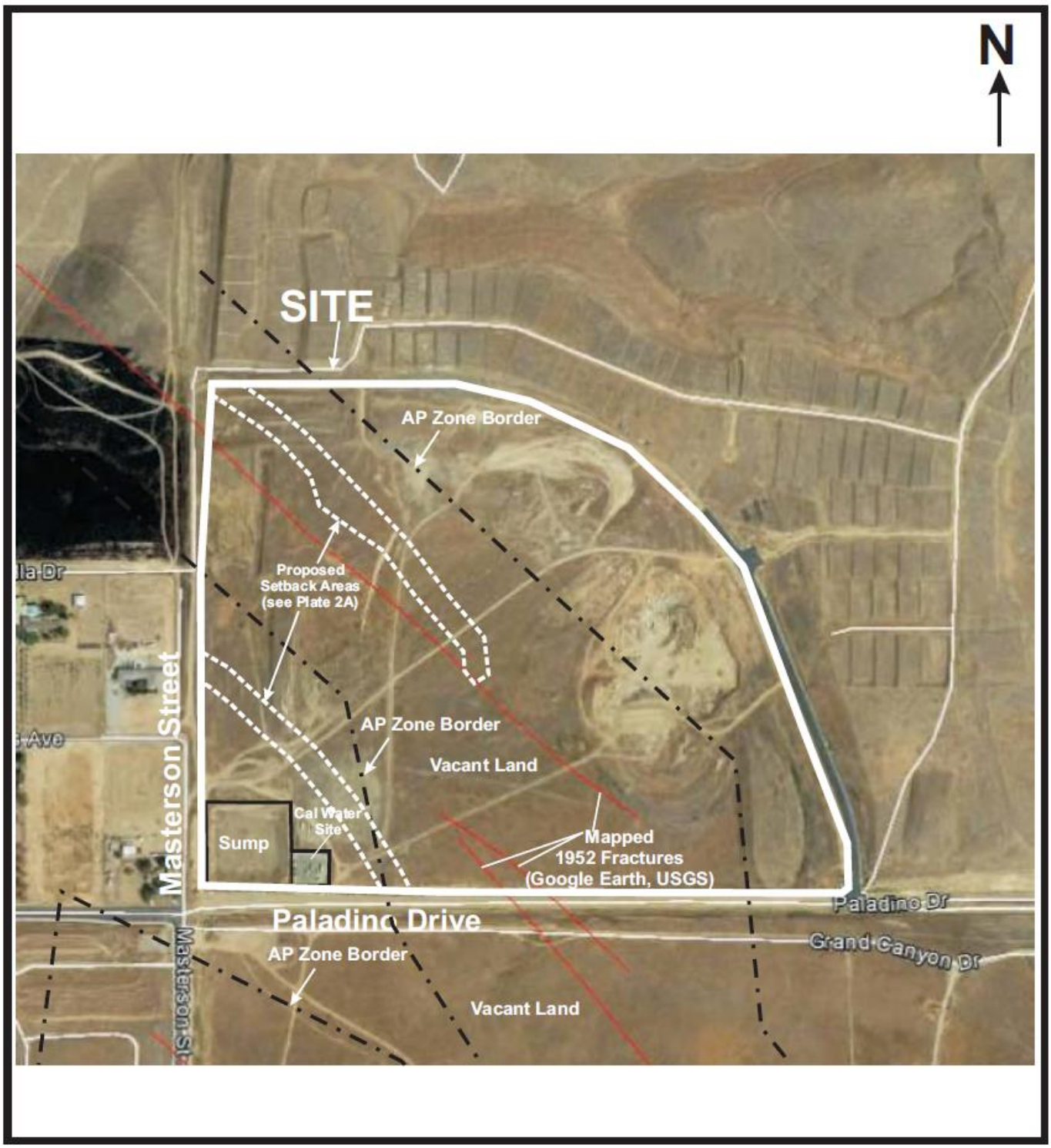
24. Parcel 1 of Tentative Parcel Map 12334 (aka Lot 38 of Tract 6137) shall have a setback of a minimum of 50-feet from each of the two faults identified on Plates 2 and 2A of "Geological Hazard Report for Lot 38, Tract 6137 (September 2019)" (attached) where no structures for human habitation may be located.

See Pages 7 and 8 for Plates 2 and 2A

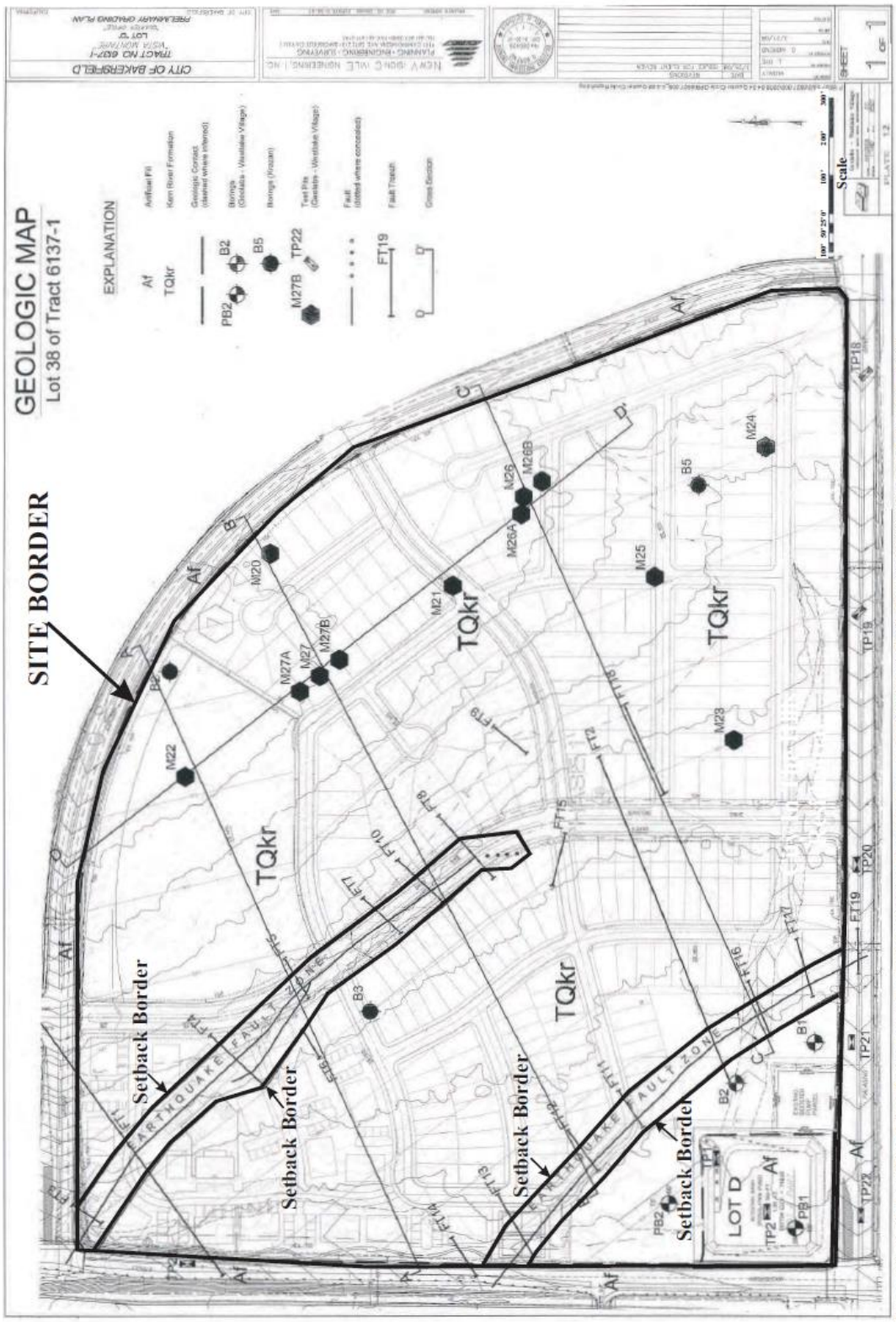
25. The area within the 50-foot shall be known as the seismic setback, and may be used for parks, open space, streets, front, and rear yards, as approved by the City Of Bakersfield. Final disposition and maintenance of the seismic setback area shall be approved by the City Of Bakersfield through conditions of approval of subsequent development projects, such as subdivision maps, grading plans or site plan review.

See next page for Plates 2 and 2A

From: "*Geological Hazard Report for Lot 38, Tract 6137 (September 2019)" by Soils Engineering Inc.*



SOILS ENGINEERING, INC. 4400 Yeager Way Bakersfield, CA 93313 (661) 831 - 5100 DATE: 9/19 PROJECT: #17222	Lot 38, Tract 6137 NE of Paladino Drive and Masterson Street Bakersfield, CA PLOT PLAN	PLATE 2



From Geolabs, Grading Plan Review and Updated Seismic, Foundation, and Retaining Wall Design Criteria, dated April 4, 2008

Plate 2A

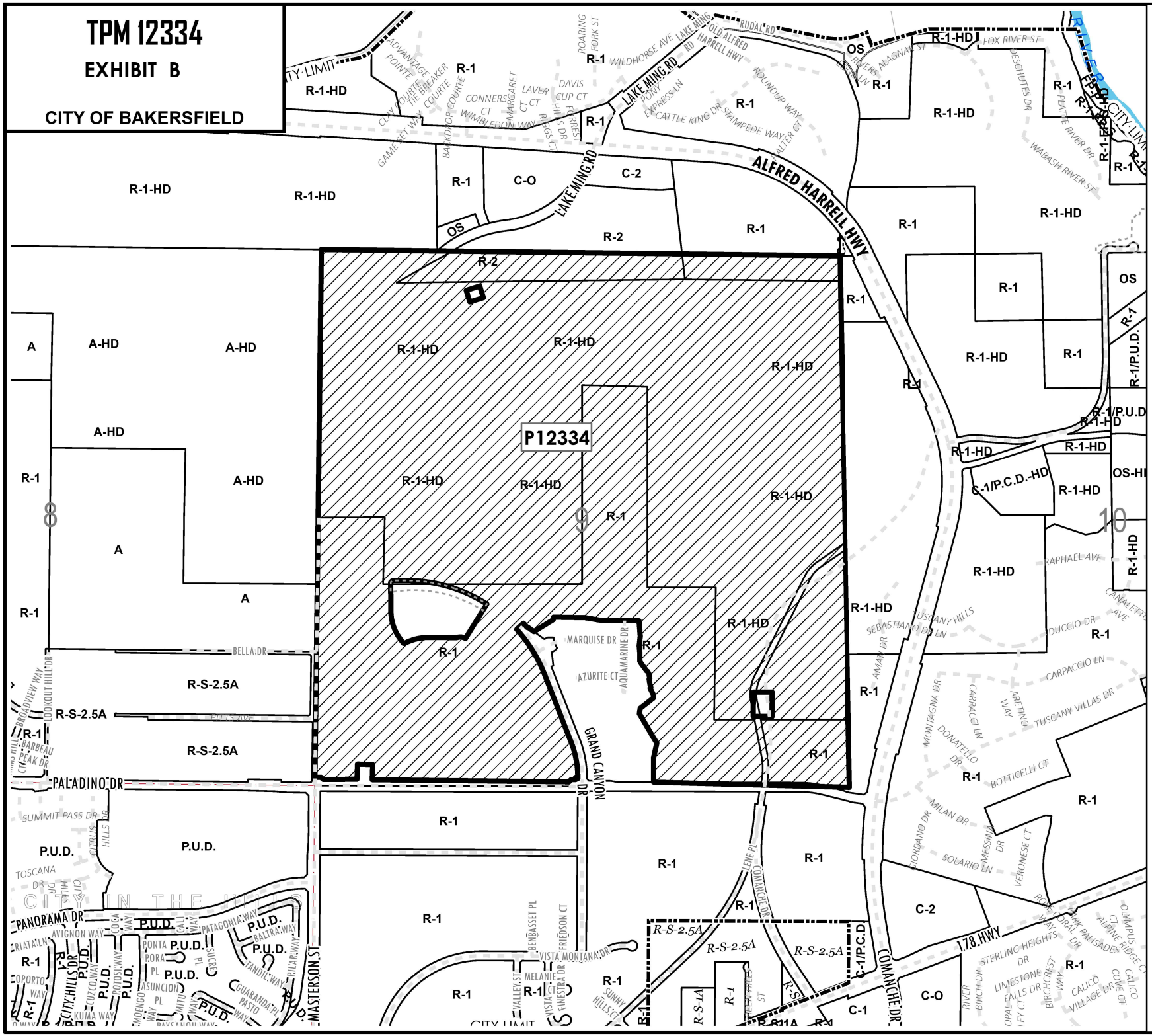
Geologic Map
Lot 38, Tract 6137
Northeast of Paladino Dr. & Masterson St.
Bakersfield, CA

SEI File No. 17222
September 2019

TPM 12334

EXHIBIT B

CITY OF BAKERSFIELD



LEGEND (ZONE DISTRICTS)

R-1 One Family Dwelling
6,000 sq.ft. min lot size
R-1-4.5 One Family Dwelling
4,500 sq.ft. min lot size
E Estate
10,000 sq.ft. min lot size
R-S Residential Suburban
24,000 sq.ft./dwelling unit
R-S-( ) Residential Suburban
1, 2.5, 5 or 10 min lot size
R-2 Limited Multiple Family Dwelling
4,500 sq.ft. min lot size (single family)
6,000 sq.ft. min lot size (multifamily)
2,500 sq.ft. lot area/dwelling unit
R-3 Multiple Family Dwelling
6,000 sq.ft. min lot size
1,250 sq.ft. lot area/dwelling unit
R-4 High Density Multiple Family Dwelling
6,000 sq.ft. min lot size
600 sq.ft. lot area/dwelling unit
R-H Residential Holding
20 acre min lot size
A Agriculture
6,000 sq.ft. min lot size
A-20A Agriculture
20 acre min lot size
PUD Planned Unit Development
TT Travel Trailer Park
MH Mobilehome
C-O Professional and Administrative Office
C-1 Neighborhood Commercial
C-2 Regional Commercial
C-C Commercial Center
C-B Central Business
PCD Planned Commercial Development
M-1 Light Manufacturing
M-2 General Manufacturing
M-3 Heavy Industrial
P Automobile Parking
RE Recreation
Ch Church Overlay
OS Open Space
HOSP Hospital Overlay
AD Architectural Design Overlay
FP-P Floodplain Primary
FP-S Floodplain Secondary
AA Airport Approach
DI Drilling Island
PE Petroleum Extraction Combining
SC Senior Citizen Overlay
HD Hillside Development Combining
WM- West Ming Specific Plan

BAKERSFIELD

N

Feet

0 660 1,320

Document Name: 2020_04_08

EXHIBIT C

TENTATIVE PARCEL MAP 12334

BEING A SUBDIVISION OF A PORTION OF SECTION 9, TOWNSHIP 29 SOUTH, RANGE 29 EAST, MOUNT DIABLO MERIDIAN,
IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA
CONSISTING OF 2 PARCELS CONTAINING 596.10 GROSS ACRES

SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE PROFESSIONAL LAND SURVEYORS ACT AT THE REQUEST OF VISTA MONTAIRE, LLC IN FEBRUARY OF 2019.

03/25/2020

ROLLAND VAN DE VALK L.S. 7214 DATE

OWNER/DEVELOPER

VISTA MONTAIRE, LLC
532 CAMINO MERCADO
ARROYO GRANDE, CA 93420

LAND SURVEYOR

ROLLAND J. VAN DE VALK
DIVERSIFIED PROJECT SERVICES INTERNATIONAL
5351 OLIVE DRIVE, SUITE 100
BAKERSFIELD, CA 93308
661-371-2800

GENERAL NOTES

TOTAL AREA: 596 ACRES (GROSS)
NUMBER OF PARCELS: 2
A.P.N.: 386-050-60
EXISTING ZONE: R-1
EXISTING USE: VACANT
PROPOSED USE:
- PARCEL 1: FUTURE PUBLIC RESIDENTIAL SUBDIVISION
- PARCEL 2: PRIVATE RESIDENTIAL SUBDIVISION (APPROVED VESTING TENTATIVE TRACT MAP NO. 6137)

WATER: CALIFORNIA WATER SERVICE COMPANY (CALWATER)
SEWER: CITY OF BAKERSFIELD
ELECTRIC: PACIFIC GAS & ELECTRIC CO.
GAS: PACIFIC GAS & ELECTRIC CO.
TELEPHONE: AT&T
CABLE TV: SPECTRUM
FIRE PROTECTION: CITY OF BAKERSFIELD
SPECIFIC AREAS:
- NORTHEAST BAKERSFIELD OPEN SPACE AREA
- NORTHEAST BAKERSFIELD PARKS & TRAILS PLAN AREA
- ALQUIST-PIOLO SEISMIC ZONE

SCHOOL INFORMATION:
- PRIMARY SCHOOL DISTRICT: BAKERSFIELD CITY SCHOOL DISTRICT
- ELEMENTARY: FLETCHER ELEMENTARY SCHOOL
- MIDDLE SCHOOL: CATO MIDDLE SCHOOL
- HIGH SCHOOL DISTRICT: KERN UNION HIGH SCHOOL DISTRICT
- HIGH SCHOOL: HIGHLAND HIGH SCHOOL

FLOOD ZONE: FEMA ZONE X – FIRM PANEL 1842 & 1861
DRAINAGE: STORM WATER TO DRAIN INTO EXISTING DRAINAGE BASIN WITHIN THE BOUNDARY OF PROPOSED PARCEL 1
CONTOUR INTERVAL: 10 FEET

LEGEND

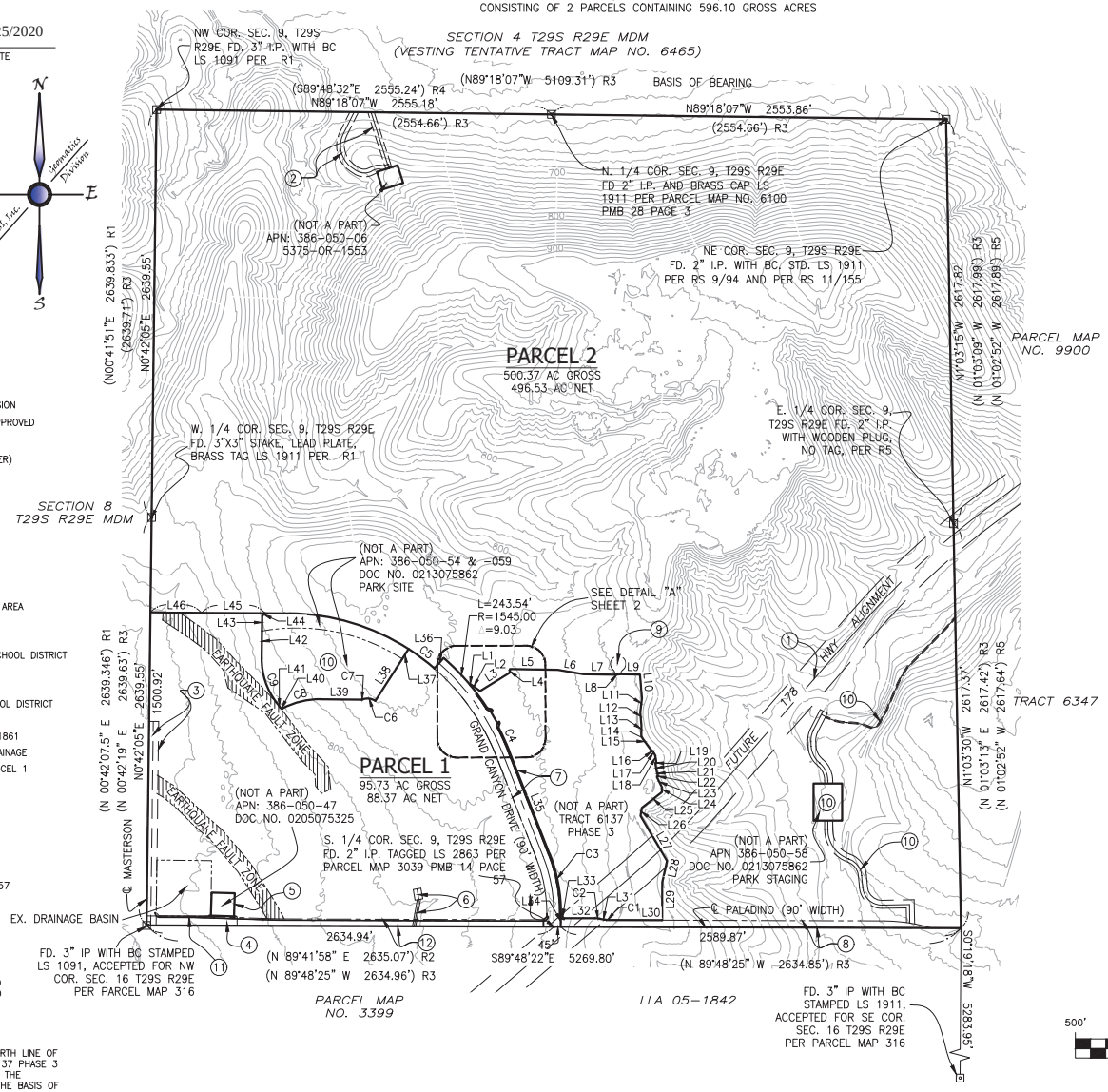
- FOUND MONUMENT AS DESCRIBED
- R1 PARCEL MAP NO. 3139, PMB 14/105
- R2 PARCEL MAP NO. 3399, PMB 16/196
- R3 TRACT MAP NO. 6137 PHASE 3, MB 58/157
- R4 PARCEL MAP NO. 6099, PMB 28/02
- R5 TRACT MAP NO. 6000, MB 49/25

SEISMIC ZONE

ALQUIST-PIOLO SEISMIC ZONE FAULT SETBACKS SHOWN PER GEOLOGICAL HAZARD REPORT BY SOILS ENGINEERING, INC. DATED SEPTEMBER 9, 2019.

BASIS OF BEARINGS

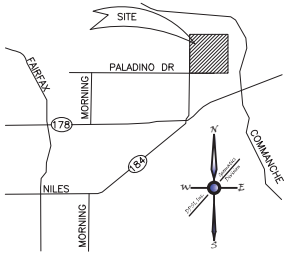
THE BEARING OF NORTH 89°18'07" WEST FOR THE NORTH LINE OF SECTION 9, T29S, R29E AS SHOWN ON TRACT MAP 6137 PHASE 3 RECORDED IN BOOK 58, PAGE 157 IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY WAS USED AS THE BASIS OF BEARINGS FOR THIS DOCUMENT.



EASEMENTS & DEDICATIONS LEGEND

- RIGHT-OF-WAY EASEMENT TO SOUTHERN CALIFORNIA EDISON, PER BOOK 161, PAGE 352 OF OFFICIAL RECORDS (EXACT LOCATION IS NOT DEFINED OF RECORD)
- PUBLIC UTILITY EASEMENT TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, PER BOOK 2475, PAGE 34 OF OFFICIAL RECORDS (EXACT LOCATION IS NOT DEFINED OF RECORD)

1. PUBLIC HIGHWAY EASEMENT TO THE COUNTY OF KERN, PER BOOK 19 PAGE 320 OF OFFICIAL RECORDS
2. EASEMENTS AND RIGHT-OF-WAY TO OLCESE WATER DISTRICT, PER BOOK 5375 PAGE 1562 OF OFFICIAL RECORDS
3. SEWER LINE EASEMENT TO CITY OF BAKERSFIELD, PER BOOK 7005 PAGE 2431 OF OFFICIAL RECORDS
4. ACCESS EASEMENT TO CALIFORNIA WATER SERVICE COMPANY, PER DOCUMENT NO. 0205226495 OF OFFICIAL RECORDS
5. SLOPE AND DRAINAGE EASEMENT TO CALIFORNIA WATER SERVICE COMPANY, PER DOCUMENT NO. 0205226500 OF OFFICIAL RECORDS
6. STORM DRAIN EASEMENT TO CITY OF BAKERSFIELD, PER DOCUMENT NO. 0206013555 OF OFFICIAL RECORDS
7. STREET RIGHT-OF-WAY DEED TO CITY OF BAKERSFIELD, PER DOCUMENT NO. 0206281012 OF OFFICIAL RECORDS
8. STREET RIGHT-OF-WAY DEED TO CITY OF BAKERSFIELD, PER DOCUMENT NO. 0206281013 OF OFFICIAL RECORDS
9. TEMPORARY TURNAROUND EASEMENT TO VISTA MONTAIRE HOME OWNERS ASSOCIATION, PER DOCUMENT NO. 0207248879 OF OFFICIAL RECORDS
10. GRANT DEED TO THE CITY OF BAKERSFIELD FOR PARK SITE, PARK STAGING, ACCESS ROAD EASEMENTS, HIKING TRAIL EASEMENT, PER DOCUMENT NO. 0208040416 AND RE-RECORDED AS DOCUMENT NO. 0213075862 OF OFFICIAL RECORDS.
11. PUBLIC UTILITY EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY, PER DOCUMENT NO. 218044799 OF OFFICIAL RECORDS (APPROXIMATE LOCATION SHOWN)
12. STREET RIGHT-OF-WAY DEED TO CITY OF BAKERSFIELD, PER DOCUMENT NO. 218071568 OF OFFICIAL RECORDS



VICINITY MAP
NO SCALE

DIVERSIFIED PROJECT SERVICES INTERNATIONAL
San Luis Obispo (805) 250-2891 Bakersfield, CA (661) 371-2800 Long Beach (562) 424-6400
www.dpsiinc.com

SEPT 2019	161160.14	SHEET 1 OF 2

EXHIBIT C

TENTATIVE PARCEL MAP 12334

BEING A SUBDIVISION OF A PORTION OF SECTION 9, TOWNSHIP 29 SOUTH, RANGE 29 EAST, MOUNT DIABLO MERIDIAN,
IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA

CONSISTING OF 2 PARCELS CONTAINING 596.10 GROSS ACRES

Parcel Line Table

Line #	Length	Direction
L1	6.23'	N50° 01' 48.56"E
L2	75.49'	S54° 03' 52.05"E
L3	223.59'	N58° 13' 11.05"E
L4	25.17'	N7° 39' 03.22"E
L5	309.97'	S89° 01' 19.00"E
L6	167.51'	S80° 26' 19.33"E
L7	203.02'	S89° 01' 19.00"E
L8	38.17'	N85° 30' 31.42"E
L9	125.64'	S89° 01' 11.27"E
L10	153.35'	S4° 32' 50.74"E
L11	93.82'	S6° 38' 29.32"W
L12	82.48'	S5° 11' 34.06"E
L13	70.01'	S0° 34' 45.33"W
L14	19.60'	S28° 26' 14.65"E
L15	96.74'	S36° 20' 58.67"E
L16	8.31'	S60° 14' 11.65"E
L17	27.97'	S33° 13' 05.50"E
L18	48.82'	S9° 20' 42.01"E
L19	7.78'	S52° 33' 58.30"W
L20	54.48'	S9° 18' 10.91"E

Parcel Line Table

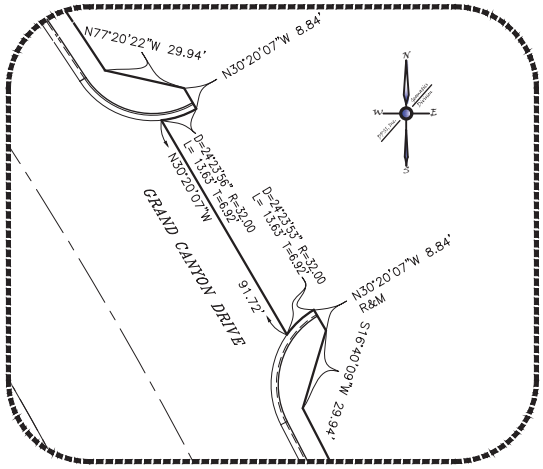
Line #	Length	Direction
L21	30.95'	S16° 25' 05.38"E
L22	9.33'	S53° 22' 02.54"W
L23	74.87'	S25° 57' 13.74"E
L24	30.42'	S0° 55' 17.52"W
L25	165.24'	S51° 48' 13.55"W
L26	52.56'	S9° 08' 43.79"W
L27	338.37'	S30° 31' 11.63"E
L28	140.81'	S12° 43' 44.10"W
L29	246.10'	S0° 11' 51.43"W
L30	346.13'	N89° 48' 24.74"W
L31	30.82'	S79° 25' 04.85"E
L32	199.72'	N89° 48' 24.74"W
L33	28.61'	S44° 48' 16.66"E
L34	76.02'	S0° 11' 51.43"W
L35	716.38'	N21° 25' 41.02"W
L36	90.00'	S40° 59' 54.83"W
L37	75.00'	N32° 44' 30.08"E
L38	323.54'	N32° 44' 30.08"E
L39	262.90'	S89° 33' 13.53"E
L40	10.39'	S77° 11' 42.74"E

Parcel Line Table

Line #	Length	Direction
L41	49.25'	S37° 18' 42.95"E
L42	175.55'	S0° 42' 16.22"W
L43	97.78'	S0° 42' 16.22"W
L44	25.07'	S45° 29' 32.29"W
L45	410.60'	S89° 43' 11.64"E
L46	330.46'	N89° 17' 43.78"W

Curve Table

Curve #	Length	Radius	Delta	
C1	28.65'	158.00'	10.39'	14.36
C2	31.55'	174.00'	10.39'	15.82
C3	394.42'	1045.00'	21.63'	199.59
C4	167.90'	1545.00'	6.23'	84.03
C5	209.68'	1455.00'	8.26'	105.02
C6	84.22'	92.00'	52.45'	45.32
C7	8.69'	25.00'	19.92'	4.39
C8	258.23'	530.00'	27.92'	131.73
C9	305.22'	460.00'	38.02'	158.47



DETAIL "A"
1" = 30'

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SEPT 2019	161160.14	SHEET 2 OF 2

ATTACHMENT A

TENTATIVE PARCEL MAP 12334

BACKGROUND LETTERS OF UNDERSTANDING

RELATED TO CONDITION OF APPROVAL NO. 4

VISTA MONTAIRE, LLC
532 CAMINO MERCADO
ARROYO GRANDE, CA 93420

April 2, 2019

City of Bakersfield
Planning Department
1715 Chester Avenue
Bakersfield, CA 93301

Attention: Jennie Eng

RE: Tentative Parcel Map No. 12334 (Paladino Drive and Masterson Street)

Dear Ms. Eng,

This letter accompanies our application for Tentative Parcel Map No. 12334. As the owner of this project, we would like to provide a detailed explanation behind the reason for our application and our future development goals associated with the site. We hope this will aid City staff as they review the project for recommendations and draft the conditions of approval.

HISTORY

In 2003 Vesting Tentative Tract Map No. 6137 was approved for the subdivision of all of Section 9 Township 29 South, Range 29 East, M.D.M. into 313 residential single-family lots, three super lots and a designated remainder. The 313 residential single-family lots and the designated remainder are within a private gated HOA community called Vista Montaire. One of the super lots, Lot 37 of Tract 6137 Phase 3, was transferred back to the mineral interest holders and original subdividers, and it is under different ownership. The remaining two super lots are outside of the HOA community boundary and excluded from its CC&Rs, Bylaws and Public Report.

In 2014 Public Works reviewed the conditions of approval for Vesting Tentative Tract Map No. 6137 and provided a letter dated November 14, 2014 (copy attached) in which they clarified the improvement conditions that were required with each phase of development. The phases were redefined per the phasing exhibit attached and made a part of that letter. By means of that rephasing, Tract 6137 Phase 1 now consists of 38 residential lots and the remaining two super lots.

CURRENT

It has always been the intent to develop the two remaining super lots separately from the private HOA Vista Montaire community. Originally, it was intended to record Tract 6137 Phase 1 final map which would create these into two legal lots. Subsequently, the entitlement process would begin to subdivide these areas further. However, per the 2014 Public Works rephasing letter, the conditions of approval assigned to be completed with Tract 6137 Phase 1 final map include construction of substantial public improvements. The cost to complete these improvements would be disproportionate and financially infeasible if carried by only the development of the 38 single-family lots in Tract 6137 Phase 1.

Upon review, it was determined that if the quantity of lots under development at the same time could be increased to bear the burden of these improvements, financing of the project would be more appealing to potential lenders, and the completion of the required public improvements could happen in a more expedited manner.

Therefore, by means of this Tentative Parcel Map, we hope to divide out the larger of the remaining super lots into a legal parcel now (Parcel 1) and separate this area from the remainder of Tract 6137. Once it is a legal parcel, then this area can be separately entitled to be subdivided ahead of Tract 6137 Phase 1 final map recording.

FUTURE

Parcel 1 of this Tentative Parcel Map is proposed to be a standard public subdivision. A tentative layout has already been prepared for this future subdivision which would create approximately 270 single-family residential lots of ±6,000 square feet in size. With the development of these lots at the same time as Tract 6137 Phase 1 lots, the completion of the substantial public improvements around its boundary would then be equitable. The house product for this public subdivision would be a more affordable product which would also help generate sales interest and advance the entire development of Tract 6137.

During the time of this entitlement process, Tract 6137 Phase 2 will be recorded and developed next as per Public Works letter dated October 9, 2015.

We appreciate City staff reviewing our application in light of the above information. Please feel free to reach out to our office directly to request any further clarification or information.

Regards,

Warren Sanders
Managing Member

Attachment

B A K E R S F I E L D
PUBLIC WORKS DEPARTMENT
NICK FIDLER • DIRECTOR • CITY ENGINEER

November 14, 2014

DPSI
545 Higuera St.
San Luis Obispo, CA 93401

Attn: Alberto Lopez

SUBJECT: T6137 Phase renumbering - update

Dear Mr. Lopez:

Per your request for clarification of the phasing improvements in light of the fact that Phase 3 actually recorded first, we offer the following:

1. The following conditions are based upon the premise that filing of Final Maps will occur in the order shown on the revised phase map with Phase 3 first, then Phase 1, then Phase 2, etc. If recordation does not occur in that progression, then, prior to recordation of the next final map, the City Engineer shall determine the extent of improvements to be done with that particular phase. Please note that the City must now charge for re-phasing. An administrative fee of $530 will be required prior to processing any further re-phasing.
   1.1. The following shall occur with Phase 3:
      1.1.1. Construct Grand Canyon Drive ½ width including curb, gutter and sidewalk from the Phase 2-3 boundary to Paladino Drive.
      1.1.2. Construct Paladino Drive from Grand Canyon Drive to Masterson Street a minimum of 36' wide consisting of 2-12' lanes, 2-6' paved shoulders.
   1.2. The following shall occur with Phase 1:
      1.2.1. Construct Masterson Street from Paladino Drive to Grand Canyon Drive ½ width including curb, gutter and sidewalk.
      1.2.2. Construct Grand Canyon Drive from Masterson to the Phase 2-3 boundary.
      1.2.3. Construct the remainder of Grand Canyon Drive (the west half) from the Phase 2-3 boundary to Paladino Drive.
      1.2.4. Construct the remaining pavement, curb, gutter and sidewalk on Paladino from Masterson to Grand Canyon Drive.

1600 Truxtun Avenue
Bakersfield • California • 93301
www.bakersfieldcity.us
(661) 326-3724
Fax (661) 852-2120

1.2.5. Construct Paladino a minimum of 36' wide consisting of 2-12' lanes, 2-6' paved shoulders from Grand Canyon Drive to the east boundary of the Designated Remainder.

1.2.6. Construct Paladino Drive ½ width including curb, gutter and sidewalk from the east boundary of the Designated Remainder to The eastern boundary of the tract.

1.2.7. Construct Paladino Drive a minimum of 36' wide consisting of 2-12' lanes, 2-6' paved shoulders from the eastern boundary of the tract to Alfred Harrell Highway. Additional pavement may be required at the intersection with Masterson to ensure roadway lane alignment through the intersection.

1.3. The following shall occur with Phase 8:

1.3.1. Construct Masterson Street northerly to connect with South Lake Ming Road. Minimum improvements north of the tentative map boundary shall be 36' wide paving with graded shoulders. Construction of this segment will be required with phase 8 as shown on the tentative tract map dated 3/9/07, or prior to recording any phase when the cumulative total of recorded lots will exceed 275. If the subdivider is unable to obtain the required right of way, then prior to filing the first final map, he shall pay to the City the up-front costs for eminent domain proceedings and enter into an agreement and post security for the purchase and improvement of said right of way

Note: All of the other conditions as approve by the Planning Commission still apply. If you have any questions, please contact me or Daniel Padilla at (661) 326-3724. Also, this rephasing update is based upon the phasing map presented to the City of Bakersfield on November 4, 2014 (attached).

Very truly yours,

NICK FIDLER
Public Works Director

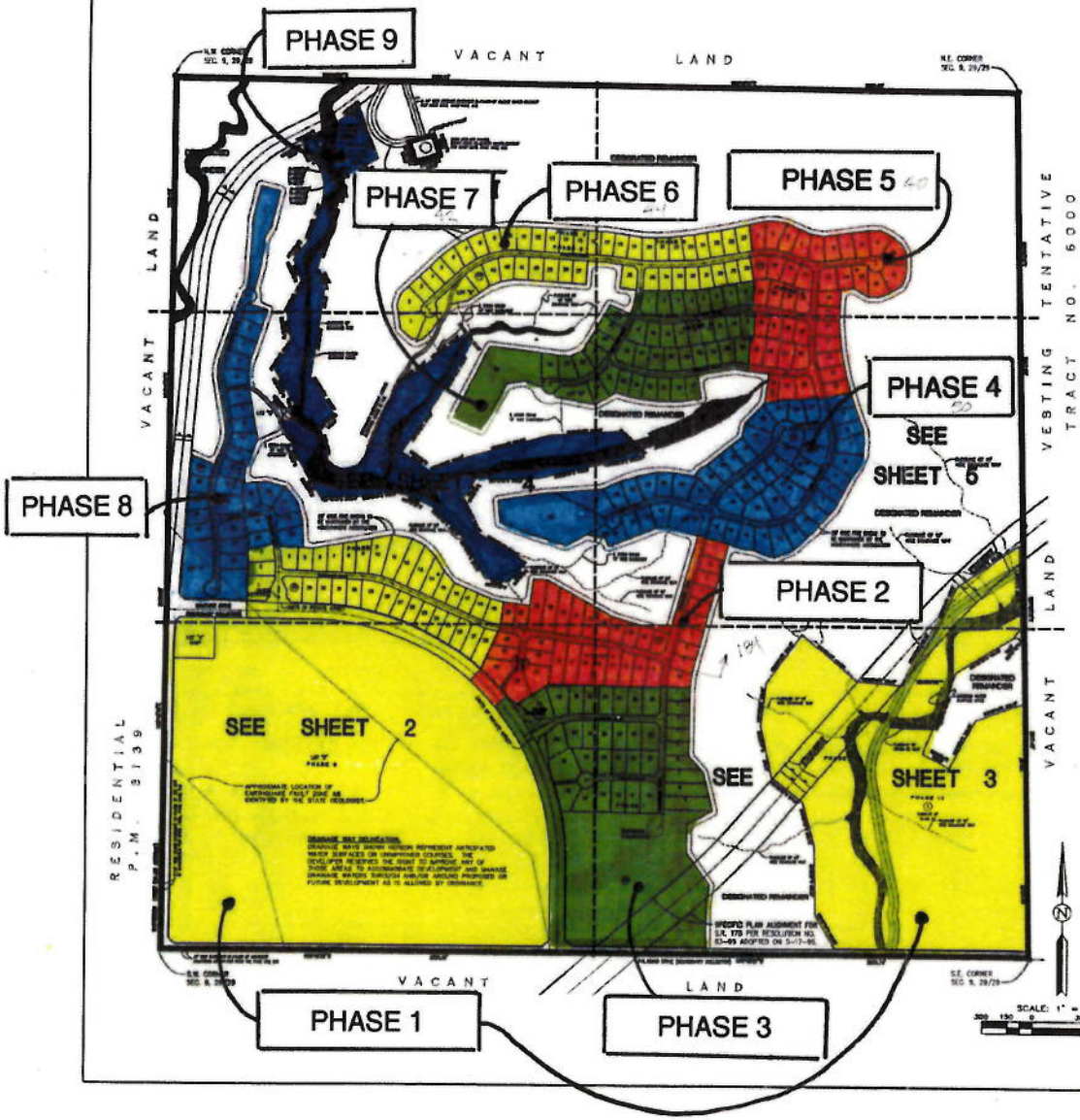
By Marian P. Shaw
Civil Engineer IV - Subdivisions

xc: Reading File
Project File

S:\LETTERS\2014\T6137 Rephasing update.docx

VESTING TENTATIVE TRACT NO. 6137 AND PRELIMINARY GRADING PLAN

BEING A SUBDIVISION OF SECTION 8, TOWNSHIP 29 SOUTH, RANGE 29 EAST, M.D.M.
CONSISTING OF 8 SHEETS IN THE CITY OF BAKERSFIELD, COUNTY OF KERN,
343.13 ACRES WITHIN TRACT – CONTAINING 316 BUILDABLE LOTS AND 29 NON-BUILDABLE LOTS
SEPTEMBER 2002



INDEX OF SHEETS

1. TITLE SHEET
2. VESTING TENTATIVE MAP
3. VESTING TENTATIVE MAP (cont.)
4. VESTING TENTATIVE MAP (cont.)
5. VESTING TENTATIVE MAP (cont.)
6. VESTING TENTATIVE MAP (cont.)
7. VESTING TENTATIVE MAP (cont.)
8. SLOPE ANALYSIS MAP & MODIFICATION MAP

APPROVED BY PLANNING COMMISSION WITH CONDITIONS ON FEB 6 2003

OWNER – SUBDIVIDER

THOMAS AND LISA CARPENTER
1412 17th STREET
BAKERSFIELD, CALIFORNIA 93301

WHITE AND H PARTNERS
5301 OFFICE PARK DR. SUITE 325
BAKERSFIELD, CALIFORNIA 93309

ENGINEER

McINTOSH & ASSOCIATES
2001 WHELAN COURT
BAKERSFIELD, CA 93309
CONTACT PERSON – ROGER McINTOSH

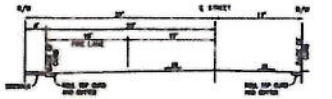
STATISTICS

PROPOSED NUMBER OF UNITS: 316 BUILDABLE
PROPOSED USE – SINGLE FAMILY RESIDENTIAL
NUMBER OF STORIES PER UNIT: 1,&2
NET DENSITY:
2.49 LOTS PER ACRE (126.69 NET ACRES)
ZONING: EXISTING – R-1 HD
PROPOSED – R-1 HD
GENERAL PLAN DESIGNATION – LR & OS-S
SCHOOL DISTRICT – KERN HIGH SCHOOL DISTRICT
HIGHLAND HIGH SCHOOL
ELEMENTARY: BAKERSFIELD CITY SCHOOL DISTRICT
CACHEE CHANEZ ELEMENTARY SCHOOL
EXISTING USE – VACANT
SEWER – CITY OF BAKERSFIELD
WATER – CALIFORNIA WATER SERVICE
GAS CO. – SOUTHERN CALIFORNIA GAS CO.
ELECTRICAL – PACIFIC GAS & ELECTRIC
TELEPHONE – PACIFIC BELL
CABLE – TIME WARNER & CEN COMMUNICATIONS

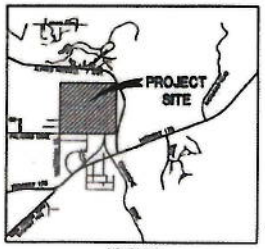
LEGEND:

- CONTOUR ELEVATION
- TOPO SURVEY POINTS
- EXISTING CATCH BASIN
- DIRECTION DRAINAGE AND APPROXIMATE GRADE
- PROPOSED STORM DRAIN MH AND STORM DRAIN LINE
- PROPOSED CROSS GUTTER
- EXISTING STORM DRAIN MH AND STORM DRAIN LINE
- EXISTING STREET LIGHT
- EXISTING EDGE OF PAVEMENT
- EXISTING SEWER MANHOLE AND SEWER LINE
- EXISTING MONUMENT
- TRACT BOUNDARY
- SF SQUARE FEET
- CAG CURB AND GUTTER
- PROPOSED CATCH BASIN
- DELINEATE DRAINAGE WAY
- PHASE LINE

TYPICAL INTERIOR PRIVATE STREET



INTERIOR PRIVATE STREET W/FIRE LANE



VICINITY MAP

GENERAL NOTES:

1. ALL ROAD IMPROVEMENTS AND DRAINAGE IN THIS SUBDIVISION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE CITY OF BAKERSFIELD.
2. THIS DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE APPROVED CONDITIONS FOR TENTATIVE TRACT NO. 6137.
3. IT IS ANTICIPATED THAT THE GRADING OF THIS TRACT WILL BE WITHIN THE AMOUNTS OUTLINED WITHIN SECTION 16.36.030(B) OF THE MUNICIPAL CODE
4. THERE ARE NO EXISTING STRUCTURES WITHIN THE BOUNDARIES OF THIS MAP.
5. PHASING
   THE NUMBERING OF THE PHASES ARE FOR IDENTIFICATION PURPOSES AND DO NOT NECESSARILY IMPLY THE ORDER OF DEVELOPMENT.
6. LANDSCAPE AND VEGETATION ARE NOT DETAILED, AS WE PROPOSE FIRE BREAKS TO BE CONSTRUCTED ON ALL LAND SURROUNDING THE LOTS TO PREVENT THE POSSIBILITY OF A WILDFIRE SPREADING ONTO THE SUBDIVISION.
7. STRUCTURES ARE NOT SHOWN ON THE TENTATIVE AS IT IS PREMATURE TO LOCATE THEM. HOWEVER, EACH LOT HAS BEEN DESIGNED TO ALLOW THE PLACEMENT OF A SINGLE FAMILY DWELLING AND MEET ALL REQUIRED SETBACKS.
8. THERE WILL NOT BE ANY OVERHEAD UTILITIES WITHIN THE SUBDIVISION.
9. BUILDING OCCUPANCY CLASS WILL BE TYPICAL FOR SINGLE FAMILY RESIDENTIAL HOMES.
10. THE TYPE OF IGNITION-RESISTANT CONSTRUCTION TO BE USED TO CONSTRUCT THE HOMES IS LIKELY TO BE STUCCO AND ROCK VENEER, WITH TILE ROOFS.
11. ROOF CLASSIFICATION WILL BE EITHER CLASS A OR CLASS B NONCOMBUSTIBLE COVERING.
12. THE WATER SUPPLY SYSTEM IS MAINTAINED BY CALIFORNIA WATER SERVICE AND BOTH POTABLE AND FIRE PROTECTION WATER WILL BE PROVIDED TO THIS SUBDIVISION.
13. ALL VEGETATION IN THE LANDSCAPE LOTS, LOCATED ALONG SQUIRE DRIVE AND WITHIN THE RESIDENTIAL LOTS WILL BE MATERIALS AS LISTED ON TABLE I OF THE WILDFIRE DEVELOPMENT ORDINANCE.
14. NOTE TO PLANNING DEPARTMENT
    RE: ALTERNATE STREET NAMES
    THE FOLLOWING STREET NAMES ARE PROVIDED AS SUBSTITUTIONARY ALTERNATES. PLEASE CONSIDER THESE NAMES IN THE ORDER THEY ARE HEREBY SUBMITTED TO REPLACE NAMES ON THE MAP THAT MAY NOT BE ACCEPTABLE.

1. ALLUVIAL	14. JAMESONITE
2. AMETHYST	15. JORDANITE
3. AMETRINE	16. LATRICE
4. BEZEL	17. LORNAR
5. BLOOD STONE	18. LUSTER
6. BROOKITE	19. MARCASITE
7. CHALCEDONY	20. MOISSANITE
8. CHAROITE	21. OBSIDIAN
9. CITRINE	22. PERIDOT
10. CORNELIAN	23. RADIANT
11. DANBURITE	24. SUNSTONE
12. FELDSPAR	25. TIGERS EYE
13. FILLADRIE	26. TOURMALINE

McINTOSH & ASSOCIATES
LAND SURVEYING • CIVIL ENGINEERING • PLANNING
2001 WHELAN COURT
BAKERSFIELD, CALIFORNIA 93309
(661) 324-4811

PORTION OF SECTION 8, T.29S., R.29E.
VESTING TENTATIVE TRACT NO. 6137

SHEET 1

B A K E R S F I E L D
PUBLIC WORKS DEPARTMENT
NICK FIDLER • DIRECTOR • CITY ENGINEER

October 9, 2015

DPSI
5351 Olive Drive, Suite 100
Bakersfield, CA 93308

Attn: Rolland Van De Valk

SUBJECT: T6137 Phasing

Dear Mr. Van De Valk:

This phasing update is in response to the DPSI letter dated September 1, 2015 requesting to record Phase 2 next. We hereby grant your request and the conditions will remain as outlined in the previous City letter dated November 14, 2014, shown below:

1. The following conditions are based upon the premise that the Phase 3 Final Map has already recorded, and that the Phase 2 Final Map will record next. The filing of subsequent Final Maps will occur in the order shown on the revised phase map with Phase 1 recording first, then Phase 4, then Phase 5, etc. If recordation does not occur in that progression, then, prior to recordation of the next final map, the City Engineer shall determine the extent of improvements to be done with that particular phase. Please note that the City must now charge an administrative fee of $530 for re-phasing.
   1.1. The following shall occur with Phase 3:
      1.1.1. Construct Grand Canyon Drive ½ width including curb, gutter and sidewalk from the Phase 2-3 boundary to Paladino Drive.
      1.1.2. Construct Paladino Drive from Grand Canyon Drive to Masterson Street a minimum of 36' wide consisting of 2-12' lanes, 2-6' paved shoulders.
   1.2. The following shall occur with Phase 1:
      1.2.1. Construct Masterson Street from Paladino Drive to Grand Canyon Drive ½ width including curb, gutter and sidewalk.
      1.2.2. Construct Grand Canyon Drive from Masterson to the Phase 2-3 boundary.
      1.2.3. Construct the remainder of Grand Canyon Drive (the west half) from the Phase 2-3 boundary to Paladino Drive.

1.2.4. Construct the remaining pavement, curb, gutter and sidewalk on Paladino from Masterson to Grand Canyon Drive.

1.2.5. Construct Paladino a minimum of 36′ wide consisting of 2-12′ lanes, 2-6′ paved shoulders from Grand Canyon Drive to the east boundary of the Designated Remainder.

1.2.6. Construct Paladino Drive ½ width including curb, gutter and sidewalk from the east boundary of the Designated Remainder to The eastern boundary of the tract.

1.2.7. Construct Paladino Drive a minimum of 36′ wide consisting of 2-12′ lanes, 2-6′ paved shoulders from the eastern boundary of the tract to Alfred Harrell Highway. Additional pavement may be required at the intersection with Masterson to ensure roadway lane alignment through the intersection.

1.3. The following shall occur with Phase 8:

1.3.1. Construct Masterson Street northerly to connect with South Lake Ming Road. Minimum improvements north of the tentative map boundary shall be 36′ wide paving with graded shoulders. Construction of this segment will be required with phase 8 as shown on the tentative tract map dated 3/9/07, or prior to recording any phase when the cumulative total of recorded lots will exceed 275. If the subdivider is unable to obtain the required right of way, then prior to filing the first final map, he shall pay to the City the up-front costs for eminent domain proceedings and enter into an agreement and post security for the purchase and improvement of said right of way.

Note: All of the other conditions as approve by the Planning Commission still apply. If you have any questions, please contact me or Daniel Padilla at (661) 326-3590.

Very truly yours,

NICK FIDLER
Public Works Director

Daniel Padilla

By for Marian P. Shaw
Civil Engineer IV - Subdivisions

xc: Reading File
Project File

Q:\LETTERS\2015\T6137 Phasing 10-8-15.docx

BAKERSFIELD
PUBLIC WORKS DEPARTMENT
NICK FIDLER • DIRECTOR • CITY ENGINEER

July 23, 2018

Shannon McCabe
S & S Homes of the Central Coast, Inc.
532 Camino Mercado
Arroyo Grande, CA 93420

Shannon McCabe,

Public Works administration has reviewed your letter dated July 2, 2018, which requested our reconsideration of the installation of block walls at the sump until Phase 1 is completed. The letter contained additional reasons why you wish to install chain link fencing around the sump and defer the construction of required block wall fencing along Paladino Drive and Masterson Street.

The City has decided to allow the use of the chainlink fencing in accordance with City standards (D-12) along Paladino Drive and Masterson Street in lieu of block wall fencing along the extent of the sump for the time being. For this decision to be allowed, the City will require the following:

The chain link fence shall have redwood colored vinyl slats similar to the slats in the fence along Paladino Drive at the adjacent Cal Water Booster Station site.
Fencing shall be completed prior to the completion of Phase 3 construction.

Block walls per City of Bakersfield standards shall be installed at the sump along Paladino Drive and Masterson Street when any of the following occurs:

1) Any development occurring on the large Phase 1 parcel at the northeast corner of Paladino Drive and Masterson Street
2) Installation of landscaping along Paladino Drive
3) Installation of full street section improvements (curb and gutter, sidewalk, full width paving) in Paladino Drive or Masterson Street.

Should you have any questions please call me at (661) 326-3575

Very truly yours,

By: Stuart Patteson
Assistant Public Works Director
S:\2018 New Filing Structure\Tract Maps\6137\Correspondence

1600 Truxtun Avenue
Bakersfield • California • 93301
(661) 326- 3724
Fax (661) 852-2120

www.bakersfieldcity.us

ACCREDITED AGENCY A•P•W•A

ATTACHMENT B

TENTATIVE PARCEL MAP 12334

INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION

www.bakersfieldcity.us

NEGATIVE DECLARATION

The City of Bakersfield Community Development Department has completed an initial study (attached) of the possible environmental effects of the following-described project and has determined that a Negative Declaration is appropriate. It has been found that the proposed project, as described and proposed to be mitigated (if required), will not have a significant effect on the environment. This determination has been made according to the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Bakersfield's CEQA Implementation Procedures.

PROJECT NO. (or Title): Tentative Parcel Map 12334

COMMENT PERIOD BEGINS: May 1, 2020
COMMENT PERIOD ENDS: May 22, 2020

MITIGATION MEASURES (*included in the proposed project to avoid potentially significant effects, if required)***:**

Biological Resources Impact Mitigation Measures:

1. Prior to ground disturbance, the applicant/developer shall have a California Department of Fish and Wildlife (CDFW) approved wildlife biologist ("qualified biologist") survey the location for species (i.e., Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and Bakersfield cactus) covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by CDFW. The applicant/developer shall be subject to additional mitigation measures recommended by the qualified biologist. A copy of the survey shall be provided to the Planning Division and wildlife agencies no more than 30 days prior to ground disturbance.

   The current MBHCP expires on February 28, 2022. To ensure take of covered species does not occur after the expiration date, fees must be paid no later than August 31, 2021 and all covered activities must be completed by the MBHCP expiration date of February 28, 2022. As determined by the City, only projects ready to be issued an urban development permit, grading plan approval, or building permit will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2022 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the U.S. Fish & Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW).

2. Prior to ground disturbance, a focused survey for burrowing owl shall be submitted to California Department of Fish and Wildlife (CDFW) and Planning Division by the applicant/developer. The survey shall follow the methodology developed by the California Burrowing Owl Consortium (CBOC 1993).

   If the survey results the presence of burrowing owl nests, prior to grading (including staging, clearing, and grubbing), surveys for active nests shall be conducted by a qualified wildlife biologist no more than 30 days prior to the start of any ground disturbance and in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected directly and/or indirectly by the project. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. If the Project applicant identifies active nests, CDFW shall be notified and recommended protocols for mitigation shall be followed, and a copy of the mitigation protocols shall be submitted to Planning Division.

If any ground disturbing activities occur during the burrowing owl nesting season (approximately February 1 through August 31), and potential burrowing owl burrows are present within the project footprint, avoidance measures shall be implemented. In the event that burrowing owls are found, the applicant/developer shall follow CDFW protocol for mitigation and comply with the provisions of the Migratory Bird Treaty Act.

3. Prior to ground disturbance, the subdivider shall have a qualified consultant survey the location for blunt nose leopard lizard. Survey protocol shall be that recommended by the State Department of Fish and Game. Subdivider shall be subject to the mitigation measures recommended by the consultant. A copy of the survey shall be provided to the Planning Department prior to ground disturbance.

Cultural Resources Impact Mitigation Measures:

4. Prior to ground disturbance and as needed throughout the construction period, a construction worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist.

5. During ground disturbance, if cultural resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified cultural resource specialist that meets the Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. These additional studies may include avoidance, testing, and excavation. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's Southern San Joaquin Valley Information Center at California State University Bakersfield.

6. During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation.

7. Prior to grading and/or earth-disturbing activities at elevations between 600 and 700 feet, subdivider shall:
   a. Submit a map delineating the areas within 600 and 700 feet elevation of the subdivision to be disturbed.
   b. Retain a qualified paleontologist to attend a pre-grading meeting, and set forth the procedures to be followed during the monitoring program.
   c. A full-time paleontological monitor that is trained and equipped to allow rapid removal of fossils with minimal construction delay shall be on the project site during ground disturbance activities within 600 and 700 feet elevation.

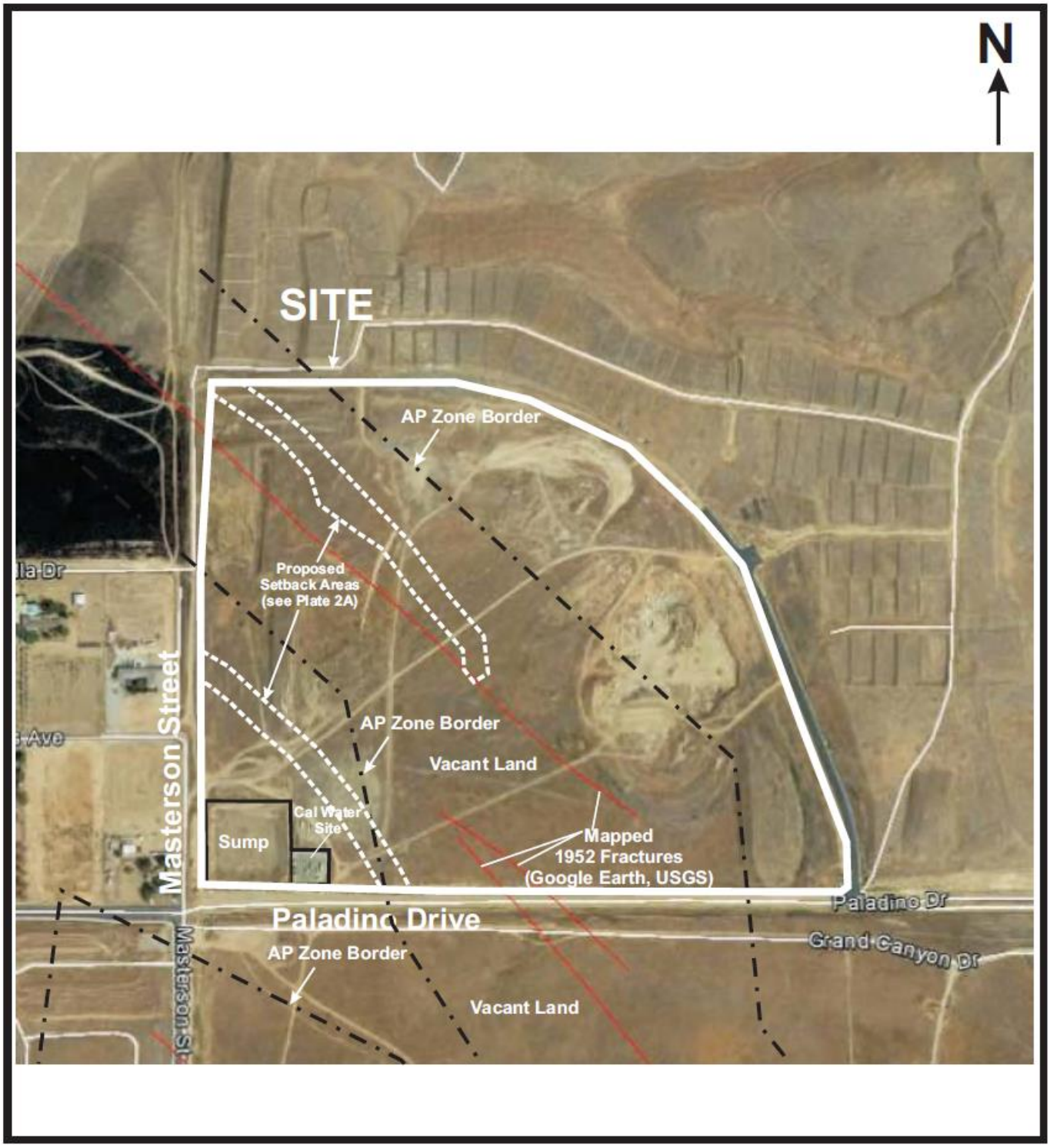
8. If fossils are found within an area being cleared or graded, earth-disturbing activities shall be diverted elsewhere until the monitor has completed salvage of the fossils. If construction personnel make the discovery, the grading contractor shall immediately divert construction and call the monitor to the site for fossil salvage.

9. The project paleontologist shall prepare, identify and curate all recovered fossils. Upon completion of grading, the project paleontologist shall prepare a summary report documenting mitigation measures and results, with itemized inventory of collected specimens. Paleontologist shall submit the report to the City of Bakersfield, and any other appropriate agency, and transfer fossil collection to an appropriate depository.

Geology and Soils Impact Mitigation Measures:

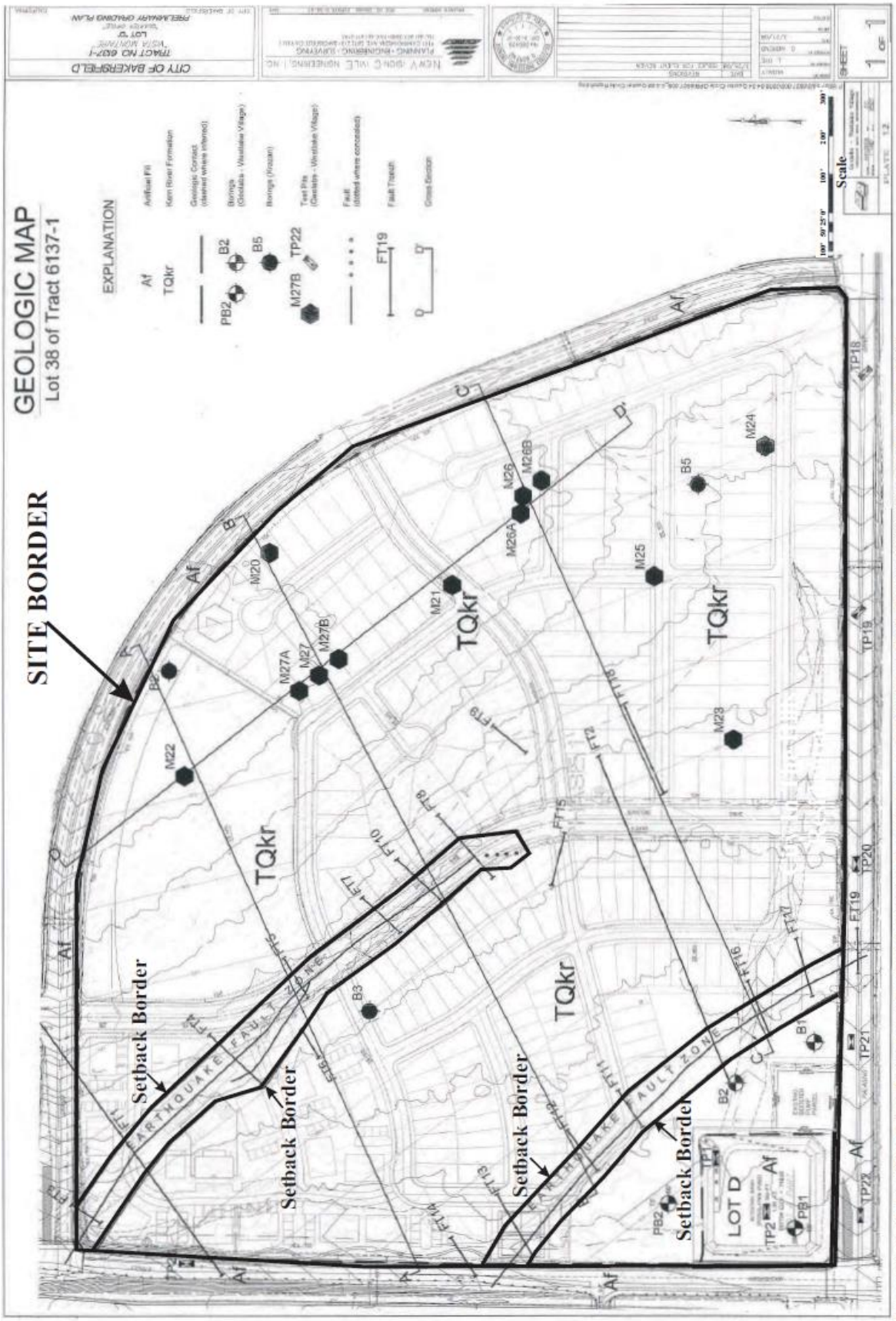
10. Parcel 1 of Tentative Parcel Map 12334 (aka Lot 38 of Tract 6137) shall have a setback of a minimum of 50-feet from each of the two faults identified on Plates 2 and 2A of "Geological Hazard Report for Lot 38, Tract 6137 (September 2019)" (attached) where no structures for human habitation may be located.

11. The area within the 50-foot shall be known as the seismic setback, and may be used for parks, open space, streets, front, and rear yards, as approved by the City Of Bakersfield. Final disposition and maintenance of the seismic setback area shall be approved by the City Of Bakersfield through conditions of approval of subsequent development projects, such as subdivision maps, grading plans or site plan review.



SOILS ENGINEERING, INC. 4400 Yeager Way Bakersfield, CA 93313 (661) 831 - 5100 DATE: 9/19 PROJECT: #17222	Lot 38, Tract 6137 NE of Paladino Drive and Masterson Street Bakersfield, CA PLOT PLAN	PLATE 2

From: *"Geological Hazard Report for Lot 38, Tract 6137 (September 2019)" by Soils Engineering Inc.*



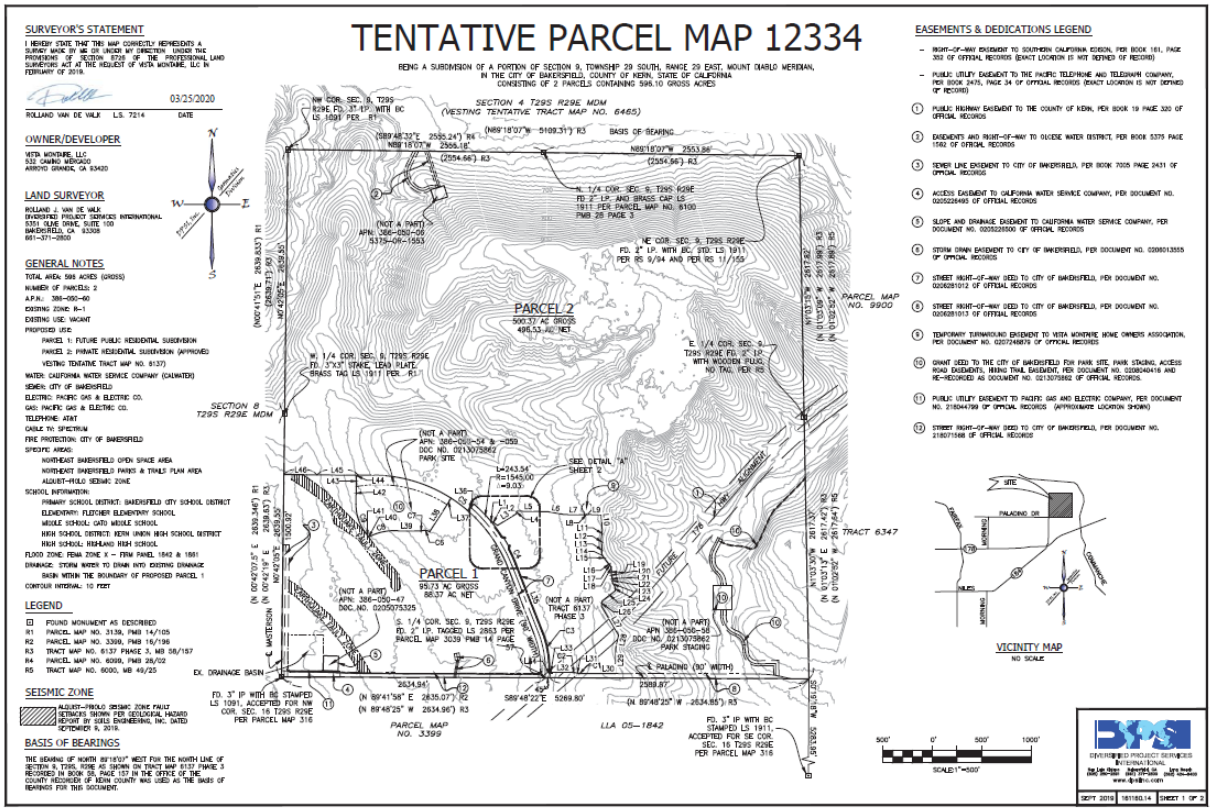
From Geolabs, Grading Plan Review and Updated Seismic, Foundation, and Retaining Wall Design Criteria, dated April 4, 2008

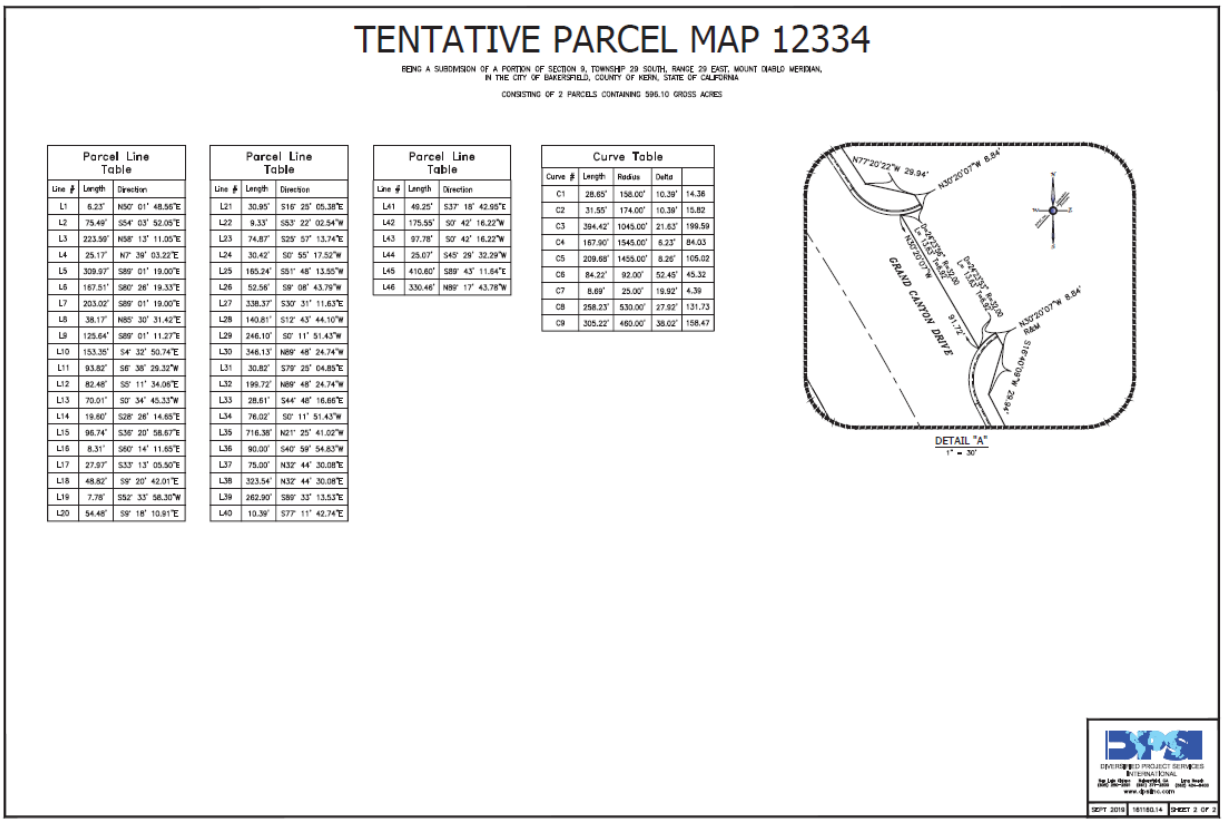
Plate 2A

Geologic Map
Lot 38, Tract 6137
Northeast of Paladino Dr. & Masterson St.
Bakersfield, CA

SEI File No. 17222
September 2019

From: *"Geological Hazard Report for Lot 38, Tract 6137 (September 2019)" by Soils Engineering Inc.*





Parcel Line Table

Line #	Length	Direction
L1	6.23'	N50° 01' 48.56"E
L2	75.49'	S54° 03' 52.05"E
L3	223.39'	N58° 13' 11.05"E
L4	25.17'	N7° 39' 03.22"E
L5	309.97'	S89° 01' 19.00"E
L6	167.51'	S80° 26' 19.33"E
L7	203.02'	S89° 01' 19.00"E
L8	38.17'	N85° 30' 31.42"E
L9	125.64'	S89° 01' 11.27"E
L10	153.35'	S4° 32' 50.74"E
L11	93.82'	S6° 38' 29.32"W
L12	82.48'	S5° 11' 34.06"E
L13	70.01'	S0° 34' 45.33"W
L14	19.60'	S28° 26' 14.65"E
L15	96.74'	S36° 20' 58.67"E
L16	8.31'	S60° 14' 11.65"E
L17	27.97'	S33° 13' 05.50"E
L18	48.82'	S9° 20' 42.01"E
L19	7.78'	S52° 33' 58.30"W
L20	54.48'	S9° 18' 10.91"E

Parcel Line Table

Line #	Length	Direction
L21	30.95'	S16° 25' 05.38"E
L22	9.33'	S53° 22' 02.54"W
L23	74.87'	S25° 57' 13.74"E
L24	30.42'	S0° 55' 17.52"W
L25	165.24'	S51° 48' 13.55"W
L26	52.56'	S9° 08' 43.79"W
L27	338.37'	S30° 31' 11.63"E
L28	140.81'	S12° 43' 44.10"W
L29	246.10'	S0° 11' 51.43"W
L30	346.13'	N89° 48' 24.74"W
L31	30.82'	S79° 25' 04.85"E
L32	199.72'	N89° 48' 24.74"W
L33	28.61'	S44° 48' 16.66"E
L34	76.02'	S0° 11' 51.43"W
L35	716.38'	N21° 25' 41.02"W
L36	90.00'	S40° 59' 54.83"W
L37	75.00'	N32° 44' 30.08"E
L38	323.54'	N32° 44' 30.08"E
L39	262.90'	S89° 33' 13.53"E
L40	10.39'	S77° 11' 42.74"E

Parcel Line Table

Line #	Length	Direction
L41	49.25'	S37° 18' 42.95"E
L42	175.55'	S0° 42' 16.22"W
L43	97.78'	S0° 42' 16.22"W
L44	25.07'	S45° 29' 32.29"W
L45	410.60'	S89° 43' 11.64"E
L46	330.46'	N89° 17' 43.78"W

Curve Table

Curve #	Length	Radius	Delta	
C1	28.65'	158.00'	10.39'	14.36
C2	31.55'	174.00'	10.39'	15.82
C3	394.42'	1045.00'	21.63'	199.59
C4	167.90'	1545.00'	6.23'	84.03
C5	209.68'	1455.00'	8.26'	105.02
C6	84.23'	92.00'	52.45'	45.32
C7	8.69'	25.00'	19.92'	4.39
C8	258.23'	530.00'	27.92'	131.73
C9	305.22'	460.00'	38.02'	158.47

INITIAL STUDY
ENVIRONMENTAL ANALYSIS

1. **Project** *(Title & No.)*: Tentative Parcel Map 12334

2. **Lead Agency** *(name and address)*: City of Bakersfield, Planning Department
1715 Chester Avenue, Bakersfield, California 93301

3. **Contact Person** *(name, title, phone)*: Jennie Eng; (661) 326-3043

4. **Project Location:** Northeast corner of Paladino Dr. and Masterson St.

5. **Applicant** *(name and address)*: DPSI, 5351 Olive Drive, Suite 100, Bakersfield, CA 93308

6. **General Plan Designation:** LR (Low Density Residential); OS-S (Open Space – Slope)

7. **Zoning:** R-1 (One-Family Dwelling); R-1/HD (One-Family Dwelling/ Hillside Development)

8. **Description of Project** *(describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)*:
A proposed tentative parcel map to subdivide 596 acres into 2 residential parcels.

9. **Environmental setting** *(briefly describe the existing onsite conditions and surrounding land uses)*:
The project site is vacant and undeveloped land located in the foothill area of northeast Bakersfield that includes areas with 30% or greater slope. Much of the northern portion of the subdivision is designated with the Hillside Development combining zone to reflect the existing slopes. The remaining portion of the subdivision is zoned for single family development. The adopted specific line for State Route 178 traverses across the southeast portion of the project site. An Alquist-Priolo Special Studies Zone crosses the southwest portion of the subdivision. Surrounding land uses generally include undeveloped land or land used for grazing. There is some "ranchette-type" single family development located to the southwest of the project site.

10. **Other public agencies whose approval is anticipated to be required** *(e.g., permits, financing approval or participation agreement)*: N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

As indicated by the checklist on the following pages, the project would result in potentially significant impacts with respect to the environmental factors checked below (*Impacts reduced to a less than significant level through the incorporation of mitigation are not considered potentially significant.*):

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ 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

ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project **could** not have a significant effect on the environment, and a **negative declaration** will be prepared.

■ I find that although the proposed project **could** have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **mitigated negative declaration** will be prepared.

☐ 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 has been (1) adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An **environmental impact report** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project **could** have a significant effect on the environment, because all potentially significant effects have been (1) analyzed adequately in an earlier **environmental impact report or negative declaration** pursuant to applicable legal standards, and (2) avoided or mitigated pursuant to that earlier **environmental impact report or negative declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jennie Eng
Signature

5/1/2020
Date

Jennie Eng
Printed name

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites 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 the lead agency has determined 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) Impacts 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) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   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.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project;				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	☐	☐	☐	■
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	■
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	■
II. 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project;				
a) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	■
d) Result in the loss of forestland or conversion of forest land to non-forest?	☐	☐	☐	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■
III. 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;				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	■
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)?	☐	☐	☐	■
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	■
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	■
IV. BIOLOGICAL RESOURCES: Would the project;				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
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 Wildlife or US Fish and Wildlife Service?	☐	☐	☐	■
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?	☐	☐	☐	■
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	■	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	■	☐	☐

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	☐	■	☐	☐
V. CULTURAL RESOURCES: Would the project;				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	■	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	■	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	■	☐	☐
VI. GEOLOGY AND SOILS: Would the project;				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (refer to Division of Mines & Geology Special Publication No.42)	☐	■	☐	☐
ii. Strong seismic ground shaking?	☐	■	☐	☐
iii. Seismic-related ground failure, including liquefaction?	☐	■	☐	☐
iv. Landslides?	☐	☐	■	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
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?	☐	■	☐	☐
d) Be located on expansive soil, as defined in the city's most recently adopted Uniform Building Code, creating substantial risks to life or property?	☐	☐	■	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	■
VII. GREENHOUSE GAS EMISSIONS: Would the project;				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project;				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment?	☐	☐	■	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
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 it create a significant hazard to the public or the environment?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	☐	☐	■	☐

IX. HYDROLOGY AND WATER QUALITY: Would the project;

a) Violate any water quality standards or waste discharge requirements?	☐	☐	■	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater 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)?	☐	☐	☐	■
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?	☐	☐	■	☐
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?	☐	☐	■	☐
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?	☐	☐	■	☐
f) Otherwise, substantially degrade water quality?	☐	☐	■	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	■
h) Place within a 100-year flood hazard area, structures which would impede or redirect flood flows?	☐	☐	☐	■
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?	☐	☐	■	☐
j) Inundation by seiche, tsunami, or mud flow?	☐	☐	☐	■

X. LAND USE AND PLANNING: Would the project;

a) Physically divide an established community?	☐	☐	☐	■
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?	☐	☐	☐	■
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	■	☐	☐

XI. MINERAL RESOURCES: Would the project;

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■
b) Result in the loss of availability of a locally-important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan?	☐	☐	☐	■

XII. NOISE: Would the project result in;

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?	☐	☐	■	☐
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	■	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	■	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	■	☐
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?	☐	☐	☐	■
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?	☐	☐	☐	■

XIII. POPULATION AND HOUSING: Would the project;

a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes & businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■
XIV. PUBLIC SERVICES:				
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;				
i. Fire protection?	☐	☐	☐	■
ii. Police protection?	☐	☐	☐	■
iii. Schools?	☐	☐	■	☐
iv. Parks?	☐	☐	☐	■
v. Other public facilities?	☐	☐	☐	■
XV. RECREATION: Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■
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?	☐	☐	☐	■
XVI. TRANSPORTATION/TRAFFIC: Would the project;				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	■	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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?	☐	☐	☐	■
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■
e) Result in inadequate emergency access?	☐	☐	☐	■
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	■
XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in the terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is;				
a) Listed of eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☐	■
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☐	■
XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project;				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	■
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?	☐	☐	☐	■

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?	☐	☐	☐	■
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	■	☐
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?	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	■
XVIV. MANDATORY FINDINGS OF SIGNIFICANCE:				
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?	☐	☐	☐	■
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)?	☐	☐	☐	■
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	■

EVALUATION OF ENVIRONMENTAL EFFECTS

I. AESTHETICS

a. **No impact.** The project is located within the City limits in northeast Bakersfield. The existing visual environment in the area adjacent to the project is vacant land with rolling foothills. The project is consistent with the *Metropolitan Bakersfield General Plan* and City of Bakersfield Zoning. There are potential visual resources located in the northern portion of the project site that are subject to the City's Hillside Ordinance development criteria. With compliance with the Hillside Ordinance, the project does not conflict with any applicable vista protection standards, scenic resource protection requirements or design criteria of federal, state, or local agencies. Only one single family home may be built on each parcel and that would not degrade any known scenic vista.

b. **No impact.** There are no trees, rock outcrops, or historic buildings (Parr, 2002) located at the project site. Additionally, the project is not located adjacent to or near any officially designated or potentially eligible scenic highways to be listed on the California Department of Transportation (Caltrans) State Scenic Highway System (Caltrans 2017). The closest section of highway eligible for state scenic highway designation is State Route (SR) 14 (Caltrans 2017) located in Kern County over 50 miles to the east. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.

c. **No impact.** Please refer to responses I.a, I.b, and I.d. Therefore, the project would not substantially degrade the existing visual character or quality of the site and its surroundings.

d. **No impact.** This project involves incremental urban growth within the City of Bakersfield's jurisdiction. This project would have to comply with City development standards, including Title 17 (zoning ordinance), Title 15 (buildings and construction), as well as California Code of Regulations Title 24. Together, these local and state requirements oblige project compliance with current lighting and signage standards that minimize unwanted light or glare to spill over into neighboring properties. Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

II. AGRICULTURE RESOURCES

a. **No impact.** The 596-acre project site is designated as Grazing Land suitable for grazing livestock, by the Farmland Mapping and Monitoring Program (DOC Important Farmland Finder, 2018). The site is not designated as Prime Farmland. The site is currently not being grazed. The project does not convert 100 acres or more of the farmlands designated Prime, Unique, or of Statewide Importance to nonagricultural uses. Large parcel size is, in general, an important indicator of potential agricultural suitability and productivity. As of December 31, 2016, there were approximately 1.7 million acres under Williamson Act and Farmland Security Zone contracts in Kern County (DOC 2016). The loss of less than 38.01 acres is not considered a significant change to this resource as it represents only about 0.002% of the total amount of land under Williamson Act and Farmland Security Zone contracts in Kern County. CEQA Guidelines Section 15206 does not regard the cancellation of less than 100 acres of land from the Williamson Act to be of statewide, regional, or area wide significance. Therefore, the project would not significantly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.

b. **No impact.** The project site is currently zoned R-2 (Limited Multiple-Family Dwelling) and is not under a Williamson Act contract. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

c. **No impact.** As discussed in II.b, the project site is zoned R-2. There are no forested lands located on the site. Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.

d. **No impact.** Please refer to response II.c. Therefore, the project would not result in the loss of forestland or conversion of forest land to non-forest.

e. **No impact.** Please refer to responses II.a through II.d. This project is in an area designated for urban development by the Metropolitan Bakersfield General Plan. The project itself is typical of the development found in Metropolitan Bakersfield. Therefore, the project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

III. AIR QUALITY

a. **Less than significant.** The project is located within the San Joaquin Valley Air Pollution Control District (SJVAPCD) jurisdiction, in the San Joaquin Valley Air Basin (SJVAB). The SJVAB is classified by the state as being in severe nonattainment for the state 1-hour ozone standard as well as in nonattainment for the state particulate matter less than 10 microns (PM10) and particulate matter less than 2.5 microns (PM2.5). The SJVAB is also classified as in extreme nonattainment for the federal 8-hour ozone standard, nonattainment for the federal PM2.5 standard, and attainment/maintenance for the federal carbon monoxide (CO) and PM10 standards.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) encourages local jurisdictions to design all developments in ways that reduce air pollution from vehicles, which is the largest single category of air pollution in the San Joaquin Valley. The *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) (SJVAPCD 2015) lists various land uses and design strategies that reduce air quality impacts of new development. Local ordinance and general plan requirements related to landscaping, sidewalks, street improvements, level of traffic service, energy efficient heating and cooling building code requirements, and location of commercial development in proximity to residential development is consistent with these listed strategies. Regulation and policy that will result in the compliance with air quality strategies for new residential and commercial developments include, but are not limited to, Title 24 efficiency standards, Title 20 appliance energy efficiency standards, 2005 building energy efficiency standards, Assembly Bill (AB) 1493 motor vehicle standards, and compliance with the

Metropolitan Bakersfield General Plan Air Quality Conservation Element as well as the SJVAPCD air quality guidelines and rules.

Emission sources as a result of the project would include ground disturbance and other construction-related work as well as emissions from operations of the 2 single-family residences, and particularly residents' vehicular traffic.

b. **No Impact.** As shown in the following table, the SJVAPCD has established specific criteria pollutants thresholds of significance for the operation of specific projects.

SJVAPCD Significance Thresholds for Criteria Pollutants	
Air Pollutant	**Tons/Year**
CO	100
Reactive Organic Gas (ROG)	10
Nitrogen Oxides (NOX)	10
Sulfur Oxides (SOX)	27
PM10	15
PM2.5	15

Source: Insight 2017.

Construction of the two single family homes allowed as a result of the project would not result in air pollutant emissions meeting or exceeding the significance thresholds established by the SJVAPCD. Minor emissions from construction would result from fuel combustion and exhaust from equipment as well as vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides estimated construction emissions as a result of the project.

Project operations would also result in minor air pollutant emissions. Emissions would come from operational mobile, area, and energy sources, but project-related transportation activities as a result of residential vehicular traffic associated with the site would be the primary source of operational emissions. Operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels.

c. **No impact.** Potential construction of two single family residences would not pose a significant increase to estimated project or cumulative emissions for criteria pollutants in nonattainment within Kern County and the greater SJVAB. The project's regional contribution to cumulative impacts would be negligible (well less than 1% for all pollutants under consideration) and therefore, the project's contribution is not cumulatively considerable.

SJVAPCD Rule 2010 requires any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate from the SJVAPCD Air Pollution Control Officer (APCO). The project will comply with this rule by obtaining authorization from APCO prior to commencing construction on the project.

SJVAPCD Rule 2201 requires review and offset of stationary sources of air pollution and no net increase in emissions above specified thresholds from new and modified stationary sources of all nonattainment pollutants and their precursors. This is achieved through the use of mechanisms as approved by the SJVAPCD, such as emission trade-offs by which a permit to construct or operate any source pollution is granted. The project will comply with this rule by demonstrating compliance when obtaining authorization from APCO under Rule 2010. Compliance with Rule 2201 may include for example, using Best Available Control Technology and providing emission offsets.

SJVAPCD Rule 4102 protects the health and safety of the public by prohibiting discharge from any source whatsoever of air contaminants that cause injury, detriment, nuisance, or other annoyance to any considerable number of people. The project will comply with this rule by not

discharging air contaminants or other materials, which cause injury, detriment, nuisance, or other annoyance to any considerable number of people.

SJVAPCD Rule 9510 requires the reduction of emissions of nitrogen oxides (NOX) and particulate matter smaller than ten microns in aerodynamic diameter (PM10) associated with construction and operational activities of development projects occurring within the San Joaquin Valley. Rule 9510 applies to new development projects that would equal or exceed specific size limits called applicability thresholds (e.g., developing more than 2,000 square feet of commercial space, 25,000 square feet of light industrial space, 10,000 square feet of heavy industrial space, or 50 residential units). The project is subject to SJVAPCD Rule 9510 because it exceeds the applicability threshold of [50 residential units – modify as necessary]. Accordingly, the project must reduce a portion of the emissions occurring during construction and operational phases through on-site measures, or pay off-site mitigation fees. The objective of this rule is to reduce construction NOx and PM10 emissions by 20% and 45%, respectively, as well as to reduce operational NOx and PM10 emissions by 33.3% and 50%, respectively, when compared to unmitigated projects. The SJVAPCD uses CalEEMod (California Emission Estimator Model) to estimate emissions of NOx and PM10 for potential land uses. Examples of measures that may be implemented to reduce emissions pursuant to this rule include, but are not limited to, incorporating energy efficiency beyond Title 24 requirements, providing bicycle lanes throughout a project, using cleaner fleet construction vehicles, eliminating woodstoves and fireplaces, and building in proximity to existing or planned bus stops and/or planned retail . When a development project cannot reduce its NOx and PM10 emissions to the level required by Rule 9510, then the difference must be mitigated through the payment of an offsite emissions reduction fee. One hundred percent (100%) of all off-site mitigation fees are used by the SJVAPCD to fund emission reduction projects through its Incentives Programs, achieving emission reductions on behalf of the project.

Due to the fact that 1) the air quality modeling indicates that project's regional contribution to cumulative impacts would be negligible and 2) the project would comply with the requirements of the SJVAPCD attainment plans and rules, and mitigation measures require the applicant to provide proof of such compliance, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.

d. **No impact.** Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved that expose sensitive receptors to sustained exposure to any pollutants present. Examples of the types of land use that are sensitive receptors include retirement facilities, hospitals, and schools. The most sensitive portions of the population are children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. The closest sensitive receptors to the project site include Fletcher Elementary School and Cato Middle School (1.5 miles). There are no schools within 0.25 miles of the project site. The AQIA concluded that, due to the distance from sensitive receptors, the project would not significantly affect such receptor. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations.

e. **No impact.** The project type proposed (i.e., single family residential) is not on the GAMAQI list (page 27, table 4-2) of those land uses generally regarded as the type to have site odor problems. The AQIA concludes that the project does not exceed any screening trigger levels to be considered a source of objectionable odors or odorous compounds. Therefore, the project would not create objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

a. **Less than significant with mitigation incorporated.** The project site has the potential to result in significant impacts to some special-status wildlife species, but no listed special-status plant species were found on the site during reconnaissance-level surveys for the project (MBI 2017). It was determined that the site is not likely suitable for blunt-nosed leopard lizard (BNLL) (MBI 2017).

The project is subject to the terms of the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) and associated Section 10(a)(1)(b) and Section 2081 permits issued by USFWS and CDFW, respectively. The project is also subject to ITP No. 2081-2013-058-04 (ITP) and associated Mitigation Monitoring and Reporting Program (MMRP). These documents are hereby incorporated by reference. Terms of these permits require applicants for all development projects within the plan area to pay habitat mitigation fees and notify agencies prior to grading in areas covered under the permit.

The current MBHCP expires on February 28, 2022. To ensure take of covered species does not occur after the expiration date, fees must be paid no later than August 31, 2021 and all covered activities must be completed by the MBHCP expiration date of February 28, 2022. As determined by the City, only projects ready to be issued an urban development permit, grading plan approval, or building permit will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2022 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the U.S. Fish & Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW).

The MBHCP does not cover the protection of burrowing owls (BUOW). However, BUOW is a migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918 (16 United State Code 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 Code of Federal Regulations (CFR) Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR Part 21). Sections 3503, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs.

Mitigation Measure requires a survey and compliance with mitigation measures outlined in the ITP prior to ground disturbance for any special-status wildlife species (aside from BNLL) that have the potential to occur at the project site. Mitigation Measures requires a focused survey for burrowing owl and measures in coordination with CDFW in the event that BUOW are found onsite. With implementation of Mitigation Measures, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

b. **No impact.** There is no riparian habitat or other sensitive natural communities located at the site (MBI 2017). This project is also not located within, or adjacent to, the Kern River riparian habitat area. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

c. **No impact.** There are no wetlands, as defined by Section 404 of the federal Clean Water Act (CWA), located at the project site, and no features identified as wetlands categories are found in the National Wetlands Inventory within the project area (MBI 2017). Therefore, the project would not have a substantial adverse effect on federally-protected wetlands.

d. **Less than significant with mitigation incorporated.** It was concluded that the project would not interfere with wildlife movement (MBI 2017). The project is not within the Kern River floodplain (noted as a wildlife corridor in the MBHCP), or along a canal which has been identified by the USFWS as a corridor for native resident wildlife species. There is the potential during construction to temporarily affect nursery sites such as dens and burrows. Project construction could cause the direct destruction of a nursery site or cause enough of an indirect disturbance to cause special-status wildlife to abandon a nursery site. However, Mitigation Measures qualified biologist and CDFW to reduce potential impacts to nursery sites. With the implementation of Mitigation Measures, the project would not interfere substantially with the movement of any native resident

or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e. **Less than significant with mitigation incorporated.** It was concluded that the project site does not contain any biological resources that are protected by local policies (MBI 2017). The MBHCP has been adopted as policy and is implemented by ordinance. The MBHCP addresses biological impacts within the Metropolitan Bakersfield General Plan area, and the project is located in this area. The development entitled by this proposal would be required to comply with the MBHCP. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.

f. **Less than significant with mitigation incorporated.** Please refer to responses IV.a, IV.d, and IV.e. With implementation of Mitigation Measures, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

a. **No Impact.** A cultural resources assessment and addendum (Parr, 2002). Parr determined that there are no significant cultural resources on the project site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.

b. **Less than significant with mitigation incorporated.** It has been concluded that the project site does not contain any known archaeological resources (Parr. 2002). However, there is still the potential to unearth previously unknown archaeological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources. By incorporating mitigation measures that a) require construction workers are provided with cultural awareness training, and b) ceasing work and investigating any discovery in the event that previously unknown archaeological resources are unearthed during construction, the project would not cause a substantial adverse change in the significance of an archaeological resource.

c. **Less than significant with mitigation incorporated.** There is potential that the project site may contain known paleontological resources or unique geologic features. There is potential to unearth previously unknown paleontological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources when accessing elevations between 600 and 700 feet. With the implementation of Mitigation Measures, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

d. **Less than significant with mitigation incorporated.** There are no known human remains found at the project site (Parr, 2002). The project could inadvertently uncover or damage previously unknown human remains. Mitigation measure requires that if any human remains are found at the site during construction, work would cease and the remains would be handled pursuant to applicable law.

VI. GEOLOGY AND SOILS

a. **Less than significant with mitigation incorporated.** The following discusses the potential for the project to expose people or structures to substantial adverse effects as a result a various geologic hazards. The City is within a seismically active area. Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.

The southwest portion of the proposed project contains an area delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map. Although a portion of the proposed map boundary is within an Alquist-Priolo Special Studies Zone, the area within the zone is not proposed for

development at this time. The lots within the Alquist-Priolo Special Studies Zone are lettered lots which, under the City of Bakersfield regulations, are unbuildable lots.

Because no structures can be built within the Alquist-Priolo Zone, a "Geologic Hazard Report for Lot 38, Tract 6137" (Soils Engineering Inc,; September 2019) report was prepared, and obtained peer review approval by WZI, Inc; February 2020. To ensure that the developer understands that if the status of these lots changes in the future or further subdivision mitigation measure requiring 50-foot structure setback from the seismic zone as identified in the report, and compliance with the 2020 California Building Code, shall be applied to the project.

i. **Less than significant with mitigation incorporated.** See response VI.a.
ii. **Less than significant with mitigation incorporated.** See response VI.a.
iii. **Less than significant with mitigation incorporated.** See response VI.a.
iv. **Less-than-significant Impact.** In Kern County, the common types of landslides induced by earthquake occur on steeper slopes found in the foothills. In these areas, landslides are generally associated with bluff failure, rock slide, and slope slip on steep slopes (Bakersfield 2001). The project site includes areas with slopes at or greater than 30%. These slope areas are subject to development restrictions under the City's Hillside Development Ordinance to reduce the level of impact to less than significant.

b. **Less-than-significant impact.** The soil types prevalent on the proposed site are listed in the Kern County California Soil Survey for the Northwestern region. Due to the characteristics of the on-site soil type and the foothill terrain, implementation of the project in accordance with the City's Hillside Development ordinance would not likely result in significant erosion, displacement of soils, or soil expansion problems. The project will be subject to City ordinances and standards relative to soils and geology. Standard compliance requirements include detailed site specific soil analysis prior to issuance of building permits and adherence to applicable building codes in accordance with the Uniform Building Code. City standards generally require the installation of sanitary sewers with residential development projects.

Construction of the site would temporarily disturb soils, which could loosen soil, and the removal of vegetation could contribute to future soil loss and erosion by wind and storm water runoff. The project would have to request coverage under the National Pollutant Discharge Elimination System (NPDES) *General Permit for Storm Water Discharges Associated with Construction Activities* (No. 2012-0006-DWQ) (General Permit) because the project would result in 1 or more acres of ground disturbance. To conform to the requirements of the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would need to be prepared that specifies best management (BMPs) to prevent construction pollutants, including eroded soils (such as topsoil), from moving offsite. Implementation of the General Permit and BMPs requirements would mitigate erosion of soil during construction activities.

During operation, the soils would be sufficiently compacted to required engineered specifications, revegetated in compliance with City requirements, or paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. Therefore, the project would not result in substantial soil erosion or the loss of topsoil.

c. **Less-than-significant with mitigation incorporated.** As discussed in VI.a the project site does include a known seismic zone. Mitigation reduces the impact to less than significant.

d. **Less-than-significant impact.** See answer VI.b. There has been evidence that expansive soils may occur in the general area. The impact is considered less than significant due to the ordinance requirement for the developer to submit a grading plan and soils report prior to ground disturbance.

e. **No impact.** The project would not require the use of septic tanks or alternative wastewater disposal system. The project would hook up to existing City sewer in the area. Therefore, the project would not 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 wastewater.

VII. GREENHOUSE GAS EMISSIONS

a. **Less-than-significant impact.** The project would generate an incremental contribution and, when combined with the cumulative increase of all other sources of greenhouse gases (GHG), could contribute to global climate change impacts. Although the project is expected to emit GHG, the emission of GHG by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be relatively very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Therefore, a project's GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis.

According to the SJVAPCD, for a project to conform to the goals of AB 32, at least a 29% reduction from the 2002-2004 business-as-usual (BAU) period by 2020 must be demonstrated. The following table compares BAU and the project's mitigated operational GHG emissions. AB 32, or the California Global Warming Solutions Act, caps California GHG emissions at 1990 levels by 2020. Implementing BAU, which is far greater than the AB 32-mandated 29% reduction. The impacts of this project are not considered significant given the efforts made to reduce emissions of GHG from the project through design measures and standards, plus further mitigation accomplished at the statewide level through California Air Resources Board (CARB) regulations adopted pursuant to AB 32. Regulation and policy that would result in the reduction of GHG emissions in new residential and commercial developments include, but are not limited to, Title 24 efficiency standards, Title 20 appliance energy efficiency standards, 2005 building energy efficiency standards, AB 1493 motor vehicle standards, and compliance with the Metropolitan Bakersfield General Plan Air Quality Conservation Element as well as SJVAPCD air quality guidelines and rules. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

b. **Less-than-significant impact.** CARB is responsible for the coordination and administration of both federal and state air pollution control programs within California. According to California's Climate Change Scoping Plan, there must be statewide reduction GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emissions to 1990 levels means cutting approximately 29% from BAU emission levels projected for 2020. In addition, per SB 375 requirements, CARB has adopted regional reduction targets, which call for a 5% reduction in per-capita emissions by 2020 and 10% reduction in 2035 within the San Joaquin Valley using 2005 as the baseline. These regional reduction targets will be a part of the Kern COG Sustainable Communities Strategy. The SJVAPCD has adopted guidance (*Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*) and a policy (District Policy – Addressing GHG Emission Impacts for Stationary Source Projects under CEQA When Serving as the Lead Agency).

As proposed, the project would not conflict with any statewide policy, regional plan, or local guidance or policy adopted for the purpose of reducing GHG emissions. The project would not interfere with the implementation of AB 32 and SB 375 because it would be consistent with the GHG emission reduction targets identified by CARB and the Scoping Plan. The project achieves BAU GHG emissions reduction equal to or greater than the 29% targeted reduction goal CARB defines BAU as "the emissions that would be expected to occur in the absence of any GHG reduction actions." The project is consistent with these statewide measures and considered not significant or cumulatively considerable under CEQA. Therefore, the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

VIII. HAZARDS AND HAZARDOUS MATERIALS

a. **Less-than-significant impact.** The project would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. However, construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the project would be in strict accordance with federal and state laws and regulations. During construction of the project, Material Safety Data Sheets (MSDS) for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

   The project is the development of up to 613 multi-family units. Day-to-day activities in residences do not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance of residences would require the transport, storage, use, and/or disposal of hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Residential users should follow any instructions for use and storage provided on product labels carefully to prevent any accidents at home. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Additionally, residential hazardous waste can be dropped off at Metro Kern County Special Waste Facility located at 4951 Standard Street or at one-day hazardous waste collection events that take place throughout the year. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b. **Less-than-significant impact.** Please refer to response VIII.a. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.

c. **No impact.** The closest school is Independence High School located about 1 mile from the site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.

d. **No impact.** The EnviroStor (DTSC 2017) and Cortese (CalEPA 2017) lists pursuant to Government Code (GC) Section 65962.5 were reviewed. No portion of the project site is identified on either list, which provides the location of known hazardous waste concerns. Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

e. **No impact.** The project site is not located within the Kern County *Airport Land Use Compatibility Plan* area (Kern County 2012). The closest airport to the project site is the Bakersfield Municipal Airport located about 5 miles to the northeast of the site. Therefore, the project would not result in a safety hazard for people residing or working in the project area for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

f. **No impact.** The project is not within the vicinity of a private airstrip. Therefore, the project would not result in a safety hazard for people residing or working in the project area for a project within the vicinity of a private airstrip.

g. **Less-than-significant impact.** The project would have to develop or improve roads to the site as well as internal roads that are in compliance with the City's Fire Code to allow emergency vehicles adequate access to the site and all portions of the site. Access to the site would be maintained throughout the construction period, and appropriate detours would be provided in the event of potential temporary road closures. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in a substantial alteration to the adjacent and area circulation system. The project is typical of urban development in Bakersfield, and is not inconsistent with the adopted City of Bakersfield Hazardous Materials Area Plan (Bakersfield 1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

h. **Less-than-significant impact.** The project site is not located within a "very high," or "high" fire hazard severity zone (CalFire 2008). The site and its vicinity consist of vacant land that may possess fuel loads that have a moderate potential to cause a wildland fire. With the project, the site would be developed with hardscapes and irrigated landscaping, which would further reduce fire potential at the site. Additionally, the City and County require "defensible space" within areas of the County susceptible to wildland fires as shown on CalFire maps through the Fire Hazard Reduction Program and the Hillside Development overlay zone of the City's Zoning Ordinance. Defensible space is the buffer created between a building and the grass, trees, shrubs, or any wildland area that surrounds it. Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.

IX. HYDROLOGY AND WATER QUALITY

a. **Less-than-significant impact.** Construction would include ground disturbing activities. As discussed in VI.b, the project site's soil types have a low-to-medium susceptibility to sheet and rill erosion by rainfall and a low susceptibility to wind erosion at the ground surface. Disturbance of onsite soils during construction could result in soil erosion and siltation, and subsequent water quality degradation through increased turbidity and sediment deposition during storm events to offsite locations. Additionally, disturbed soils have an increased potential for fugitive dust to be released into the air and carried offsite. As described in VI.b, development on the project would be required to comply with the General Permit. To conform to the requirements of the General Permit, a SWPPP would need to be prepared that specifies BMPs to prevent construction pollutants from moving offsite. The project is required to comply with the General Permit because project-related construction activities would disturb at least 1 acre of soil.

The City owns and maintains a municipal separate storm sewer system (MS4). The project's operational urban storm water discharges are covered under the Central Valley Water Quality Control Board (CVRWQCB) *National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems* (Order No. R5-2016-0040; NPDES No. CAS0085324) (MS4 Permit) (CVRWQCB 2016). The MS4 Permit mandates the implementation of a storm water management framework to ensure that water quality is maintained within the City as a result of operational storm water discharges throughout the City, including the project site. By complying with the General Permit and MS4 Permit, the project would not violate any water quality standards or waste discharge requirements.

b. **No impact.** Potable water from the project would be supplied by the City. According to the City's UWMP (Bakersfield 2017a), the City receives a significant all of its supplies from groundwater sources. The UWMP concludes that the City has sufficient supplies for current and future entitlements through 2040 for normal, single-day, and multiple-dry year scenarios (Bakersfield 2017a). Therefore, the project would not substantially deplete groundwater supplies

or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

c. **Less-than-significant impact.** The project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. The project site would be graded upon development and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or offsite. However, the project would be required to comply with the General Permit during construction and MS4 permit during operation. In order to comply with the MS4 Permit, the City requires compliance with adopted building codes, including complying with an approved drainage plan, which avoids on- and offsite flooding, erosion, and siltation problems. Therefore, the project would not 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 offsite.

d. **Less-than-significant impact.** Please refer to response IX.c. The project site is not shown to be within the potential flood area of the Isabella Damn (Therefore, the project would not 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 offsite.

e. **Less-than-significant impact.** Please refer to response IX.c. Therefore, the project would not 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.

f. **Less-than-significant impact.** Please refer to responses IX.a and IX.c. Therefore, the project would not 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.

g. **No impact.** The project site is located within an area designated X, (FIRM Panel 1842 & 1861) and is not located within a 100-year flood hazard area. Therefore, the project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map 060075-1050B or other flood hazard delineation map.

h. **No impact.** Please refer to response IX.g. Therefore, the project would not place within a 100-year flood hazard area, structures which would impede or redirect flood flows.

i. **Less-than-significant impact.** As discussed in responses IX.g and IX.h, the project is not found within a floodplain. There are no nearby levees that would be susceptible to failure or flooding of the site. The project site, like most of the City, is located within the Lake Isabella flood inundation area (Kern County 2017), which is the area that would experience flooding in the event that there was a catastrophic failure of the Lake Isabella Dam. There is an approved *Lake Isabella Dam Failure Evacuation Plan* (Kern County 2009) that establishes a process and procedures for the mass evacuation and short-term support of populations at risk below the Lake Isabella Dam. The City would utilize the Evacuation Plan to support its Emergency Operations Plans (EOPs). With implementation of the Evacuation Plan, the project would not 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.

j. **No impact.** The project is not located near any ocean or an enclosed body of water and therefore, would not be subject to inundation by tsunami or seiche. A mudflow is a type of landslide where earth and surface materials are rapidly transported downhill under the force of gravity. As discussed in VI.a.iv, landslides, including mudflow, occur on steeper slopes in the

foothills and along the Kern River Canyon. The project site is generally flat, there are no such geologic features located at the project site, and the site is not located near the Kern River Canyon. Therefore. The project site would not be inundated by seiche, tsunami, or mud flow.

X. LAND USE AND PLANNING

a. **No impact.** The project is a continuation of the existing urban development pattern of the City or is an infill development. The project is not a long and linear feature, such as a freeway, railroad track, block wall, etc., that would have the potential to divide a community. The project would not physically divide an established community.

b. **No impact.** The project is consistent with the Land Use Element designations of the MBGP of LR (Low Density Residential) and OS-S (Open Space Slope). The project is consistent with the site's zoning classification of R-1 (One-Family Dwelling) and R-1/HD (One-Family Dwelling/ Hillside Development). Development of Parcel 2 of the parcel map is subject to previously approved Vesting Tentative Tract Map 6137. Parcel 1 will require subsequent approval of a tentative tract map. The project would not 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.

c. **Less than significant with mitigation incorporated.** Please refer to response IV.f. With implementation of Mitigation Measures related to biological resources, the project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES

a. **No impact.** The project site is not within the administrative boundaries of an oilfield and there are no oil wells found on the site (DOGGR 2017). The only other potential mineral resource in the area is aggregate for the making on concrete. Aggregate is mined in alluvial fans and along existing and historical waterways. There are no blue-line water features or existing or planned aggregate mining operations at the site. Therefore, the project would not 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.

b. **No impact.** The project site is currently designated LR (Low Density Residential). No portion of the site is designated for a potential mineral resource extraction use. Therefore, the project would not result in the loss of availability of a locally-important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan.

XII. NOISE

a. **Less-than-significant impact.** The project would generate noise during construction by the use of construction equipment. Typical construction equipment generates sound levels between 80 and 85 A-weighted decibels (dBA), which is a decibel system reflective of human hearing characteristics. At 80 to 85 dBA, the human response to such a sound level is annoyance and difficulty hearing conversation. Using the rule of thumb that noise attenuates 7.5 dBA per a doubling of distance away from the sound-emitting source, it would require 800 feet away from an 85-dBA sound-emitting source to obtain a 55 dBA sound level, which is considered "quiet" to the human ear. There are currently no sensitive receptors within 800 feet of the project site. Additionally, project construction would be limited to 6 a.m. and 9 p.m. on weekdays and 8 a.m. and 9 p.m. on weekends per Bakersfield Municipal Code Chapter 9.22 (Noise).

Project operations would generate sound levels typical of residential land uses and residents would have to comply with Bakersfield Municipal Code regarding noise. Therefore, the project would not expose 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.

b. **Less-than-significant impact.** Some groundborne vibration and noise would originate from earth movement and building activities during the project's construction phase. However, blasting, pile-driving, break-ramming, jack-hammering, chipping, and other high impact-related construction activities that result in the creation of the greatest groundborne vibrations and noise levels would not occur as a consequence of the project. Additionally, groundborne vibration and noise attenuates at a shorter distance than airborne noise. Since airborne noise from construction would be sufficiently attenuated to "quiet" (please see response XII.a) before it reaches any potential sensitive receptors, it can be assumed that groundborne vibration and noise would also sufficiently attenuate. Operation of single-family residential would not result in appreciable groundborne vibration or noise. Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

c. **Less-than-significant impact.** Once constructed, the project would not permanently increase ambient noise levels beyond what is typical of single-family residential land uses and residents would have to comply with Bakersfield Municipal Code regarding noise. Building code requirements required for energy conservation will result in a 20-decibel reduction in noise for habitable interior space. In addition, typical development standards including building setbacks, walls, and landscaping will contribute to decreasing the ambient noise levels from the adjoining area. Therefore, the project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

d. **Less-than-significant impact.** Please refer to responses XII.a and XII.b. Therefore the project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

e. **No impact.** Please refer to response VIII.e. Therefore, the project would not expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

f. **No impact.** Please refer to response VIII.f. Therefore, the project would not expose people residing or working in the project area to excessive noise levels for a project within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING

a. **No impact.** The project would accommodate population growth in this area through the development of new homes, and the project is the logical extension of existing urban development or is an infill project. The project would also require the extension of infrastructure. Bakersfield has experienced nearly 57% growth in population (246,899 people in 2000 to 386,839 in 2019) since 2000 (DOF 2019). It is predicted that by 2040, 1,103,000 people will live in Kern County (DOF 2019). Given that 42.8% of the people in Kern County currently live in Bakersfield (DOF 2017b), and if this trend continues, it is estimated that about 519,416 people would live in Bakersfield in 2040. This means that by 2040, about 150,000 additional people would need housing in the Bakersfield area. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.

b. **No impact.** The project site consists of vacant land. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

c. **No impact.** Please refer to response XIII.a. Therefore, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

XIV. PUBLIC SERVICES

a. The following discusses whether the project would result in substantial adverse physical impacts to public services. The need for additional public service is generally directly correlated to population growth and the resultant additional population's need for services beyond what is currently available.

i. **No impact.** Fire protection services for the Metropolitan Bakersfield area are provided through a joint fire protection agreement between the City and County. Though the project may necessitate the addition of fire equipment and personnel to maintain current levels of service, this potential increase in fire protection services can be paid for by property taxes generated by this development. Therefore, the project would not 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 fire protection.

ii. **No impact.** Police protection for the project would be provided by the Bakersfield Police Department. Current City Police services standards require 1.09 officers for every 1,000 people in the City. No additional law enforcement officers to maintain current levels of service. Full development of the project site would cause an increase service that can be paid for by property taxes generated by this development. Therefore, the project would not 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 police protection.

iii. **Less-than-significant impact.** The project would produce up to 2 units to accommodate 6 residents, and generate approximately 1 school-aged child as indicated in the table below.

School-Aged Children Generation			
Number and Type of Dwelling Units	**Elementary (K-8)**	**High School (9-12)**	**Total Pupils**
2 single family units	2 x 0.31	2 x 0.17	**1**
Totals	**0.62**	**0.34**	

It is expect that 1 additional student would not necessitate the construction of additional school facilities. However, the need for additional schools can be paid for by existing school impact fees and increased property tax revenues. Therefore, the project would not 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 schools.

iv. **No impact.** The project proposes a population increase of 6 residents and may result in an impact upon the quality and/or quantity of existing recreational opportunities and may also create a need for new parks or recreational facilities. The parkland requirements for the proposed project are calculated based on the General Plan and City Ordinance park standards of 2.5 acres for every 1,000 people and therefore, the total park acreage estimated for the project is 0.045 acres. In addition, every residential unit must pay a park land development fee at the time of the issuance of building permits. Compliance with the park acreage dedication ordinance and the park development fee ordinance ensures that parks are dedicated and built in accordance with City standards to accommodate the increased population. Therefore, the project would not 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 parks.

v. **No impact.** The project and eventual buildup of this area would result in an increase in maintenance responsibility for the City. Though the project may necessitate increased maintenance for other public facilities, this potential increase can be paid for by property taxes generated by this development. Therefore, the project would not 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 other public facilities.

XV. RECREATION

a. **No impact.** Please refer to response XIV.a.iv. Therefore, the project would not 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.

b. **No impact.** Please refer to response XIV.a.iv. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION AND TRAFFIC

a. **Less than significant.** The project would result in temporary construction-related traffic impacts. Construction workers traveling to and from the project site as well as construction material delivery would result in additional vehicle trips to the area's roadway system. Construction material delivery may require a number of trips for oversized vehicles that may travel at slower speeds than existing traffic and, due to their size, may intrude into adjacent travel lanes. These trips may temporarily degrade level of service (LOS) on area roadways and at intersections. Additionally, the total number of vehicle trips associated with all construction-related traffic (including construction worker trips) could temporarily increase daily traffic volumes on local roadways and intersections. The project may require temporary lane closures or the need for flagmen to safely direct traffic on roadways near the project site. However, once the project is built, it would not result in any permanent traffic-related effects.

Policy 36 of the Metropolitan Bakersfield General Plan Circulation Element states:

> Prevent streets and intersections from degrading below Level of Service "C" where possible due to physical constraints (as defined in a Level of Service standard) or when the existing Level of Service if below "C" prevent where possible further degradation due to new development or expansion of existing development with a three part mitigation program: adjacent right-of-way dedication, access improvements and/or an area-wide impact fee. The area-wide impact fee would be used where the physical changes for mitigation are not possible due to existing development and/or the mitigation measure is part of a larger project, such as freeways, which will be built at a later date.

b. **No impact.** Please refer to response XVI.a. There would be no conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

c. **No impact.** Please refer to responses VIII.e and VIII.f. Therefore, the project would not 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.

d. **No impact.** The project would have to comply with all conditions placed on it by the City Traffic Engineering Division in order to comply with accepted traffic engineering standards intended to reduce traffic hazards, including designing the roads so that they do not result in design feature hazards or incompatible uses. The project is with the City limits and surrounded by compatible existing and planned land uses and land use designations. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.

e. **No impact.** There is the potential that, during the construction phase, the project could impede emergency access. For projects that require minor impediments of a short duration (e.g., pouring a new driveway entrance), the project would be required to obtain a street permit from City Public Works. If a project requires lane closures and/or the diversion of traffic, then a Traffic Control Plan would be required. During operations, the project would have to comply with all applicable City policies and requirements to ensure adequate emergency access.

f. **No impact.** The project would be required to comply with all conditions placed on it by the City, including adequate sidewalks and bike lanes, where appropriate, in order to allow multimodal access. The project would also be required to comply with requirements in the Metropolitan Bakersfield General Plan Circulation Element concerning Bikeways and Transit as well as Streets regarding pedestrian movement. Additionally, the project would have to comply with the Bikeway Master Plan found in the Metropolitan Bakersfield General Plan (Bakersfield 2002) and, to the greatest extent practical, effectuate the vision in the *City of Bakersfield Bicycle Transportation Plan* (Bakersfield 2013). Finally, per Resolution 035-13, the project would be required to comply with the City's "complete streets" policy. Therefore, the project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. TRIBAL CULTURAL RESOURCES

a. **No Impact.** The project requires a GPA and therefore, request for consultation letters were sent to a list of tribal contacts received from the Native American Heritage Commission in compliance with Senate Bill (SB) 18. In the letters, the City stated that the applicable tribes may request consultation with the City regarding the preservation of, and/or mitigation of impacts to, California Native American cultural places in connection with the project. To date, none of the tribes have responded to the request. The Cultural Resources Assessment (Parr, 2002),) determined that there is no landscape, sacred place, or object with cultural value to a California Native American tribe located at the project site. Additionally, no portion of the site is eligible for listing in the California Register of Historical Resources or in a local register of historical resources (Parr, 2002). Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.

b. **No impact.** Based on the results of the SB 18 consultation inquiry to applicable tribes and the conclusions in the Cultural Resources Assessment (Parr, 2002), the City has determined that there are no tribal cultural resources found at the site. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.

XVIII. UTILITIES AND SERVICE SYSTEMS

a. **No Impact.** The project would be connected to sanitary sewer where wastewater produced as a result of the project would be treated to CVRWQCB requirements at a permitted wastewater treatment plant (WWTP), including any NPDES permitting and waste discharge requirements

(WDRs) specific to the applicable WWTP. Therefore, the project would not exceed wastewater treatment requirements.

b. **No Impact.** Refer to responses XVIII.d and XVIII.e. Therefore, the project would not 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.

c. **No Impact.** The project would require the construction of new storm water drainage facilities as part of the overall development of the site. Storm water drainage structures would have to be designed to meet the City's *Current Subdivision & Engineering Design Manual* (Bakersfield 1999). Compliance with the Design Manual would ensure that the storm water drainage facilities would not result in significant environmental effects. Therefore, the project would not 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.

d. **Less-than-significant impact.** The project is within the California Water Service (Cal Water) service area. A water service letter stating that water service can be supplied to the development contingent shall be required upon recordation. The proposed development would not result in a need for significant additional systems or substantially alter the existing water utilities in the area. Therefore, the project would have sufficient water supplies available from existing entitlements and resources, and new or expanded entitlements would not be needed.

e. **No Impact.** Wastewater as a result of the project would be treated at WWTP No. 2, which is owned and operated by the City. WWTP No. 2 has an overall capacity of 25 MGD and a current daily flow is 13.7 MGD, resulting in 11.3 remaining capacity. The project's contribution would account for an insignificant percentage of the available capacity and therefore, WWTP No. 2 has sufficient capacity to serve the project. As a result, it has been determined that 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.

f. **No Impact.** It is assumed that solid waste generated as a result of the project would be disposed at the Bena Landfill located at 2951 Neumarkel Road, Bakersfield, CA 93307. As of July 2013, the landfill had a remaining permitted capacity of 32,808,260 cubic yards and a maximum permitted throughput of 4,500 tons/day (CalRecycle 2017a). Using a factor of 810 pounds solid waste/dwelling unit/day (CalRecycle) for 2 single-family residences, would generate a maximum of about 20 pounds solid waste/day. The 2 pounds/day of solid waste generated by the project accounts for insignificant percentage of the maximum permitted throughput of the landfill. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

g. **No Impact.** By law, the project would be required to comply with federal, state, and local statutes and regulations, including those relating to waste reduction, litter control, and solid waste disposal.

XVIV. MANDATORY FINDINGS OF SIGNIFICANCE

a. **Less than significant with mitigation incorporated.** The project is subject to the terms of the MBHCP and associated Section 10(a) (1) (b) and Section 2801 permits issued to the City of Bakersfield by the U.S. Fish and Wildlife Service and the California State Department of Fish and Wildlife, respectively. Terms of the permit require applicants for all development projects within the plan area to pay habitat mitigation fees, excavate known kit fox dens, and notify agencies prior to grading. There are no important examples of the major periods of California history or prehistory found at the site. Therefore, the project with mitigation would not 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.

b. **Less-than-significant impact.** As described in the responses above, the project has no impacts that would be defined as individually limited, but cumulatively considerable.

c. **Less than significant with mitigation incorporated.** As described in the responses above, the project with mitigation would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

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COVER SHEET

PLANNING DEPARTMENT
STAFF REPORT

MEETING DATE: August 6, 2020 **ITEM NUMBER:** Workshop7.(a.)

TO: Planning Commission

FROM: Paul Johnson, Planning Director

PLANNER: Jennie Eng, Principal Planner

DATE:

WARD:

SUBJECT: Thomas Roads Improvement Program (TRIP).

APPLICANT:

OWNER:

LOCATION:

STAFF RECOMMENDATION:
Receive and File.