AGENDA
MCFARLAND REGULAR PLANNING COMMISSION
MCFARLAND SUCCESSOR AGENCY
MCFARLAND PUBLIC FINANCE AUTHORITY
MCFARLAND IMPROVEMENT AUTHORITY
MCFARLAND PARKING AUTHORITY

SPECIAL MEETING
CITY COUNCIL CHAMBERS — **August 10, 2021**
103 W. SHERWOOD AVE, MCFARLAND, CA — **6:00 PM**

In Person Meeting

How to Submit Public Comments:

The meetings of the City Council and all municipal entities, commissions, and boards ("the City") are open to the public. At regularly scheduled meetings, members of the public may address the city on any item listed on the agenda, or on any non-listed matter over which the city has jurisdiction. At special or emergency meetings, members of the public may only address the city on items listed on the agenda.

There is a time limitation of two minutes per person. For any item that is not on the agenda and within the jurisdiction or interest of the city, please come to the podium at this time. The Brown Act does not permit any action or discussion on items not listed on the agenda. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced, and the mayor opens Public Comment on the item. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to City Council, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Mayor finds that there is in fact willful disruption of any City Council Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the City's business without them present.

Americans with Disabilities Act:

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk's office, at (661) 792-3091 ext. 2135. Notification of at least 48 hours prior to the meeting, or time when services are needed, will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or services.

CALL TO ORDER: Chairman Marco Martinez

ROLL CALL:

Chairman, Marco Martinez
Vice Chairman, Jose Hernandez Sr.
Commissioner, Jose "Jay" Hernandez
Commissioner, Luis Sarabia
Commissioner, Jim White

PLEDGE OF ALLEGIANCE:

INVOCATION:

PRESENTATIONS:

None

PUBLIC COMMENT: This Portion of The Meeting Is Reserved for Persons Desiring to Address the Commission on Any Matter NOT on This Agenda and Over Which the Commission Has Jurisdiction.

Speakers Are Limited to Two (2) Minutes. Please State Your Name and Address for The Record Before Making Presentation.

No Action or Discussion Shall Be Taken on Any Item Not Appearing on The Agenda, Except That Any Planning Commissioner May Briefly Respond to Statements Made, Or Questions Posed, By Members of The Public. Concerns Or Complaints Will Be Referred to The Community Development Director's Office.

PUBLIC HEARINGS:

1. Public Hearing to Receive Comments Related to Declaration of Negative Declaration for Tract 7393 and 7394.

   Staff Recommends That the City Council:

   a. Open The Public Hearing and Receive Public Testimony.

   b. Adopt ***Resolution No. 2021-0006-PC***, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND ADOPTING THE INITIAL STUDY AND NEGATIVE DECLARATION PREPARED TENTATIVE TRACT 7393 AND 7394.

PLANNING DISCUSSION ITEMS:

None

COMMISSIONER COMMENTS:

On Their Own Initiative, Commission Members May Make an Announcement or A Report on Their Own Activities. They May Ask a Question for Clarification, Make Referral to Staff, Or Take Action to Have Staff Place a Matter of Business on A Future Agenda (Government Code Section 54954.2(A)).

ADJOURNMENT:

This Is to Certify This Agenda Was Posted at McFarland City Hall on **August 6, 2021**.

Sarah Drake, Interim City Clerk

Maria Lara, City Manager

The Next Planning Commission Schedule Will Be **August 17, 2021**.

The City of McFarland Does Not Discriminate Based on Disability and Complies with The Provisions of The Americans with Disabilities Act (Ada). If You Need Special Assistance to Participate in This Meeting, Please Contact the City Clerk's Office At (661) 792-3091 At Least 48 Hours Prior To The Meeting to Make Reasonable Arrangements to Ensure Accessibility to This Meeting.

PLANNING COMMISSION STAFF REPORT
August 10, 2021

TO: Chair and Planning Commissioners

FROM: Brianahi De Leon
City Planner
Larry Ronk
Acting Community Development Director

DATE: August 10, 2021

Agenda Item	
Presentation	
Consent	
Unfinished Business	
New Business	x
Public Hearing	
Other	
Action Requested	
Ordinance	
Resolution	x
Motion	
Other	

DEVELOPER: Leora, LLC

PROJECT DESCRIPTION: Negative Declaration for Vesting Tract Map 7393 and 7394

ENVIRONMENTAL DOCUMENT: Negative Declaration

APPLICANT: Michael Hair LEORA, LLC

OWNER: Arthur McIntosh & Donna K. McIntosh

APN: Assessor's Parcel Number 060-090-29

ADDRESS: S.W. Corner of Taylor Ave & Garzoli Ave.

SIZE OF SITE: 38.70 acres gross

GENERAL PLAN DESIGNATION: Single Family Residential

ZONE DISTRICT: R-1 Single Family Residential

STAFF RECOMMENDATION

The staff recommends that the Planning Commission adopt Resolution No 2021-0006-PC recommending that the City Council adopt the Negative Declaration for Vesting Tentative Tract Map 7393 and 7394.

PROJECT DESCRIPTION

The parcel is located across Horizon Elementary at the Southwest corner of Taylor Avenue and Garzoli Avenue. Property is designated as single-family residential, R-1, zoning on the City

General Plan Map and Zoning map. The designated zoning will remain on the Tentative Tract. The existing parcel has been divided into 2 parcels. Parcel 1 will be recorded as the Tentative Tract 7393. Parcel 1 will consist of 37.38 acres gross. If approved, the Tentative Tract 7393 would bring forth 167 residential lots, park site, and a drainage sump. The Tentative Tract 7393 Map went through a plan check from the City Planning Department, the City Engineer, and Subdivision Committee. The proposed project will include conditions of approval that are based on adopted City guidelines, vision, and policies, those determined through subdivision review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety and welfare of the community, and recommended conditions for development that are not essential to the health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment. Some of those conditions of approval would include but are not limited to the aesthetics of the exterior of the homes ensuring that homes are situated with recognizable variations, are compatible with the surrounding environment, and express a cohesive and attractive identity. That landscaping will comply with the State Model Water Efficiency Landscape Ordinance, be well maintained, and follow the design guidelines. A development such as this, can be largely beneficial for the City. Larger franchises will often only enter cities, such as McFarland, dependent on the increase of housing developments as it reflects the cities growth potential; therefore, staff recommends approval of Tentative Tract Map 7393

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study/Negative Declaration (IS/ND) for the project. This IS/ND has been completed and is before the Planning Commission for review and potential recommendation of approval by the City Council.

FINDINGS

The proposed Tentative Tract Map 7393 is consistent with the general plan. In 2019, California legislation passed Senate Bill Number 330 under the Housing Crisis Act. This bill states that due to the significant need in housing development, cities cannot add restrictions or require developer to go through a zone change from R-1 to R-5 or any other Residential zone class. As a case in point, pursuant to section 65905.5 of S.B. 330, Housing Crisis Act of 2019, a zone change is not needed for the residential subdivision and will remain a R-1 zoning. Initial Study shows that the housing tracts will have very little impact on the environment based on the initial study that began on May 1, 2021.

ACTION

Approve recommending that the City Council adopt the Negative Declaration of Vesting Tentative tract 7393 and 7394.

ATTACHMENTS

Attachment 1– Negative Declaration / Initial Study
Resolution 2021-0006-PC

MAY 1, 2021

INITIAL STUDY

TENTATIVE TRACT 7393 & TENTATIVE TRACT 7394

PREPARED BY: BRIANAHI DE LEON, CITY PLANNER
MCFARLAND, CA 93250
401 W. Kern Avenue McFarland, CA 93250

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SECTION ONE

INTRODUCTION

SECTION ONE – INTRODUCTION

CEQA Requirements

This document is the Initial Study of the potential environmental effects of the adoption of Tentative Tract 7393 and Tentative Tract 7394. The City of McFarland will act as the Lead Agency for this project pursuant to the *California Environmental Quality Act* (CEQA) and the *CEQA Guidelines*.

Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an Initial Study to determine whether a discretionary project will have a significant effect on the environment. The purposes of an Initial Study, as listed under Section 15063[c] of the CEQA Guidelines, include:

(1) Provide the Lead Agency with information to use as the basis for deciding whether to prepare on EIR [Environmental Impact Report] or a Negative Declaration;
(2) Enable an applicant or Lead agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
(3) Assist in the preparation of an EIR, if one is required, by:
    (A) Focusing the EIR on the effects determined to be significant;
    (B) Identifying the effects determined not to be significant;
    (C) Explaining the reasons for determining that potentially significant effects would not be significant; and
    (D) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the projects' environmental effects.
(4) Facilitate environmental assessment early in the design of a project;
(5) Provide documentation of the factual basis for the finding in a Negative Declaration that a project will bot have a significant effect on the environment;
(6) Eliminate unnecessary EIRs; and
(7) Determine whether a previously prepared EIR could be used with the project.

If it can be determined that there is substantial evidence that the proposed project will have a significant impact on the environment than pursuant to Section 15604 an environmental impact report (EIR) must be prepared. However, if it can be determined that the project will not have a significant impact on the environment then a negative or mitigated negative declaration may be prepared instead. According to CEQA Guidelines, Section 15070, a negative declaration or mitigated negative declaration shall be prepared for the project when either:

(1) This initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or;
(2) The initial study identified potentially significant effect, but:

(A) Revisions to the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
(B) There is no substantial, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.

Lead Agency

The lead agency is the public agency with primary responsibility over a proposed project. Where two (2) or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with the CEQA Guidelines Section 15051 (b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." Based on these criteria, the City of McFarland will serve as lead agency for the proposed project.

Purpose and Document Organization

The purpose of this Initial Study /Negative Declaration is to evaluate the potential environmental impacts of the proposed project.

This document is divided into the following sections:

1.0 - Introduction
2.0 - Project Description
3.0 – Environmental Checklist

SECTION TWO

PROJECT DESCRIPTION

SECTION TWO – PROJECT DESCRIPTION

Project Location

The project location is approximately 75.95 acres gross in size and is located in the South West corner of Taylor Avenue and Garzoli Avenue. Directly East of the project is Horizon Elementary School. Found on either side of the project, to the East, are two single family residential homes. The vacant land located to the North, South, and West of the site is land currently being utilized for agricultural uses.

The legal description for the Tentative Tract 7393 is:

"A portion of Parcel B of Lot Line Adjustment No. 5-06 as evidenced by certificate of compliance recorded 10/27/2006 as document No. 0206267032 O.R. Also being a portion of the South half of Section 14 Township 26 South, Range 25 East, M.D.M, in the County of Kern, City of McFarland, State of California. "

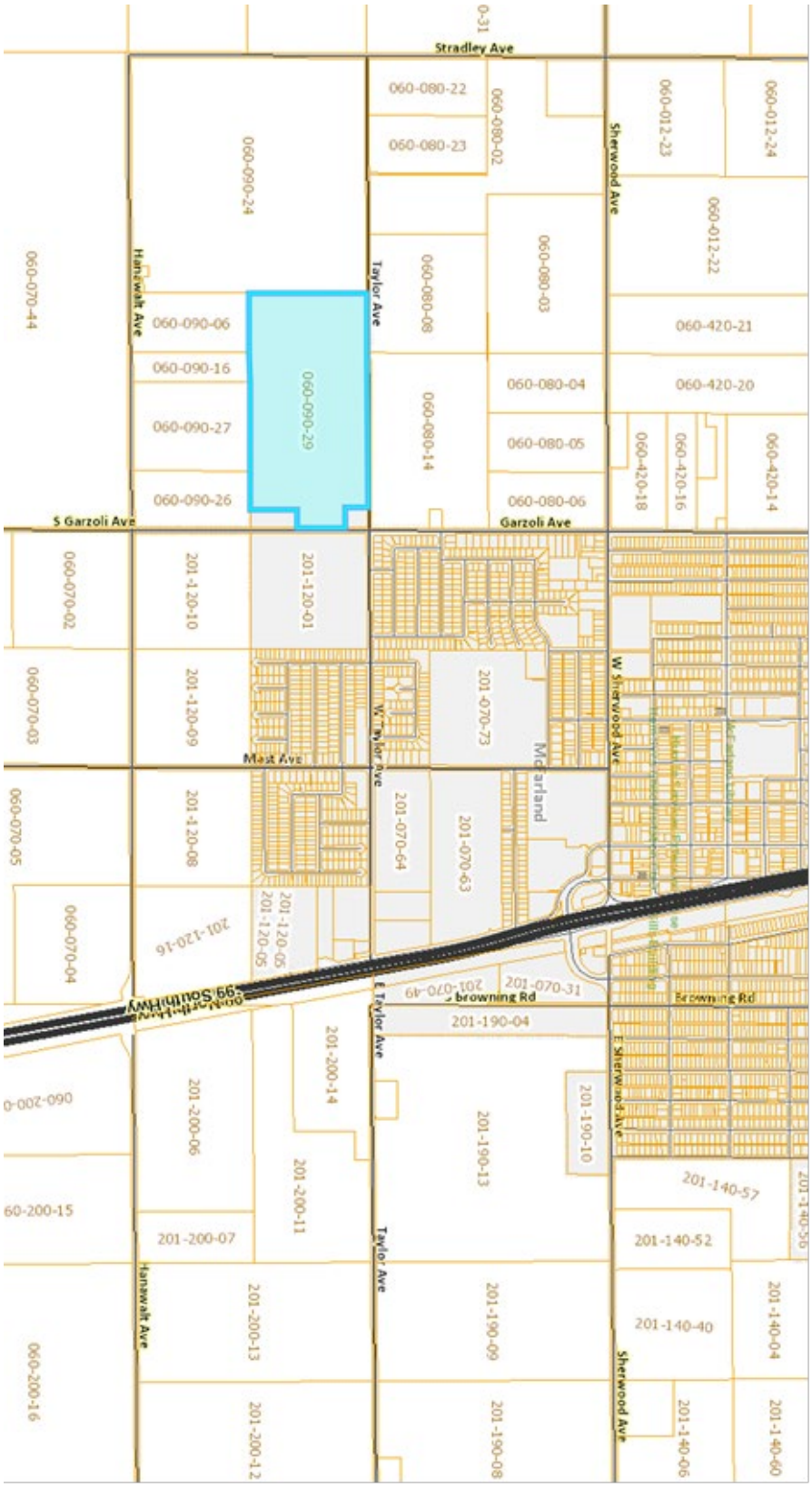
The legal description for the Tentative Tract 7394 is:

"A portion of Parcel B of Lot Line Adjustment No. 5-06 as evidenced by certificate of compliance recorded 10/27/2006 as document No.0206267032 O.R. Also being a portion of the South half of Section 14 Township 26 South, Range 25 East, M.D.M, in the County of Kern, City of McFarland, State of California."

Description of Project

The proposed project is to subdivide two parcels. Tentative Tract 7393 is 38.58 gross acres and will subdivide into 167 residential lots that will be built with single family dwelling units. Additionally, this tentative tract will include a drainage sump and park site. Tentative Tract 7394 is 37.38 gross acres and will subdivide into 183 residential lots that will be built with single family dwelling units. The proposed project will not only have access points to ensure circulation but as well as a pedestrian access for residents to get to school.

Figure 1 – Location Map



SECTION THREE

ENVIRONMENTAL CHECKLIST

SECTION THREE – ENVIRONMENTAL CHECKLIST

1. Project title:	Tentative Tract 7393 & 7394
2. Lead agency name and address:	City of McFarland, Community Development Dept. 401 W. Kern Avenue McFarland, CA 93250
3. Contact person and phone number:	City of McFarland Brianahi De Leon, City Planner 401 W. Kern Avenue McFarland, CA 93250 Phone: (661)792-3091
4. Project location:	South West corner of Taylor Avenue and Garzoli Avenue
5. Project sponsor's name and address:	Interstate Land Company 6501 Fruitvale Ave. Bakersfield, CA 93308
6. General Plan designation:	Single-family Residential
7. Zoning designation:	R-1 Single-family Residential

8. **Project Description:** The proposed 76.95 acres gross project will go through a subdivision. Parcel 1 and Parcel 2 will become Tentative Tract 7393 and Tentative Tract 7394. The subdivision will produce a total of 350 lots that will be built with single-family residential homes. The proposed project will be located across Horizon Elementary School. Tentative Tract 7393 will contain 167 lots, drainage basin, and park site. Tentative Tract 7394 will contain 183 lots.
9. **Surrounding Land Uses and Setting:** The City of McFarland is located in the northern portion of Kern County approximately 25 miles North of Bakersfield on SR-99. Kern County is in the southern portion of the San Joaquin Valley and is bounded on the South by the Tehachapi Mountains. The City of McFarland is an agriculture-based community and a prime farmland area. Directly East of the project is Horizon Elementary School. Surrounding the project is vacant farmland and single-family residential homes.

10. **Other Agencies whose approval is required:** The City of McFarland is the Lead Agency. No other approvals are required.

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

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature **Date**

_____ _____

VALUATION 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 would 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 onsite, 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.
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 Analyses 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 significance

AESTHETICS DISCUSSION

The City of McFarland is located in the southern San Joaquin Valley and at an approximate 25 miles North of the City of Bakersfield. The project sire is located in an urbanized area of McFarland that is bounded on the East by residential homes and the North, South, and West of the project are agricultural vacant lands.

DISCUSSION OF IMPACTS

A) Would the project have a substantial adverse effect on the scenic vista?

No impact. *There are no identified scenic vistas in the McFarland General Plan*

B) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No impact. *The project site is not located within the vicinity of a state scenic highway. The California Department of Transportation (Caltrans) designates and lists all state scenic highways within the County of Kern, the City of McFarland and the vicinity of the project site on its online database of sites ( ). Further the project was previously used for agricultural purposes and as a result is devoid of any scenic resources.*

C) Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings?

No impact. The project site was previously used for agriculture and is currently covered in almond orchards. The proposed development of the lot will be consistent with the surrounding area.

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

No impact. The project site would not have any impact on the light that is already present in the city. Additionally, the City of McFarland has placed development standards for the lighting accepted.

AGRICULTURE DISCUSSION

The project site has been used for primarily agriculture and/ or vacant land.

DISCUSSION OF IMPACT

A) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No impact.

B) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
No impact. The project site is not encumbered by a Williamson Act Contract nor is it zoned for agricultural uses.

C) Conflict with existing zoning for, or cause rezoning of, forest land (ass defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by GC section 51104(g))?

No impact. The project site is not classified as forest land nor will it have any effect on forest land.

D) Would the project result in the loss of forest land or conversation of forest land to non-forest use?

No impact. See item (C) above.

E) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?

No impact. The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or under a Williamson Act contract. There are also no lands zoned as forest land, timberland, or Timberland Production within the footprint. The project site is on lands zoned for residential; therefore, the proposed project would not involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to nonagricultural use or forest land to non-forest use. There would be no impact.

AIR QUALITY DISCUSSION

The City of McFarland is located within the San Joaquin Valley Air Pollution Control District SJVAPCD), which covers several counties. The SJVAPCD is responsible for the management of the air pollution emissions in the valley portion authority for most types of stationary emission sources.

DISCUSSION OF IMPACTS

A) Would the project conflict with or obstruct implementation of the applicable air quality plan?

No Impact.

B) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

No Impact.

C) Would the project expose sensitive receptors to substantial pollutant concentrations?

No Impact.

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

No Impact.

BIOLOGICAL RESOURSES DISCUSSION

The project site is located in the Southern San Joaquin Valley and as a result is typified as a hot, dry summers, and cool, rainy winters. The project site is currently covered in Almond trees and will go through a process of taking down the harvest, grading, tilling, and disking the site. A drainage basin/sump will be developed along with a park.

DISCUSSION OF IMPACTS

A) Would the project have a substantial 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 Wildfire Service?

No impact: however, a biological survey shall be completed by a licensed biologist.

B) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services?

No impact. No riparian habitat or other sensitive natural community exists on the project site.

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

No impact. There are no state or federally protected wetlands, as defined by Section 404 of the Clean Water Act, located on the project site.

D) Would the project interfere substantially with the moment of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No impact. The project site was initially used for agriculture and contains no native resident or migratory fish or wildlife species and will therefore not be impeding on any native wildlife nursery sites.

E) Would the project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?

No impact. The city of McFarland does not have any local policies or ordinances protecting biological resources.

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

No impact. The project is not conflicting with any habitat conservation plans.

CULTURAL RESOURCES DISCUSSION

This environmental issue focuses on the impacts of a project on any cultural resources that may be present in or around the project site.

DISCUSSION OF IMPACTS

A) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
No Impact.
B) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to sections 15064.5?
No Impact.
C) Would the project disturb any human remains, including those interred outside pf dedicated cemeteries?
No Impact.

ENERGY DISCUSSION

This environmental issue focuses on the impacts of a project on the energy distribution or consumption.

DISCUSSION OF IMPACTS

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

No Impact. The residential sites will also include solar panels to prevent any wasteful consumption.

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

No Impact.

GEOLOGY AND SOILS DISCUSSION

DISCUSSION OF IMPACTS

A) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact.

b. Strong seismic ground shaking?

No Impact.

c. Seismic-related ground failure, including liquefaction?

No Impact.

d. Landslides?

No Impact.

B) Result in substantial soil erosion or the loss of topsoil?

No Impact.

C) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onor off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No Impact.

D) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
No Impact.

E) Would the project 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?

No Impact.

GREENHOUSE GAS EMISSIONS DISCUSSION

Greenhouse gas emissions or GHG are known to be generated by human activities such as production of certain materials, electricity consumption transportation, and many more. These greenhouse gases have been known to accelerate global warming.

DISCUSSION OF IMPACTS

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

Less Than Significant Impact. Development of the project will result in an increase in vehicle trips in the area which will lead to an increase in the generation of greenhouse gases; however, to offset this increase the project will contain a 2.38-acre park and will contain pedestrian crossing path to encourage walkability.

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

No Impact.

HAZARDS AND HAZARDOUS MATERIALS DISCUSSION

This environmental issue focuses on the impacts of a project with respect to hazards. The creation of new hazardous conditions or activities that will result in people or property being exposed to existing hazards is the primary area of focus under this environmental issue.

DISCUSSION OF IMPACTS

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

No Impact. The project site will be developed with residential uses which are typically not associated with the routine transport, use, or disposal of hazardous materials.

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

No Impact. The project site will be developed with residential uses which are typically not associated with the release of hazardous materials.

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

No Impact. The proposed project will be a residential subdivision which does not typically have hazardous emissions nor are hazardous materials, substances or waste associated with this type of development.

D) Would the project 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?

No Impact. The project site is not located on a hazardous waste site.

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?

No Impact. The project site is not located within an Airport Land Use Plan nor is it within two (2) miles of an existing airport.

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?
No impact. There are no private airstrips in the vicinity of the airport site.

G) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No impact. The project site is included in the City of McFarland's Emergency Response Plan.

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

No Impact. The project sire is in an area of agricultural land uses and urban development neither of which are considered wildlands.

HYDROLOGY AND WATER QUALITY DISCUSSION

This environmental issue focuses on the impacts of a project on surface and groundwater, including compliance with water quality standards and regulation, depletion of groundwater supplies, pollution or degradation of water quality. Additionally, concerns include water related hazards such as flooding, mudflows, and similar hazards. This area of environmental concern also addresses potential project impacts on area drainage, including storm water runoff.

DISCUSSION OF IMPACTS

A) Would the project violate any water quality standards or waste discharge requirements?

No Impact.

B) Would the project 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)?

No Impact.

C) Would the project 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?

No Impact.

D) Would the project 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?

No Impact.

E) Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. Any storm water or runoff associated with the site will be conveyed, via underground pipes, to an existing retention basin that will allow the water to percolate into the ground.

F) Would the project impede or redirect flood flows?

No Impact.

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

No Impact.

H) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact.

LAND USE AND PLANNING DISCUSSION

This environmental issue focuses on the impacts of a project on adopted land use, habitat conservation or natural community conservation plans. The specific focus of this area of environmental concern is the project's potential to conflict with established plans and policies or the potential for the project to physically divide a community area.

DISCUSSION OF IMPACTS

A) Would the project physically divide an established community?

No Impact. The project site is located on the existing City limits and is directly north and west of existing residential development.

B) Would the project 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?

No Impact. The proposed uses are consistent with the project site's General Plan Land Use designation and Zoning Classifications.

MINERAL RESOURCES DISCUSSION

This environmental issue focuses on the impacts of a project on known mineral resources of commercial or otherwise documented economic value.

DISCUSSION OF IMPACTS

A) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The McFarland area does not contain any identified oil or natural gas fields (Kern County Oil Fields map, California Department of Conservation, 2002)

B) Would the project result in the loss of availability of a locallyimportant mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. There are no mineral resource recovery sites located in the McFarland area.

NOISE DISCUSSION

This environmental issue focuses on the impacts of a project with respect to noise or ground-borne vibration. The creation of new noise or ground-borne vibration conditions or activities that will result in people or property being exposed to existing noise or vibrations is the primary area of focus under this environmental issue. Noise is generally defined as loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity and interferes with or disrupts normal activities. Federal, state, and local regulations have been developed to avoid noise impacts.

DISCUSSION OF IMPACTS

A) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

No Impact.

B) Generation of excessive ground borne vibration or ground borne vibration or ground borne noise levels?

No Impact.

C) 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

No Impact.

POPULATION AND HOUSING DISCUSSION

This environmental issue focuses on the impacts of a project on population and housing, including population growth or displacement of human population and housing.

DISCUSSION OF IMPACTS

A) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. Future development of the site will include residential development; however, the project site is located in the City of McFarland and has been planned for urban development.

B) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are no dwelling units located on the project site.

C) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. There are no dwelling units located on the project site.

PUBLIC SERVICES DISCUSSION

This environmental issue focuses on the impacts of a project on public service facility needs and the potential environmental impacts of developing and/or expanding these facilities. Facility needs can be defined by the need to maintain acceptable levels of service such as response times or other such community service standard as may apply.

DISCUSSION OF IMPACTS

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:

B) Fire protection?

No Impact.

C) Police protection?

No Impact.

D) Schools? Parks?

No Impact.

E) Other public facilities?

No Impact.

RECREATION DISCUSSION

This environmental issue focuses on the impacts of a project on public recreation service and facility needs and the potential environmental impacts of developing and/or expanding recreation facilities. Facility needs can be defined by the need to maintain acceptable levels of community recreation service in the area and region.

DISCUSSION OF IMPACTS

A) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The developer of the proposed project will construct a 2.38-acre park on the site. This park will serve residents of the proposed development, but also be open to the city for use.

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?

No Impact.

TRANSPORTATION DISCUSSION

This environmental issue focuses on the impacts of a project on transportation systems including roads and highways, public transportation systems, pedestrian circulation and access, parking, and emergency access. Impacts can be in the form of new hazardous circulation or traffic conditions, conflict with existing plans or policies, or creation of an unacceptable traffic level on a transportation system or facility.

DISCUSSION OF IMPACTS

A) Would the project 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?

No Impact. The City of McFarland adopted a Circulation Element. Included in this circulation Element is a list of projects that primarily deal with new or expanded infrastructure to accommodate the increase in vehicle traffic that is generated by new development. The applicant will be required to dedicate land for right-of-way purposes to the City of McFarland. As development occurs the dedicated right-of-way will be constructed to City standards which include adequate lanes of travel, sidewalk, and pedestrian access.

B) Would the project 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?

No Impact. The city does not have a congestion management program however the City's recently adopted Circulation Element includes level of service requirements that need to be maintained. As stated under item (a) above, road improvements will be required to ensure that traffic moves at or above the projected level of service.

C) Would the project 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?

No Impact. We are far from an airport.

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

No Impact. City Engineer, Surveyor, and City Planner have done plan checks to ensure no hazardous features are present on-site.

E) Would the project result in inadequate emergency access?

No Impact. Project site will have various exits and entrances in order to prevent any issues.

F) Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. The City of McFarland does not have a fixed route transit system therefore no transit facilities will need to be constructed.

TRIBAL CULTURAL RESOURCES DISCUSSION

This environmental issue focuses on the projects potential impact on any tribal or cultural resources that may be present.

DISCUSSION OF IMPACTS

A) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code Sections 21074 as either a site, feature, place, cultural landscape that is geologically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical resources as defined in Public Resources Code Section 5020.1(k), or

No Impact.

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 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Sections 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No Impact.

UTILITIES AND SERVICE SYSTEM DISCUSSION

This environmental issue focuses on the impacts of a project on public utility systems or facilities such as water, wastewater, storm water drainage or other utility or service systems.

DISCUSSION OF IMPACTS

A)Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No Impact.

B) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

No Impact.

C) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
No Impact.

D) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

No Impact.

E) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact.

WILDFIRE DISCUSSION

This environmental issue focuses on the impacts of a project on a wildfire or the potential of accelerating potential wildfire.

DISCUSSION OF IMPACTS

A) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact.

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

No Impact.

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

No Impact.

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

Less Than Significant Impact. Project site is currently agriculture, site will be paved and constructed. Not a significant amount to cause a risk.

MANDATORY FINDINGS OF SIGNIFICANCE DISCUSSION

DISCUSSION OF IMPACTS

A) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a lant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

No Impact. The project site is currently agriculture land and contains no endangered plants or animals.

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.)

Less Than Significant Impact. The project would not conflict with the appropriate General Plan Land Use designation and policies of the McFarland General Plan. All current and future project's impacts would be reduced to a less than significant level by adherence to basic regulatory requirements and/or conditions of approval incorporated in the project design.

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

No Impact.

RESOLUTION NO. 2021-0006-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING ADOPTION OF THE INITIAL STUDY AND NEGATIVE DECLARATION FOR THE HOUSING TRACTS 7393 AND 7394

WHEREAS, LeOra LLC, as the owner of Assessor's Parcel 060-090-29 is proposing to subdivide that parcel into two vesting tracts consisting of tentative tract 7394 (183 lots for single family residential homes) and tentative tract 7393 (167 lots for single family residential homes) ("Project"); and

WHEREAS, on June 15, 20201, the project application was deemed complete per Government Code Section 65920 et. seq; and

WHEREAS, the City prepared an Initial Study/Negative Declaration, dated May 1, 2021, of environmental impacts for the Project in accordance with the California Environmental Quality Act and City and County Guidelines.

WHEREAS, the Initial Study and the Negative Declaration was duly noticed and circulated for public review for a period of 20 days, from July 12, 2021 through August 1, 2021; and

WHEREAS, no comments on the Initial Study and Negative Declaration were received during the public review period; and

WHEREAS, on August 10, 2021, following notice duly and regularly given as required by law, the Planning Commission of the City of McFarland held a public hearing to consider the Initial Study and Negative Declaration. The Planning Commission received a report from City Staff, oral and written testimony from the public, and deliberated on the project.

WHEREAS, all legal prerequisites to adoption of this resolution have occurred.

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

Section 1. That the foregoing Recitals are true and correct and constitute a substantive part of this Resolution.

Section 2. Recommendation to Adopt of the Initial Study/Negative Declaration

a. The Planning Commission finds that the Initial Study/Negative Declaration was presented to the Planning Commission, that the Planning Commission has reviewed the Initial Study/Negative Declaration prepared for the Project, all staff reports pertaining to the Project, and all other pertinent documents relating to the preparation of the Initial Study/Negative Declaration and all comments received thereon, and that the initial Study/Negative Declaration has been prepared and completed in compliance with CEQA;

b. The Planning Commission finds that on the basis of the Initial Study/Negative Declaration, comments received, and the whole record that there is no substantial evidence that the Project will have a significant adverse impact on the environment;

c. The Planning Commission finds that the Initial Study/Negative Declaration reflects the City's independent judgment and analysis;

d. The Planning Commission hereby recommends that the City Council adopt the Initial Study/Negative Declaration, attached hereto as Exhibit A and incorporated herein by reference.

Section 3. The custodian of records for the Initial Study/Negative Declaration for the Project, and all other materials which constitute the record of proceedings upon which the Planning

Commission's recommendation is based is the City Clerk of the City of McFarland. Those documents are available for public review in the Office of the City Clerk, which can be reached at 661-792-3091, and is located at 401 W. Kern Avenue, McFarland, CA 93250

Section 4. This Resolution shall take effect immediately upon its adoption.

Section 5. The City Clerk shall certify to the passage and adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of McFarland on the ____ day of August, 2021 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

_____
Sarah Drake, Interim City Clerk

CITY OF MCFARLAND
PLANNING COMMISSION:

_____
Marco Martinez, Chairman

Attachments: Initial Study and Negative Declaration

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

_____
Sarah Drake, Interim City Clerk

NOTICE OF PUBLIC HEARING

Negative Declaration for Tract 7393 and Tract 7394 at City Council Chambers
(103 W Sherwood Ave, McFarland)
LeOra LLC

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

- Consideration and Adoption of a Resolution Recommending the City Council of the City of McFarland Approve a Negative Declaration for Vesting Tract Maps 7393 and 7394 for a housing development by LeOra LLC at the Southwest intersection of Garzoli Ave and Taylor Ave (APN: 060-090-29).

Regular McFarland Planning Commission Public Hearing Information

Date: August 10, 2021
Time: 6:00 PM
Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

Join on-line: Facebook Webpage at:
https://www.facebook.com/cityofmcfarland/

Notice is further given that the City Council of the City of McFarland, California, will conduct a public hearing, at which time you may be heard to consider the following:

- Consideration and Adoption of Resolution of the City Council of the City of McFarland Approving a Negative Declaration for Vesting Tract Maps 7393 and 7394 for a housing development by LeOra LLC at the Southwest intersection of Garzoli Ave and Taylor Ave (APN: 060-090-29).

Regular McFarland City Council Public Hearing Information

Date: August 12, 2021
Time: 6:00 PM
Place: City of McFarland Council Chambers, 103 W. Sherwood Avenue, McFarland, CA 93250

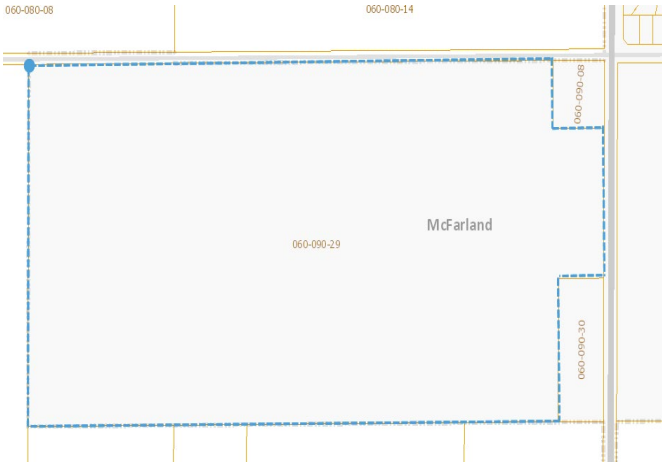
Join on-line : Facebook Webpage at:
https://www.facebook.com/cityofmcfarland/

These meetings shall be held in person at the City of McFarland Council Chambers, located at 103 W. Sherwood Avenue, McFarland, CA 93250. Additionally, these meetings shall be broadcast for listening and/or viewing purposes only via zoom and Facebook. To access the meetings for viewing or listening purposes only, please use the following information:

Join on-line: Facebook Webpage at: https://www.facebook.com/cityofmcfarland/

Members of the public are encouraged to participate by providing public comment at the meetings. The agenda of the Regular McFarland Planning Commission Meeting will be posted at least 72 hours prior to the meeting. The agenda of the Regular City Council Meeting will be posted at least 72 hours prior to the meeting. The meeting the agendas will be posted at https://www.mcfarlandcity.org/AgendaCenter. Please check the agendas for any modifications to how the meetings may be conducted and for ways in which the public can participate.

Description of the Project: The purpose of the public hearings is to consider approval of a Negative Declaration (ND) for a Parcel within the City of McFarland related to the development of the affected parcels. The ND based of the Initial Study will create very low impact on the Environment and would allow for 350 single family homes, neighborhood park, and sump. The site is zoned R-1 (Single Family Residential Zone), which is consistent with the General Plan Land Use Designation of Single Family Residential. This project has already been given Notice of Declaration to the Kern County Clerk in pursuant to the California Environmental Quality Act (CEQA), and the City will be adopting the finding of this project through the Planning Commission and City Council on the dates noted in this notice above.



Additional information on the proposed project and proposed environmental finding may be obtained from the City of McFarland, City Hall, 401 W. Kern Avenue, McFarland, CA 93250, or the City's web site at www.mcfarlandcity.org.

All persons interested in this topic who have questions, would like to provide feedback, or who have comments are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk, at or prior to, the public hearing. Address any communications or comments regarding the project to Francisca Alvarado, City Clerk, at 401 W. Kern Avenue, McFarland, CA 93250, (661) 792-3091, falvarado@mcfarlandcity.org

Francisca Alvarado, City Clerk