



Planning Commission Packet

Public Hearing: November 18, 2008

Time: 7:00 p.m.

COUNCIL MEMBERS
DEPARTMENT HEAD



CITY OF RIDGECREST

100 West California Avenue
Ridgecrest, CA 93555

AGENDA

MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION

City Council Chambers

Tuesday, November 18, 2008 at 7:00 p.m.

Commissioners: Chairman Jerry Taylor, Commissioners; Lois Beres, Howard Laire, Nellavan Jeglum and Eric Kauffman

Next Resolution # 08-23

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
October 28, 2008 minutes are attached for approval
6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA
7. PUBLIC HEARINGS
 - 7a. Pre-Abatement Hearing for Jansen Animal Hospital – 405 E. Ridgecrest Blvd.
 - 7.b General Plan Amendment and Zone Change GPA/ZC-08-04 & Tentative Tract Map TTM 6691 and Code Amendment for E-1.5 (20,000 sf min.) Wild Point Project 161 Ac at the NW corner of Mahan St and W. Ridgecrest Blvd (PAM Corp)
8. DISCUSSION ITEMS
Possible Planning Commission Meeting time change from 7:00 pm to 6:00 pm – reason being GPAC is not meeting anymore
9. COMMISSIONER ITEMS
10. STAFF ITEMS
11. FUTURE AGENDA ITEMS
12. ADJOURN

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Department of the City of Ridgecrest at 100 W. California Ave, Ridgecrest, during normal business hours.

MINUTES

5



CITY OF RIDGECREST

100 West California Avenue
Ridgecrest, CA 93555

MINUTES

MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION

City Council Chambers

Tuesday, October 28, 2008 at 7:00 p.m.

Commissioners: Chairman Jerry Taylor, Commissioners; Lois Beres, Howard Laire, Nellavan Jeglum and Eric Kauffman

1. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chairman Taylor, Commissioners Beres, Kauffman, Jeglum and Laire.

Staff Present: City Planner Matthew Alexander, Administrative Secretary Danielle Valentine

4. APPROVAL OF AGENDA

A motion was moved by Commissioner Jeglum and seconded by Commissioner Beres to approve the Agenda. The Agenda was approved as submitted.

5. APPROVAL OF MINUTES

A motion was moved by Commissioner Laire and seconded by Commissioner Kauffman to approve the minutes of September 23, 2008. The minutes of September 23, 2008 were approved as submitted.

A motion was moved by Commissioner Laire and seconded by Commissioner Taylor to approve the minutes of July 22, 2008. The minutes of July 22, 2008 were approved as submitted.

6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA

None.

7. PUBLIC HEARINGS

- a. **Site Plan Review SPR-08-10** A 5,000 sq. ft. new restaurant, China Express, with future 2nd floor of 5,000 sq. ft. on a vacant lot in Downtown Balsam Business District, General Service Commercial (CG) zoning at 241 Balsam St APN 067-196-05. Applicant – Narin Saraburin

Planner Alexander briefed the Commission explaining the application was for a new China Express restaurant. He said the existing restaurant was a popular spot located at the corner of Ridgecrest and Balsam – saying its limitation was the restaurant only had 50 seats. Mr. Alexander provided an aerial photograph showing parking currently in existence at Crossroads Church – photo being taken on a Sunday. He went on to say that Olde Town had gained prosperity in the past year – with Rite Aid replacing a dilapidated building, the updating of the USO building and re-use of the Burger King facility. He indicated the elevation was for a two story building at the recommendation of the staff – encouraging mixed use. Mr. Alexander noted that the site plan provided 5,000 sq. ft of building area on a 7,000

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sq. foot lot allowing five parking spaces in the rear – gaining access from the alley. He said the question before the Commission was “what should be done about parking?” saying that most downtowns did not require businesses to provide their own parking.

Planner Alexander said that 53 parking spaces existed close by – and had been found to be 93% vacant in a recent survey and that the angled parking on Balsam Street provided an advantage in terms of numbers of spaces. He said that in all 231 public spaces existed on Balsam and surveys completed were conducted at different times of the day. The results showed that of the total parking spaces on average only 30% of the available parking spaces were used. Planner Alexander said that staff recommended that either (a) the applicant apply for a parking variance or (b) the Planning Commission make a recommendation to the City Council that businesses on Balsam Street be exempt from providing parking spaces.

Chairman Taylor asked Planner Alexander to provide clarification of Condition number 10. He did so saying that if the trash enclosure was required only 4 parking spaces would be available.

Commissioner Beres questioned why Condition 10 saying it didn't really make sense. It was generally agreed that condition should be amended to read as follows:

The rear parking area shall provide 4 parking off-street parking spaces and shall be paved.

Planner Alexander also said that a copy of 32 signatures of people supporting China Express to build a new building at 245 Balsam Street had been distributed just before the meeting commenced.

Commissioner Jeglum asked how wide the parcel was – Chairman Taylor said that although it was faint the site plan did read “56”.

Commissioner Beres said she liked the idea of a patio.

Chairman Taylor opened the floor to the public at 7:22 p.m.

Bob Tharpe, 1047 N. Inyo – said he was a 67 year old resident of Ridgecrest and that he was familiar with what he termed an “this ongoing problem”. He said that both he and Nickolettis had applications denied previously as the rule had always been that you could not classify City parking as private parking. He said he had always furnished the number of spaces provided according to the City's requirements. Mr. Tharpe said that as the owner of Lindsays Furniture he was concerned. He said he too had counted parking spaces noting they were full and he too had spoken to business owners on Balsam and his conversations led him to believe that these business owners were concerned regarding parking. He said he believed that the rules and regulations should be “for all” and that he did not know how the City could deny one person and make exception for another.

Chairman Taylor said his concern when he observed vehicles parked on Balsam that day was that some of them were Balsam Street business owners – this was confirmed by Mr. Tharpe. He acknowledged that parking would be consideration for the Crossroads Church but mentioned operating hours - the church operating on a Sunday when businesses were normally closed. Mr. Tharpe disagreed with this comment saying that the Church also had funerals etc. on different days of the week.

Commissioner Kauffman questioned why business owners would have signed the petition if they had an issue with parking. Mr. Tharpe said that business owners might find it hard to go against something and were thinking that the City would have regulations protecting them.

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Chairman Taylor said he too had spoken with business owners and noted they had concern but at the same time were desperate for influx into the area and made verbal concurrence that they were in favor of bringing forward development into the Balsam Street area. Mr. Tharpe said "of course" they would love a restaurant in that area. Commissioner Kauffman said that there was a spirit in Olde Town – a wish for it to be developed similar to an area like for instance Santa Monica – where people visiting for food and beverage generated new business. Mr. Tharpe said his experience in retail had taught him that was not where his new business would come from.

There was further discussion regarding the validity of the parking survey and how many buildings on Balsam Street were or were not empty. Mr. Tharpe also reiterated that he felt it was unfair that he and Nickoletti's had been turned down for parking.

Chairman Taylor said that circumstances change (for instance the current City Planner was not at the City when previous decisions had been made) and noted the concept of mixed use in the recent DRAFT new General Plan.

Mr. Tharpe went on to say that he currently had to "police" his parking. There was further discussion as to the accessibility of parking spaces to Mr. Tharpe's furniture business. Mr. Tharpe said the City had allowed Crossroads to use some of his parking. Commissioner Kauffman asked him if he received any consideration for this parking and this was confirmed by Mr. Tharpe. Then Mr. Tharpe asked what would happen if the use of the building changed. Chairman Taylor said that the requirements for parking would change accordingly.

Chairman Taylor asked for Mr. Tharpe's final comments and thanked him for his contribution. Mr. Tharpe said he should not have to police his parking spaces and that the City should act in a fair manner. He said if problems were created in a small community it was not pleasant – noting that the owner of the trophy shop said "this would put her out of business". He said a lot of things could be done with the lot in question – with advantage to Balsam Street. He said he could have bought that lot several times very cheaply but did not because of what the City told him he had to do.

Commissioner Laire asked Mr. Tharpe for his business hours – these were provided with a clarification that the business did not operate on Saturdays.

Jim Fallgatter – 207 Cobblestone commented that Mr. Tharpe had some great vision a number of years ago and complimented him saying that now the City did have somebody with a great plan to put a growing restaurant in place. He said this growing business would draw people down Balsam Street and he considered it to be an outstanding venue. He said we have a "new way of going – not the old one" saying that the new General Plan inclusive of mixed use was promoting such usage. He asked that the future be allowed to roll forward and allow the applicant to make a substantial investment to "pull off" a nice new venue.

Public hearing closed at 7:59 p.m.

Commissioner Kauffman said he would like to see the façade and signage set a standard for what the City was looking for in Olde Town and that he felt it was a great example for mixed use – and would help grow Olde Towne and thanked staff for their research on parking which had provided comfort to some of the business with concerns. He asked for attention to detail in terms of what the building provided to the street (i.e. frontage).

Commissioner Beres apologized for past decisions and suggested that parking requirements be waived in some way to allow new business in.

Commissioner Laire said he too was sorry things didn't work out in the past and that the City was now moving on towards a new vision and felt it was exciting. He said he concurred with

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Commissioner Beres' suggestion to make a recommendation to the City Council for a waiver in parking requirements for the Balsam Street area.

Commissioner Jeglum said she lived on Balsam and knew that there would be an impact but that it would not be intolerable. She said she would recommend something go to Council to designate the down town area with a different requirement with shared parking facilities recognizing the uniqueness of the area and its history.

Chairman Taylor asked if public would only enter the restaurant from the front – this was confirmed by the applicant. Chairman Taylor asked that the applicant also consider a rear entrance – providing easier access to the City parking lot. Further, Chairman Taylor said that the second story might involve further discussion. Mr. Saraburin said that staff had made the suggestion of a second floor advising that if that was envisaged to be a future plan it would be best to construct it now. He said that he had only asked managers or owners to sign his survey and it seemed from his inquiries that most business were looking for more businesses. He spoke about the “busy” hours of the restaurant – explaining that the need for parking would go up and down through the “peak” business hours. He said he sympathized with Mr. Tharpe and that he did not want “any trouble” and wanted to serve the people.

Commissioner Kauffman asked if the recommendation for an exemption could be made this evening – this was confirmed by Planner Alexander. Chairman Taylor said this would provide an opportunity for public comment at City Council.

Commissioner Kauffman asked if it would be better to grant a variance first (to prevent delay) send a recommendation to the City Council for the long term. Chairman Taylor said this was a good point – preventing the application from being “bogged down”.

Planner Alexander said the variance was not in front of the Commission this evening.

Commissioner Kauffman made a motion and Commissioner Laire seconded a motion for approval of Resolution 08-21.

Commissioner Jeglum asked for clarification – could the recommendation in the meantime go to Council with a potential to waive the requirement for parking – and hence potentially allow this application to be included in any waiver and thereby eliminating the need to apply for a variance. Planner Alexander confirmed and suggested that wording of Condition number xx be amended to read “or” versus “and”

Commissioner Kauffman made an amendment to his motion regarding Condition number 3. to include the possibility of City Council allowing a parking exemption for the Olde Town area; inclusive of striking “and shall connect.....” from Condition 10. And changing “5” parking spaces to “4” parking spaces n Condition 3 and 10. This motion was seconded by Commissioner Laire.

AYES: Taylor, Beres, Jeglum, Kauffman, Laire
NAYES: None
ABSENT: None

- b. **Site Plan Review SPR-08-08** A 3,600 sq. ft. metal commercial building with 2 bays on 1 acre located in Service Commercial (CS) zoning at 1110 W. Ridgecrest Blvd, APN 456-070-07. Owner - Chuck Roulund, Evergreen Construction

Planner Alexander briefed the Commission saying that the site was located approximate to North Inyokern Street and west Ridgecrest Boulevard noting there were no buildings on the site but that items were being stored on the lot. He said the proposal was to provide two

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8. DISCUSSION ITEMS

Planner Alexander advised that Wal Mart had submitted a formal application last Thursday and staff would now need to review application to ensure it was complete and then notice neighboring properties with the expectation that it would come before the Commission in January.

9. COMMISSIONER ITEMS

Commissioner Kauffman asked all residents to vote – regardless of their persuasion. This was reiterated by Commissioner Beres and Commissioner Laire.

Commissioner Jeglum said that the Daily Independent had recently seen fit to endorse some candidates running for City Council and that she saw no problem with this but that it would have been more appropriate to leave the “rest of us alone”. She said she did not believe it was the newspapers place to make comment on people’s personalities and she felt dismissed and hoped only to prove them wrong. She encouraged all residents to come out and vote – to learn about the candidates and support the people who would be good for the community.

Commissioner Laire encouraged everyone to come along to the Art Show at the Carriage Inn on the weekend - Friday Saturday and Sunday.

10. STAFF ITEMS

None.

11. FUTURE AGENDA ITEMS

Planner Alexander said the next meeting would be 18th November and that Dr. Jansen would be back – perhaps with his site plan. He said the major item before the Commission would be the Wild Point Ranch on Ridgecrest and Mahan.

12. ADJOURN

The meeting was adjourned at 8:32 p.m.

back to back bays with ingress and egress from the rear noting that said the site plan met with City code and recommending approval subject to the 18 conditions listed.

Commissioner Beres questioned why four curb cuts were required onto Ridgecrest Boulevard. Mr. Roulund responded saying that there were four curb cuts as there were bays in front and drive through grates on both sides – allowing trucks to drive through from the front bay to the back bay. Mr. Roulund said he would rather have two big curb cuts. Commissioner Beres asked Planner Alexander if that was possible and this was confirmed.

Chairman Taylor asked if the fence-line shown on the presentation was the setback. Mr. Roulund said the building would be 10 feet back from the fence-line.

Commissioner Jeglum asked what was happening to the area in the back. Mr. Roulund said that it would be used for storage. He said he would be renting the bays out. Commissioner Jeglum asked which portion of the lot would be paved. Mr. Roulund said discussion had only been about paving the bays area. Chairman Taylor clarified the question to the Planner was in regards to the requirements for a commercial business in terms of paving. Planner Alexander said that Public Works would require “no dust” where there was parking.

Commissioner Jeglum said that she would like to see some kind of surfacing to mitigate dust for the travel way areas – i.e. both sides of the building, the back area for turn-arounds and the bay areas. Mr. Roulund said that some sort of dust abatement – not paving – would not be a problem.

Chairman Taylor said he believed that putting a condition for dust mitigation where traffic would be served – transient areas – was what was being suggested – this was confirmed by Commissioner Jeglum and Commissioner Kauffman. It was then agreed that the following should be added to Condition 13.

Item J. Dust abatement on all transient areas on both the east and west and next to the current proposed parking.

Mr. Roulund noted that he had not seen the draft resolution. Chairman Taylor then asked for a brief recess to allow the Mr. Roulund time to review the conditions as set out by the draft Resolution. The meeting was recessed briefly at 8:19 p.m.

The meeting resumed at 8:24 p.m.

Chairman Taylor asked the applicant for his comments. Mr. Roulund said he would prefer that Item 9. Be removed as it was not really applicable (bike racks).

Commissioner Jeglum made a motion and Commissioner Laire seconded a motion to approve Resolution 08-22 eliminating Condition 9.and adding Item J. to Condition 13 to read “Dust abatement on all transient areas on both the east and west and next to the current proposed parking”.

AYES: Taylor, Beres, Jeglum, Kauffman, Laire
NAYES: None
ABSENT: None

**Jansen-Pre-Abatement
Hearing**

7.a

PLANNING COMMISSION AGENDA ITEM

SUBJECT: Pre-Abatement Hearing for Jansen Animal Hospital – 405 E. Ridgecrest Blvd.

PRESENTED BY: Bob Smith – Code Enforcement Investigator

SUMMARY:

A hearing in front of the City of Ridgecrest's Planning Commission in late July 2008 involving the owners of and the property at 405 E. Ridgecrest Blvd., also known as the site location of Jansen's Animal Hospital was held to determine an abatement process for the property owners.

September 9, 2008 was the designated date site plans were to be in the hands of the Planning Commission. Several discussions were held between Dr. Hannah – a staff representative – and city staff on this matter. Still no formal resolution was reached.

A letter dated September 3, from Dr. Jansen's attorney, Roger Stein. Requested a 60-90 extension because Dr. Jansen was "having trouble getting people to back him." This extension was not granted.

Still, more discussions were held and some issues arose, but in the end no formal site plan, structural design, fees, engineering reports or any other formal promise to abate has been turned into the city.

The above referenced property is in violation of a Temporary Use Permit agreement with the City of Ridgecrest. Over four years have passed since the agreement and yet there are no site plans for a permanent structure in place. A violation of Ridgecrest Municipal Code 4-15.101 (d) exists and indicates any "building or structure constructed, altered, or maintained in violation of specific requirements applicable to such building or structure," is a public nuisance.

****During the Summer of 2003 fire destroyed Jansen Animal Hospital. Through the ensuing months Dr. Jansen was given permission to place temporary structures (trailers) on the property in order to keep his business open. The temporary use permit was ordered so that Jansen would have the time to come up with site plans for a permanent structure.*

In August 2005, former city planner Lois Landrum issued a letter to Dr. Jansen informing him that his property is "zoned CG (General Commercial) and commercial operations may only be conducted in permanent structures that have gone through site plan reviews."

She indicated in the letter that all previous agreements have been nullified and requested all temporary structures be removed from the site.

On January 20, 2007 Dr. Jansen was notified by the Code Enforcement Office that the situation still exists.

Again, on June 18, 2007 Jansen was sent a letter by the Code Enforcement Office indicating that we had entered into an agreement with he and his attorney that he (Jansen) would provide the city with site plans for permanent structures. It accused Jansen of failing to provide their site plans. To this date – 04/11/2008, plans have not been received.

A handful of conversations have taken place and each time Dr. Jansen has promised to provide plans and that he was seeking financial support. In one instance it was reported that he came to Ridgecrest and met with the building department, but no plans were left for the site.

***Previous Hearing Report

FISCAL IMPACT: To be determined

Reviewed by Administrative Services Director

ACTION REQUESTED: Issue order to remove temporary structures within 45 days or have all plans, fees and permits in place for the construction of a permanent structure(s) within twenty-one (21) days.

With the failure to abate the property by the owner, the nuisance will be abated by the City and the cost of removal assessed against your property. Such costs shall include reasonable attorney fees. Such costs will constitute a lien on such property until paid. In the alternative, the amount may be placed on the tax rolls for collection.

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

Submitted by:

Action Date:

(Rev. 2-14-07)

UPDATE FROM PLANNING DEPARTMENT:

On November 12, Dr. Hanna, vet at the clinic, on behalf for Dr. Jansen, submitted an application for a Site Plan Review along with a appropriate fees to the Planning Department. The site plan calls for the temporary modulars to be made permanent, add a new porch and ramps, porch awning, stucco, clean up landscaping and remove out-buildings.

The application is complete except for a Title Report. The Site Plan Review will take approximately 30 days to process and best case is a presentation to Planning Commission on December 16th, otherwise it would be the first meeting in January 2009.

In the mean time, the applicant will be obtaining permits from the State Agency of HCD and inspections for previous work performed to the modulars like electric, partitions and an opening where two units were joined. A HCD permit is required for a new awning.



Community & Economic
Development Department

Code Enforcement Division
Bob Smith, Investigator



Mike Avery, City Manager
Jim McRea, Public Services Director

City of Ridgecrest

PLANNING COMMISSION RESOLUTION XX-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST CONFIRMING THE FINDINGS OF THE NUISANCE ABATEMENT INVESTIGATOR AND ORDERING PROPERTY TO BE ABATED

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

WHEREAS, property in the City of Ridgecrest described by assessor parcel number, 8015203001, 405 East Ridgecrest Blvd, is in violation of the Ridgecrest Municipal Code, Nuisance Abatement Section 4-15.101 (p) which constitutes a nuisance, and the failure to comply with an expired Temporary Use Permit; and

WHEREAS, notices and orders were provided to the recorded owner of the aforementioned property; and

WHEREAS, the property in question was duly posted as provided in Nuisance Abatement Section 4-15.103 c.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Ridgecrest

1. That the property owner of the above-mentioned property is required to abate a public nuisance located on the premises.

2. That the abatement to occur includes: Removal of all temporary structures from the property.

3. That the required abatement must be completed within twenty-one (21) days from the date of this hearing. Completion date will be December 9, 2008.

APPROVED AND ADOPTED this 18th day of November, 2008, by the following vote:

AYES:

ABSTAIN:

NOES:

ABSENT:

Jerry Taylor, Chair

ATTEST:

Rita Gable, City Clerk

GPA/ZC-08-04 TTM
6691 Wild Point-PAM

7.b.

**Planning Commission
STAFF REPORT
Public Hearing: November 18, 2008**

**Application: General Plan Amendment and Zone Change GPA/ZC-08-04 &
Tentative Tract Map TTM 6691**

The project Wild Pointe Ranch (TTM 6691) encompasses 161.5 gross acres in the west ½ of Section 32, Township 26 South, Range 40 East M.D.B. & M in the City of Ridgecrest, County of Kern. NW Corner of West Ridgecrest Blvd and N. Mahan Ave.

The subject project proposes 128.1 gross acres of (E-1.5) Estate 20,000 sf min. development which would allow 192 lots. The project would also entail 13.1 acres of (E-2) Estate 10,000 sf min. which would allow 36 lots. In addition to the residential portions, the project would include an 8.0 net acre (CS) Commercial Service Site (9.4 gross acres), a 4.8 net acre Park/Sump Site (6.0 gross acres) and a 4.2 net acre Park (5.0 gross acres). The parks are expected to include walking paths, playgrounds and landscaping. APN 455-100-06,08,09

See figures 1 and 2 for GPA and ZC information on page 16 and 17 of attached Initial Study

Applicant: PAM Ridgecrest Venture LLC
P.O. Box 1570
Lodi, CA 95241

Engineer: Cornerstone Engineering
208 Oak Street
Bakersfield, CA 93304
(661) 325-9474

Suggested Motions

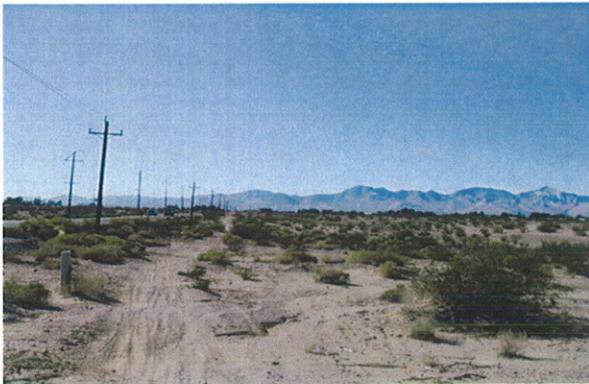
1. MOTION TO CONTINUE THE ADOPTION OF A MITGATED NEGATIVE DECLARATION FOR GPA/ZC-08-04 AND TENTATIVE TRACT MAP 6691 PENDING REVIEW OF MITIGATED CONDITIONS.
2. MOTION TO CONTINUE THE ADOPTION OF A RESOLUTION APPROVING A GENERAL PLAN AMENDMENT AND ZONE CHANGE SUBJECT TO MITIGATED CONDITIONS
3. MOTION TO CONTINUE THE ADOPTION OF A RESOLUTION APPROVING TENTATIVE TRACT MAP 6691 SUBJECT TO MITIGATED CONDITIONS

PROJECT INFORMATION			
	Existing Land Use	Existing Zoning	
Onsite	Vacant	E-1 and E-2	Estate Residential 1 acre and 10,000 sf. min
North	Residence	County E RS	2.5 Ac Residential
South	Vacant	County E-RS	20 ac Residential & 1 ac,
East	Vacant and scattered residence	R-1 & RMH	Single Family Residential.& Mobile Home Residential 6,000 sf. min
West	Vacant and scattered residence	E-2	Single Family Residential 10,000 sf min*
General Plan Designation		Estate Density Residential and Commercial	
Access		Ridgecrest Blvd, Mahan St., Las Flores Ave	
Site Area		161.5 Acres	
Environmental		Mitigated Negative Declaration proposed	

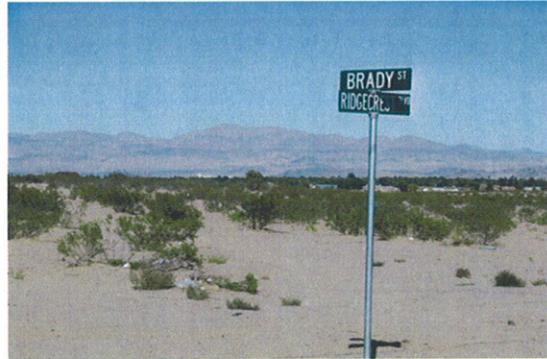
BACKGROUND

After multiple reviews and designs, a current completed application for the project along with a comprehensive Mitigated Negative Declaration and Initial Study was received on August 28, 2008. Per CEQA guidelines, staff submitted the package to the State Clearing House for a 30 day posting beginning September 5, 2008. SCH#2008091027. Agency notices were also mailed on September 5, 2008. 300' radius letters were mailed October 30, 2008. Public Notice was posted in the November 8, 2008 local paper.

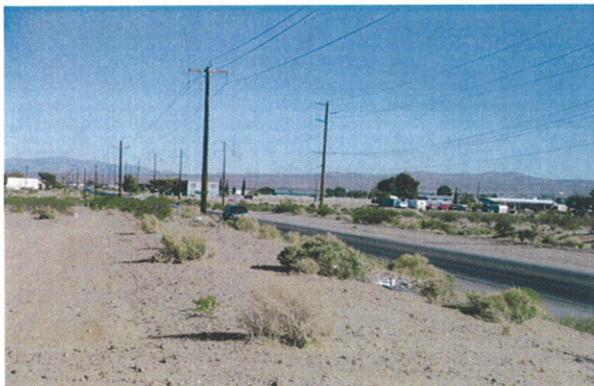
Responses were received from Ridgecrest Public Works, US Fish and Wild Life, Kern County Waste Management, NAWS, Sierra Sands Unified School District, Mr. Ed Lecky, Mr. Frank Deits. Concerns are attached and discussed or attached within the staff report and will be incorporated into the conditions of approval as appropriate.



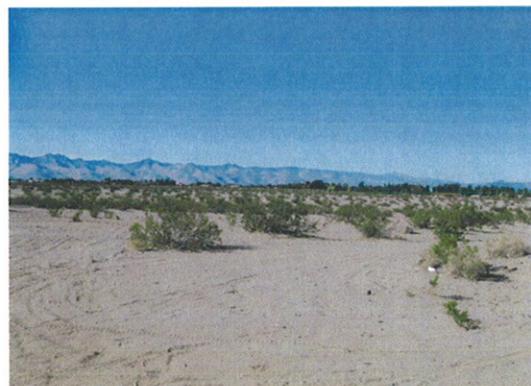
Wildepoinde Ranch site east of Brady St.



Wildepoinde Ranch site from NW cor of Ridgecrest Blvd. & Brady St.



Wildepoinde Ranch site north of Ridgecrest Blvd.



Wildepoinde Ranch site from NW cor of Ridgecrest Blvd. & Mahan St.

DISCUSSION

Over 160 acres in size, Wildepoinde Ranch represents a the largest development proposal within the City of Ridgecrest in recent history. This project encompasses numerous land use and infrastructure issues. Therefore, the staff is recommending that the Planning Commission defer taking any formal action at your November 18th public hearing. Rather, it is recommended that the Planning Commission provide an opportunity by soliciting testimony from the public and the developer and his engineer thereby facilitating discussion on the proposals critical issues. It is hoped that by the end of the discussion, the Planning Commission will provide direction to the

developer and staff regarding the density and character of development most appropriate for the site.

The issues worthy of consideration include the following:

1. MIA and Residential Density,
2. Biological Resources
3. Traffic,
4. Sewer Study,
5. Drainage,
6. Neighborhood Compatibility / Interface,
7. Zoning Text Amendment for one-half acre lot Zone District,
8. Rural Design standards,
9. Sierra Sands Unified School District request for Middle School site on project,
10. Northerly 17.7 acres designation,

1. MIA and Residential Density

According to Captain Gary Peterson, Commanding Officer of NAWS, China Lake, *the proposed project area is located below and adjacent to the Naval air Weapons Station's departure flight tracts from Armitage Airfield. Increasing residential densities under departure flight tracts would increase the number of families potentially exposed to over-flight noise and inherent flight safety concerns. This condition could lead to unacceptable safety risks and increased annoyance factors that could constrain mission readiness. As such, we recommend that the city retain the current zoning and land use designation for this site, and promote a project design that conforms to existing land use directives.*

The project site is entirely within the Military Influence Area, (MIA). The MIA is proposed as an overlay area within the draft General Plan. The specific MIA boundaries for Ridgecrest were first developed as part of the 2007 AICUZ Study, (Air Installation Compatible Use Zone Study).

The MIA area is defined as follows:

According to the State's OPR [Governor's Office of Planning and Research], a Military Influence Area (MIA) is "a formally designated geographic planning area where military operations may impact local communities and, conversely, where local activities may affect the military's ability to carry out its mission" (State of California 2006).

The MIA concept is included in the California Advisory Handbook for Community and Military

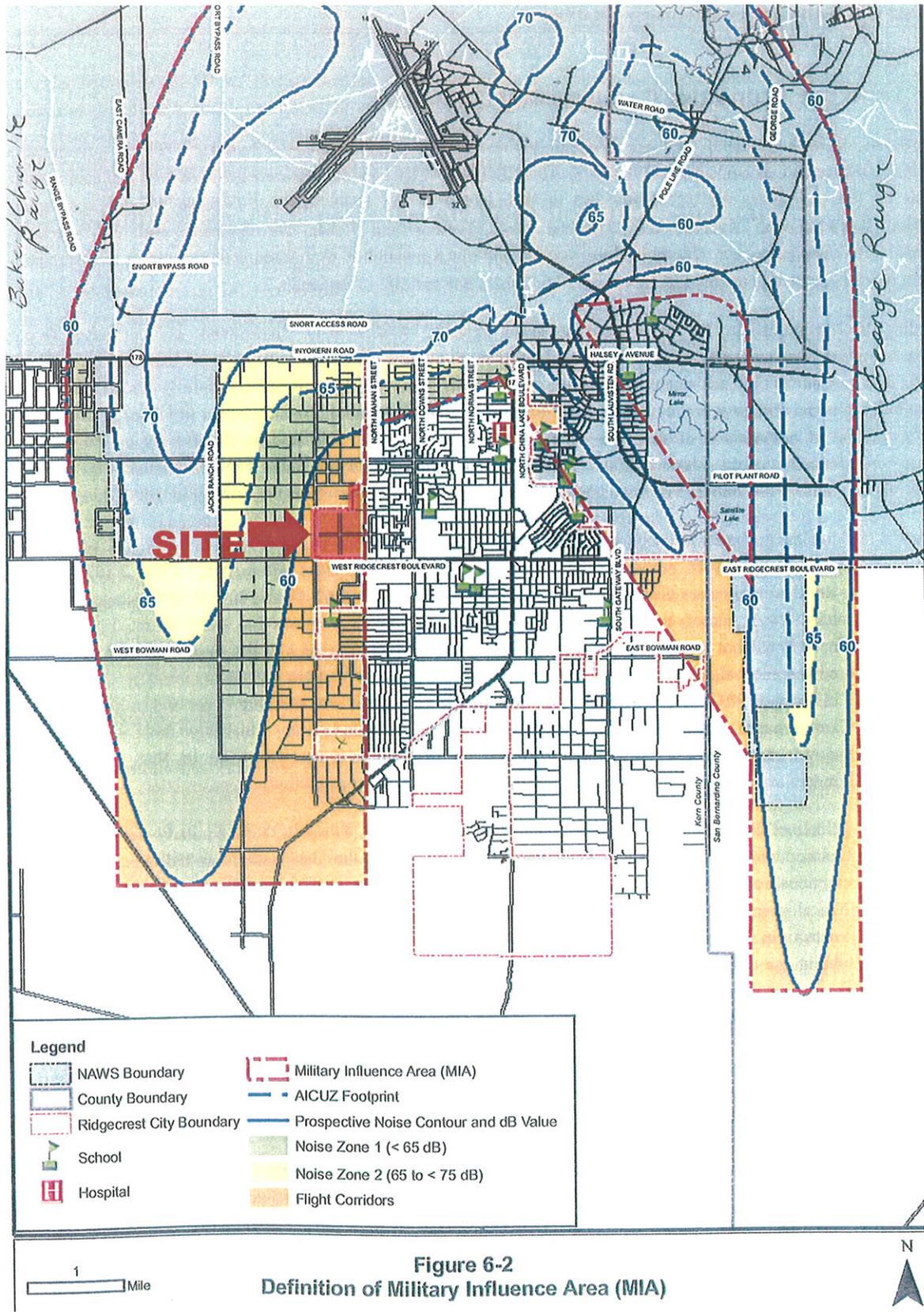
Compatibility Planning (State of California 2006), where it is acknowledged as a useful planning tool for accomplishing the following purposes:

- Promote an orderly transition between community and military land uses so that land uses remain compatible.
- Protect public health, safety, and welfare.
- Maintain operational capabilities of military installations and areas.
- Promote the awareness of the size and scope of military training areas in order to protect areas separate from the actual military installation (i.e., critical air and sea space) used for training purposes.
- Establish compatibility requirements within the designation area, such as requirements for sound attenuation, real estate disclosure, and navigation easements.



According to the OPR, an MIA should be incorporated into the local planning process through a community's general plan and zoning ordinance. NAWS recommends the designation of an MIA that is larger than the traditional AICUZ footprint in order to address flight safety issues beneath flight corridors and to encourage retention of a buffer zone of compatible land use in case of future expansion of the NAWS mission. The designation of an MIA is also consistent with Navy AICUZ Program guidelines as described in OPNAVINST 11010.36B. Figure 6-2 depicts the recommended MIA surrounding Armitage Airfield.

As defined for this AICUZ study, the MIA includes, in addition to the AICUZ footprint, all land within the 60 dB CNEL contour (Noise Zone 1) and a larger portion of the primary flight corridors used by arriving and departing aircraft. Noise Zone 1 is included in the MIA as a proxy for potential expansion of the noise contours should NAWS experience future increases in operational tempo (no such increases beyond the "prospective" operations evaluated in this AICUZ study are currently planned).



The geographical location and extent of any such shift in future noise contours would of course depend on the specific nature of the increased operations (e.g., runway distribution, aircraft type, type of operation, etc.), but if other variables remained constant and only the number and frequency of operations were to increase, the 65-dB noise contour would tend to expand toward the current 60-dB contour. Portions of the primary flight corridors (beyond the standard APZs) are also included in the MIA in an effort to minimize the risks of aircraft accidents that can occur beyond the runway environment.

The establishment of criteria that limits the maximum number of dwellings or people in this area is encouraged as a method of reducing the potential severity of an aircraft accident. Despite NAWS' efforts to establish and conform to specific flight routes that maximize avoidance of developed areas, some variation or deviation from established flight routes should be expected to occur in response to weather conditions, ambient temperature, mission loading of aircraft, and other factors discussed previously in Section 3.4. The width of the flight corridor segments in the MIA reflects this potential variation. The corridors are included because of the inherent risk of aircraft incidents (e.g., equipment drops, crashes, etc.) occurring within these corridors.

The members of the City's General Plan Advisory Committee expressed strong support for the establishment of an MIA within the Ridgecrest Sphere of Influence.

Factors that were considered in designating most of the MIA's the western boundary along Mahan Street include:

- Derivation of the departure corridor
- Analyst of flight data
- Best section of land that caught most flights
- 60 flights over one month period
- Historic aircraft incidents including accidental equipment (things fall off aircraft)
- Need for urban interface
- Radar data – safety analyst

In addition, the Navy is in the process of preparing an updated noise analysis which will include acoustic impacts from the new Joint Strike Fighters, (JSF), [not included within the 2007 noise analysis]. It is widely speculated that the JSF will create significantly louder noise impacts than those identified within the 2007 study.

Based upon the MIA background data presented above, there is sufficient justification to consider the project site as being justly placed into a special geographic area worthy of consideration for lower residential densities. However, the developer would argue that half acre lots represent a lowering of the typical residential single family lot density by more than 100%.

The General Plan Advisory Committee recommended that the site area be designated as rural residential – 1 acre maximum residential lots.

2. Biological Resources

In order to mitigate for potential taking of the Mojave Ground Squirrel, it is recommended that the applicant be required to obtain a take permit pursuant to Fish and Game Code Section 2081 and to designate appropriate mitigation acreage prior to issuance of a grading permit for the project.

In order to mitigate any potential impact for the Burrowing Owl, the applicant will be required to conduct a preconstruction survey 30 days before ground disturbance.

The City has received a letter from the US Department of the Interior. This agency recommends that the City provide special notice to the proponents that the project is within the range of the desert tortoise. Further, if the proponents encounter a desert tortoise during the site development phase, the proponents should suspend all ground-disturbing activities and contact the Fish and wildlife Service immediately.

In addition the US Department of the Interior and California Department of fish and game to determine if any of the proposed projects require permitting under the California Endangered Species Act.

3. Traffic

A traffic study was conducted by Cornerstone Engineering for Tract 6691. Apparently the field traffic counts for this study were conducted in November of 2005. Since that time a number of projects or are planned which impact the present and future field traffic counts. Those projects which have been completed are as follows:

Construction of Mahan Street from Upjohn Avenue to Ridgecrest Boulevard. At the time of the traffic counts this was a dirt road now it has 2-12' travel lane and 11' parking land all the way through. At the intersection and for about 800 feet south it is 4-12' travel lanes and 2 parking lanes. Also, Mahan Street from Ridgecrest Boulevard to Las Flores Avenue has been widened. This results in a continuously paved road from Springer Ave. to Inyokern Road and provides an alternate route from and to Ridgecrest Heights and the Base. Queing of traffic at the Mahan and Ridgecrest intersection on Mahan during peak hours indicates the need for some form of traffic control at that intersection.

Brady Street to the west of the project has been paved from Ridgecrest to Las Flores. This provides a continuous paved route on Brady from Ridgecrest to Inyokern Road and has modified the traffic pattern and volume in the general area since the 2005 counts.

The Kern County Roads Department indicates that they are planning on paving Las Flores Avenue (now a dirt road) from Brady to Jack's Ranch Road in the near future. This will further modify the traffic patterns and volumes in the area since the 2005 counts.

In 2008 Cornerstone did prepare an update traffic analysis at the intersections of Ridgecrest Blvd. / Mahan St. and Las Flores Avenue / Mahan street.

4. Sewer Study

A sewer study was conducted by Cornerstone Engineering to determine the adequacy of the existing downstream wastewater collection system to convey the wastewater flows from Tract

6691. The results of the study indicate that even without Tract 6691 the existing collection system is operating at over capacity and needs to be reconstructed at 13 locations. Wastewater personnel were instructed to investigate these 13 locations to determine if in fact the lines in question were operating at over capacity and if there was any record of maintenance problems in the subject areas. They found no evidence that the lines were over capacity nor was there any record of higher than normal maintenance problems. The question of whether or not there is an existing capacity problem needs to be addressed in order to validate the assumptions as to flow rates made in the study.

Assuming the flow rates can be validated and the study is correct then eventually 18 sections of sewer main will need to be replaced with Tract 6691 and full build out of the tributary area at an estimated cost of \$984,000. The study proposes to impose a fee on the undeveloped areas to finance the reconstruction. The pro rata share of this cost for Tract 6691 is approximately \$190,000 which the developer would pay. The political implications of a plan such as this, as well as, the Prop 218 implications need to be addressed. The possibility that the City might assume responsibility for replacement of the 13 sections of main that are allegedly over capacity now should be explored. After all the sewer mains in question were installed in 1952 and are 56 years old.

5. Drainage

The drainage study does not account for the recently constructed roadway embankment on Brady Street west of the site. This embankment and the culverts which were installed may require modification of the street layout in order to accommodate the outflow from the culverts. The drainage study should be revised to reflect these changes.

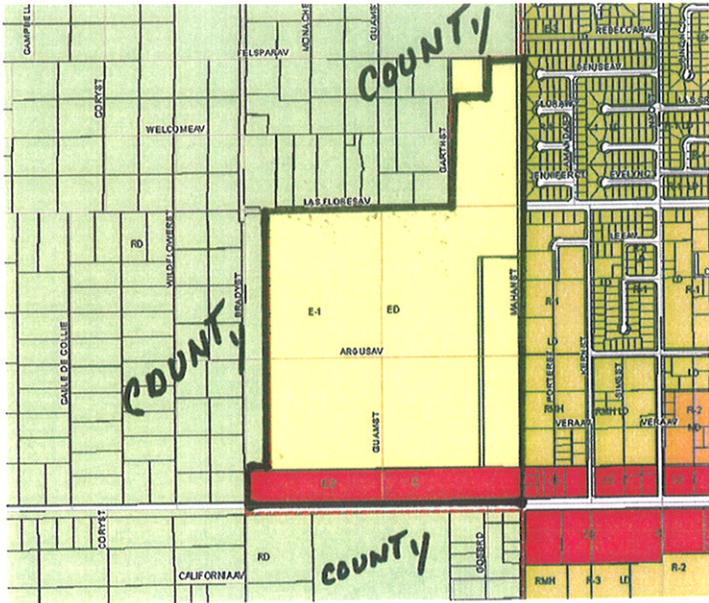
The flooding issue occurring within the neighborhood has been identified as a problem by neighbors commenting upon this project. Clearly, the implementation of a comprehensive drainage plan must be a condition of tentative map approval prior to the recordation of a final map.

6. Neighborhood Compatibility / Interface

The project site is surrounded by unincorporated Kern County on three sides. The typical residential lot sizes within this area is 2 ½ acre minimum.

Bear in mind that while the lot sized within Kern county are typically 2 ½ acres, the lot sizes within the City lying easterly of the project site are urban (6,000 sq.ft).

The draft general Plan does not specifically designate a village commercial location proximate to where the developer is proposing a 9 acre neighborhood commercial site. However, the staff believes that this proposed village commercial site is desirable and consistent with clustering commercial – as opposed to promoting strip commercial, (currently proposed along ridgecrest Blvd.)



Kern county Planning intends to make comments regarding this project. However, they were not ready at in time for this staff report.

7. Zoning Ordinance Text Amendment

Currently within our estate residential zone districts, the minimum lot sizes jump from 10,000 sq. ft. minimum lots sizes to 40,000 (1 acre) lot sizes. This may be considered a “quantum leap” and good planning dictates that there be a middle size lot district.

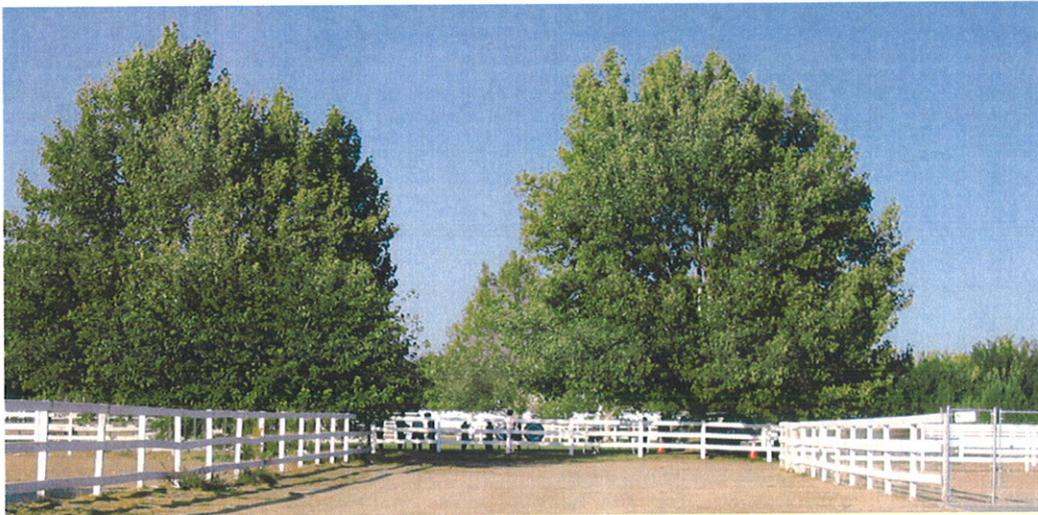
Estate Zone Districts in Ridgecrest	
Zone District	Minimum Lot size
E-3	7,500 square feet
E-2	10,000 square feet
E-1.5 *	20,000 square feet
E-1	40,000 square feet
* = proposed	

The Zoning Ordinance Text Amendment for a new zoning designation of E-1.5 (20,000 s.f.min.) is proposed to facilitate the Tract Map lot design of 20,000 sf lots (attached). Whether or not the Planning Commission decides to rezone most of this site to ½ acre lots as requested, it is the opinion of the staff that it is desirable for the city of Ridgecrest to amend its zoning ordinance to create this classification.

8. Rural Design Standards

If the City of Ridgecrest is going to facilitate either one acre lots or one half acre lots, it will be desirable to amend the City's current public works standards to facilitate streets, fences, sidewalks, street lights, etc. to reflect a more rural character.

For example, within large lot subdivisions, there is no need to have concrete sidewalks on both sides of the street or urban curbs and gutters. A hiking and riding trail may substitute for concrete sidewalks. Likewise the 30' cobra head light standards look out of place within a rural setting. Not only will rural development standards be more attractive within a large lot subdivision, but the costs to the developer shall be lowered as well. This will provide some incentive to lower the density of a development.



Wildpointe Ranch is proposed to feature a rural character. In addition to fences in lieu of block walls, the streets should be developed in a rural character.



9. Sierra Sands Unified School District request for Middle School site on project

Sierra Sands Unified School District has made the following comments on the Wild Pointe Project.

- PAM Companies made the District aware of their plans early on. The District made PAM aware that their planned project(s) would have a significant impact on educational services. The District discussed the following with PAM:
 - payment of Developer Fees at whatever rate is in effect for the District at the time of project commencement (currently, Level I School Fess are assessed)and
 - provision of a school site (the District believes that a middle school would be appropriate - additionally, it would be desirable to incorporate Joint Use between the District and the City in the form of a park which the District would utilize during school hours for school purposes. The park would be jointly used by the community when school is not in session. This item contained in the parenthesis were not discussed with PAM. Approximately 25 acres is an appropriate size for a middle school site. Additional acreage would be necessary to complete the park. The total number of acres is dependent upon City preferences.)and
 - also discussed was the potential for PAM to provide a school to the District. The District has always maintained that the additional units would impact the schools in the boundary areas. PAM and the District discussed this impact and possible mitigation. It has always been the District's request that school fees be paid in addition to the provision by PAM of a school site and/or a school building.

10. Northerly 17.7 acres designation

Zone Change: APN 155-100-08, the northerly 17.70 acres: staff research has found that the parcel was part of Annexation #14 in 1989 and was pre-zoned and accepted as E-2. No recorded can be found as to when the parcel was changed to E-1 as currently shown on the latest zoning map. Staff therefore suggest this parcel to considered zoned E-2.

ENVIRONMENTAL REVIEW

Due to the size and potential environmental issues associated with this project, staff requested the applicant hire an Environmental Consultant to draft a Draft Mitigated Negative Declaration (MND) and Initial Study (IS). September 4, 2008, the project was circulated to the State Clearing House including the MND and IS and also circulated to our agency mailing list. The 300' Radius Notices were mailed October 30, 2008. The Draft MND and IS are attached hereto.

The Biological Survey was conducted by Kiva Biological Consulting in October 2005. A trapping survey for Mojave Ground Squirrel was conducted in April 2006 with one MGS being trapped. A new Biological Survey was conducted in February 2008. No endangered species were encountered. Department of Fish and Game (DFG) were contacted in 2006 regarding the trapped MGS and the need for a future 2081 Take Permit was determined. DFG did not respond to September 4, 2008 project submittal. The city will require the developer to obtain clearance from DFG prior to grading.

Please note the resolution for the environmental action will contain condition for compliance with the California Department of Fish and Game and U.S. Dept of Fish and Wildlife.

RECOMMENDATION

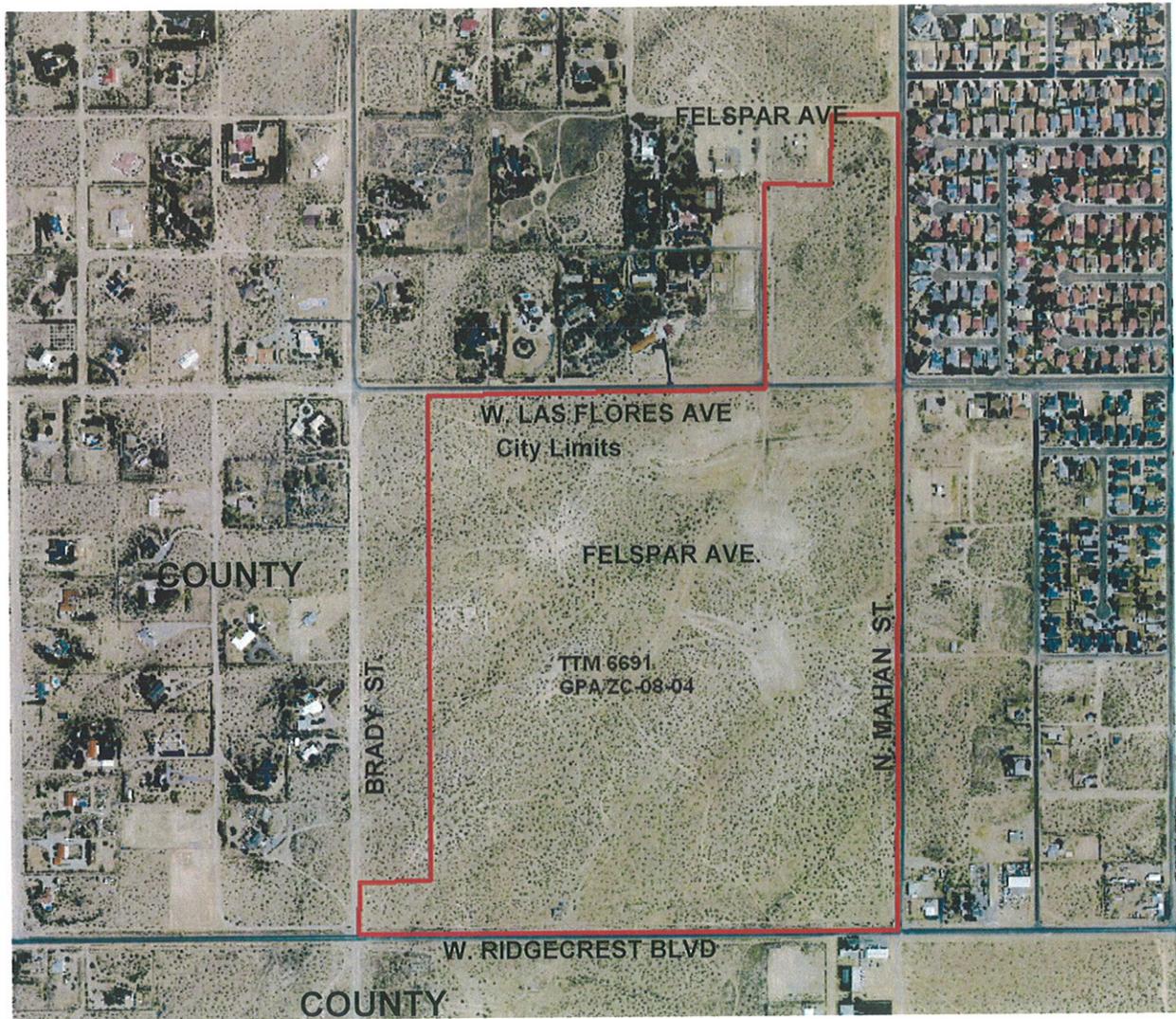
The staff recommends that the Planning Commission take testimony, discuss the issues outlined above, review the attached documents and make policy recommendations as necessary to the Draft Mitigated Negative Declaration, General Plan Amendment, Zone Change and Tentative Tract Map.

Depending upon the extent of recommended modifications to this proposal, the staff recommends that the Planning Commission:

Continue this Public Hearing until

- 1) **December 16, 2006, or**
- 2) **January 13, 2008**

THE APPLICANT SHALL NOTE THAT THERE IS A FIFTEEN (15) DAY APPEAL PERIOD FOR THE PLANNING COMMISSION DECISION. ALL APPEALS ARE DIRECTED TO THE CITY COUNCIL UPON SUBMITTAL OF APPEAL FEE AND LETTER STATING REASONS FOR THE APPEAL.



DRAFT P.C. RESOLUTION 08-_____

MITIGATED NEGATIVE DECLARATION
GPA/ZC-08-04 and TTM 6691

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST APPROVING A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT GPA-08-04, ZONE CHANGE ZC-08-04 AND TENTATIVE TRACT MAP TTM 6691, LOCATED ON 161.5 ACRES AT THE NW CORNER OF N. MAHAN ST. AND W. RIDGECREST BLVD. IN THE WEST ½ OF SEC. 32, T26S, R40E. APN: 455-100-06,08,09 (PAM RIDGECREST VENTURE, LLC)

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On November 18, 2008, the Planning Commission duly and regularly reviewed the potential for environmental impact of 161.5 acres located at the northwest corner of N. Mahan St and W. Ridgecrest Blvd., APN: 455-101-06,08,09:

GPA-08-04 and ZC-08-04: A request for a **GPA-08-04** to change the general plan designation on 15.6 acres from (C) Commercial to (ED) Estate Density, change 4.9 acres from (ED) to (C) and change 11 acres from (ED) to (PS) Park and School and

ZC-08-04: A request for **ZC-08-04** to change the zoning on 15.6 acres from (E-2) Estate 10,000 sf to (E-1.5) Estate 20,000 sf., change 112.3 acres from (E-1) Estate 40,000 sf to (E-1.5), change 11 acres from (E-1) Estate 7,500 sf to (RSP) Recreation-School-Public, change 1.8 acres from (E-1) to (CS) Service Commercial and change 7.6 acres from (E-2) to (CS) and

TTM 6691: A request for a 231 lot subdivision on 161.5 acres consisting of 192 (E-1.5) 20,000 sf lots on 128.1 acres, 36 (E-2) 10,000 sf lots on 13.1 acres, a 9.4 acre Service Commercial lot, a 6 acre Park/Sump and a 5 acre Park.

The Commission considered the initial study and evaluation and approved the certification and filing of a Mitigated Negative Declaration based upon the findings that:

- (a) Subject to the proposed general plan amendment the project is in conformity with the applicable elements of the General Plan
- (b) Subject to the proposed rezoning, the project is in compliance with zoning regulations and procedures.
- (c) The general plan amendment, zone change, and tentative tract map will not cause substantial environmental damage or substantially injure fish or wildlife or their habitats.

SECTION 2. ENVIRONMENTAL CERTIFICATION

The Commission hereby adopts and certifies a Mitigated Negative Declaration for the project with the following mitigation measures

1. All conditions of approval of Resolution 08-_____ for TTM 6691 and Resolution 08-_____ for General Plan Amendment GPA-08-04 and Zone Change ZC-08-04.
2. All mitigation measures identified in the initial study and Mitigated Negative Declaration for GPA-08-04, ZC-08-04 and TTM 6691.
3. Mitigation measures required by the California Department of Fish and Game and the U.S. Department of Fish and Wildlife.

The Commission authorizes and instructs the Secretary of the Planning Commission to file a Notice of Determination as required by law.

APPROVED AND ADOPTED this 18th day of November, 2008, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jerry Taylor, Chair

ATTEST: _____
James McRea, Secretary

DRAFT MITIGATED NEGATIVE DECLARATION
GPA-08-04, ZC-08-04, TTM 6691
City of Ridgecrest

TO WHOM IT MAY CONCERN:

Pursuant to the California Environmental Quality Act of 1970 ("CEQA"), the State CEQA Guidelines and the City of Ridgecrest Guidelines for Implementation of CEQA, the Ridgecrest Planning Department has made an Initial Study of possible environmental impacts of the following project.

Applicant: PAM Ridgecrest Venture, LLC, 2020 Kettleman Lane P.O. Box 1570, Lodi, CA 95241

Application: Tentative Tract Map 6691 with a General Plan Amendment GPA-08-04 and Zone Change ZC-08-04

Location: USGS 7.5 min. Quad. "Ridgecrest North", Lat: 35-37-33 Long: 117-42-04
The site is bounded by W. Ridgecrest Boulevard to the south, N. Mahan Street to the east and Ridgecrest City limits/N. Brady Street to the west and W. Las Flores Avenue runs along the majority of the northern project boundary. A smaller rectangular portion of the project protrudes to the north across W. Las Flores Avenue and is bounded by Garth Street to the west, N. Mahan Street to the east and Felspar Avenue to the north. Located in the W ½ of Section 32, Township 26 South, Range 40 East, M.D.B. & M in the City of Ridgecrest, County of Kern, State of California. APN: 455-100-06,08,09

Description of Proposed Project: The subject project Wild Pointe Ranch (TTM 6691) encompasses 161.5 gross acres in the west ½ of Section 32, Township 26 South, Range 40 East M.D.B. & M in the City of Ridgecrest, County of Kern. The site is bounded by Ridgecrest Boulevard to the South, Mahan Street to the east, Ridgecrest City limits/ Brady Street to the west and Las Flores Avenue runs along the majority of the northern project boundary. A smaller rectangular portion of the project protrudes to the north across Las Flores Avenue and is bounded by Garth Street to the west, Mahan Street to the east and Felspar Ave to the north (See Figure 1).

Southerly access to the site is provided by W. Ridgecrest Boulevard which is an east/west major arterial. Access on the east can be provided by N. Mahan Street which is a north/south secondary arterial. Access to the north can be provided by W. Las Flores Avenue which is an east/west secondary arterial.

The existing City of Ridgecrest general plan designation for the project is (ED) Estate Density on 141.3 acres and a (C) Commercial strip along the southern portion of the site on 20.2 acres. (See *figure 1.0*). The existing zoning designation on the property is (E-1) Estate 40,000 sf. on 125.2 acres and (E-2) 10,000 sf on 36.3 acres. (See *figure 2.0*).

Property to the east has a City of Ridgecrest general plan designation of (LD) Low Density Residential and (C) Commercial. The properties bordering to the north, west and south are outside of the city limits and are therefore considered under County of Kern jurisdiction. The general plan designations on all of the county properties are 5.6 (Min 2.5 gross acres) with the exception of a small portion of 6.2 (general commercial) to the south. Property to the east has an existing City of Ridgecrest zoning of (R-1) Single Family Residential 6,000 sf, (RMH) Single Family Residential Mobile Home 6,000 sf and (CS) Service Commercial. Property immediately to the North and West is under Kern County jurisdiction and has a designation of E(2.5) RS. The property immediately to the south is also under Kern County jurisdiction and carries a designation of E(1) RS MH, E(20) RS and C-2.

There is scattered existing development on all sides of the project site. There is a large R-1 development existing to the northeast of the project site.

The subject project proposes 128.1 gross acres of (E-1.5) Estate 20,000 sf min. development which would allow 192 lots. The project would also entail 13.1 acres of (E-2) Estate 10,000 sf min. which would allow 36 lots. In addition to the residential portions, the project would include an 8.0 net acre (CS) Commercial Service Site (9.4 gross acres), a 4.8 net acre Park/Sump Site (6.0 gross acres) and a 4.2 net acre Park (5.0 gross acres). The parks are expected to include walking paths, playgrounds and landscaping. Both parks will be dedicated to the City of Ridgecrest. The project will have entry features at access points to W. Las Flores Ave., N. Mahan St. and W. Ridgecrest Boulevard. Landscaping of the entry features and parks will be consistent. The project layout will consist of curvilinear streets with cul-de-sacs and paddle-sacs where practical.

The proposed general plan designations for the site are: 9.4 acres (C) Commercial, 11.0 acres (PS) Park and School, and 141.1 acres (ED) Estate Density (See *figure 1.0*). The proposed zoning designations for the site are: 13.1 acres (E-2), 128.1 acres (E-1.5), 9.4 acres (CS), and 11.0 acres (RSP). (See *figure 2.0*).

Mitigation Measures: The following mitigation measures are proposed to avoid any potentially significant effects:

(1) Aesthetics: A mitigation measure is proposed to ensure that any future lighting installed is fitted with a hood or "glare shield" to ensure that impact on nighttime views is reduced to a less than significant impact. Specifically, light and glare from on-site exterior lighting fixtures shall be minimized by providing hoods, screens or other methods for directing lights downward to ensure that the project's potential impacts on nighttime views is reduced to a less than significant level. In addition, all commercial lighting will be directed away from adjacent roads and properties.

(2) Air Quality: To mitigate dust emissions during construction, the applicant will be required to comply with the Kern County Air Pollution Control District Rule 402 (Fugitive Dust). In addition, the applicant will ensure that all vehicles used for construction will be equipped with EPA/ARB certified engines.

(3) Biological Resources:

- a) To mitigate for potential take of the Mojave Ground Squirrel, the applicant will be required to obtain a take permit pursuant to Fish and Game Code Section 2081 and to

designate appropriate mitigation acreage prior to issuance of a grading permit for the project.

- b) To mitigate any potential impact for the Burrowing Owl, the applicant will be required to conduct a preconstruction survey 30 days before ground disturbance.

(4) Cultural Resources: To mitigate any potential impact on cultural resources, construction at the site will halt in the event that cultural resources or human remains are found and the San Joaquin Valley Archeological Information Center will be contacted before construction activities resume. The applicant shall submit a letter from a qualified professional stating the results from research of the Native American Heritage Commission database and the California Historic Resources database for the project site.

(5) Geology and Soils: Any building or structure constructed on the site should be designed to at least the minimum code standards for Seismic 4, as designated by the latest edition of the California Building Code. In addition, work related to excavation, grading and earth work construction, fills and embankments will be addressed through adherence to Chapter 16 of the City Municipal Code. Finally, the applicant will comply with all applicable provisions of the California Building Code and shall comply with: (1) American Society for Testing and Materials ("ASTM") D 1557-91 soil compaction test procedures; (2) California Occupational Safety and Health Administration standards for trenches or excavations deeper than five feet; and (3) recommendations for mix design, curing, joints and reinforcement as promulgated by the Portland Cement Association.

(4) Hydrology/Water Quality: The site will include a 5-acre park/sump in the northeast corner (APN 455-100-08). Per City of Ridgecrest design standards, the sump will be sized to hold a minimum of 8.0 acre-feet of water and will hold all of the runoff from the project from a 10-year/24-hour storm. In addition, a final flood study will be conducted at the time of site grading which will determine base flood elevations. The finished floor will then be set 1' above base flood elevation or the top of the adjacent curb, whichever is highest, per Kern County Development standards.

(5) Land Use/Planning: A Zoning Ordinance Text Amendment will be adopted to create a new estate zone district of E-1.5 with a minimum lot size of 20,000 square feet to accommodate this development.

(6) Noise: To ensure that all future residents are aware of the Naval Air Weapons Station Military Influence Zone ("MIA"), prior to issuance of certificates of use and occupancy, the applicant must demonstrate that future residents will be informed of the MIA. This demonstration may take the form of a covenant to that effect recorded on the project site and on the Tract Map or through disclosure forms to be signed by new residents. The disclosure form will provide that each resident acknowledges that he/she is moving into an MIA and that military operations may affect the community.

(7) Public Services

a. Schools: To mitigate for potentially significant impacts on schools, the applicant will pay required development fees to mitigate for any impacts to schools. Pursuant to Resolution #20 0708 of the Governing Board of the Sierra Sands Unified School District, applicant will \$2.97/ square foot of residential building space and \$0.47 per square foot of

commercial building. The total development fee for schools is estimated at \$1.6 million for the residential lots and \$40,984 for the commercial space.

b. Sewers: Three alternative scenarios are recommended to mitigate for potential sewer deficiencies. The first scenario would require the applicant to pay a recommended \$190,000 sewer improvement fee into a City of Ridgecrest sewer fund. All other new development would be assessed a comparable per-unit/per-acre fee. The City of Ridgecrest would then use the capital from the fees collected to upgrade the entire system in the future. The second scenario would involve "opening day mitigation," so that the applicant would apply its proportionate share (\$190,000) to sewer upgrades that would be installed by the applicant before recordation of the first phase of TTM 6691. The third scenario would mitigate for anticipated impacts through the City's imposition of appropriate sewer connection fees.

(8) Transportation/Traffic: To mitigate for any potentially significant traffic impacts, the applicant will pay the required traffic impact fees adopted by the City of Ridgecrest totaling approximate \$373,826 for the commercial space and approximately \$402,000 for the residential lots.

(9) Utilities and Service Systems: The applicant will implement or participate in a program to recycle or divert its demolition and construction waste stream, green waste, electronic waste, municipal and commercial solid waste. A good recycling program can be an effective mitigation measure for these purposes. In addition, the applicant will generate construction and demolition debris and will include measures for recycling construction and demolition waste to the greatest extent feasibly possible.

Inclusion of Mitigation Measures as Part of Project:

I, as applicant/authorized agent, have reviewed the mitigation measures noted above and agree and include said measures as part of this project.

Signed:___(Original signed by owner)_____

Date: __9-3-08__

FINDINGS: It has been found that this project, as described and proposed to be mitigated herein, will not have a significant impact on the environment and that an environmental impact report is, therefore, not required. A brief statement of reasons supporting such findings is as follows:

(1) This requested Tentative Tract Map TTM 6691, General Plan Amendment GPA-08-04 and Zone Change ZC-08-04 is consistent with the Ridgecrest General Plan 1991-2010; and

(2) Approval of the requested Tentative Tract Map 6691, General Plan Amendment GPA-08-04 and Zone Change ZC-08-04 are consistent with surrounding land uses.

PUBLIC INQUIRY: Any person may object to dispensing with such EIR or respond to the findings herein. Information relating to the proposed project is on file in the office of the City of Ridgecrest Planning Department at the address shown below. Any person wishing to examine or obtain a copy of that information or this document, or seeking information as to the time and manner to so object or respond may do so by inquiring at said office during regular business hours.

A copy of the Initial Study is attached hereto.

AGENCIES CONSULTED: KC Fire, Verizon, Mediacom, SCE, PGE, Kern County Air Pollution Control Agency, Caltrans D9, China Lake Naval Air Weapons Station, CRWCB Lahonton, KC Planning, Indian Wells Valley Water District, Sierra Sands Unified School District, SHPO, California Department of Fish & Game-Fresno, US Fish and Wildlife- Desert Div., State Clearinghouse

STATE CLEARINGHOUSE NUMBER :2008091027

INITIAL STUDY PREPARED BY: Pamela Hill, City Planner, 760-499-5066

DATE POSTED: _____ Sept. 5, 2008 _____

DATE OF NOTICE TO PUBLIC: ___ Sept. 5, 2008 _____

INITIAL STUDY Environmental Checklist Form

1. Project Title: Tentative Tract Map 6691; Obtain Tentative Tract Map approval to create a 231-lot subdivision with two parks and a commercial parcel on 161.5 acres along with a General Plan Amendment GPA-08-04 and Zone Change ZC-08-04
2. Lead Agency Name and Address: City of Ridgecrest Planning Department, 100 West, California Avenue, Ridgecrest, CA 93555
3. Contact Person and Phone Number: Pamela Hill, Planning 760-499-5066
4. Project Location: The property is located in the West ½ of Section 32, Township 26 South, Range 40 East M.D.B. & M. in the City of Ridgecrest, County of Kern, northwest of the intersection of West Ridgecrest Boulevard and N. Mahan Street, bordered by W. Las Flores Avenue to the north, N. Mahan Street to the east, W. Ridgecrest Boulevard to the south and Brady Street to the west; a smaller rectangular portion protrudes to the north across W. Las Flores Avenue and is bounded by Garth Street to the west, N. Mahan Street to the east and Felspar Avenue to the north.
5. Project Sponsor's Name and Address PAM Ridgecrest Venture, LLC, 2020 Kettleman Lane, P.O. Box 1570, Lodi, CA 95241
6. General Plan Designation: 455-100-06: Commercial & Estate Density; 455-100-08: Estate Density; 455-100-09: Estate Density
7. Zoning: 455-100-06: E-2 (10,000 sq. ft. min. lot); 455-100-08: E-1 (40,000 sq. ft. min. lot);
455-100-09: E-1 (40,000 sq. ft. min. lot)
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. Attach additional sheets if necessary.)
The proposed project, Wild Pointe Ranch, consists of 161.5 gross acres and is a mixed-use development with single-family residential lots and one commercial parcel. The proposed development will accommodate 228 single-family residential lots, two recreational parks and a shopping center. The residential area will occupy approximately 153 acres, and the commercial development will occupy approximately 8 acres.

The applicant proposes to change the existing GP designation of C to ED on 15.6 acres, from ED to C on 4.9 acres and from ED to PS on 11 acres. The applicant also proposes to change the zoning from E-2 to E-1.5 on 15.6 acres, from E-1 to E-1.5 on 112.3 acres, from E-1 to RSP on 11 acres, from E-1 to CS on 1.8 acres and from E-2 to CS on 7.6 acres. The Planning Department staff has agreed to recommend a Zoning Ordinance Text Amendment to create a new zone of E-1.5 for the City of Ridgecrest to be considered contemporaneously.

9. APN: 455-100-06, 455-100-08 and 455-100-09
LAT. 35-37-33 LONG. 117-42-04

10. Surrounding Land Uses and Setting: Briefly describe the project's surroundings: Property to the east has a City of Ridgecrest general plan designation of LD (Low Density Residential) and C (Commercial). The properties bordering to the north, west and south are outside of the city limits and are therefore considered under County of Kern jurisdiction. The General Plan designations on all of the county property is 5.6 (minimum 2.5 gross acres) with the exception of a small portion of 6.2 (general commercial) to the south. Property to the east has an existing City of Ridgecrest zoning of R-1, RMH and CS. Property immediately to the north and west is under Kern County jurisdiction and has a designation of E (2.5) RS. The property immediately to the south is also under Kern County jurisdiction and carries a designation of E(1) RS MH, E(20) RS and C-2.

The site is surrounded by scattered rural housing except in the extreme northeast, which contains a large R-1 development consisting of relatively dense housing. The property has not knowingly been developed or utilized for any agricultural purposes for at least the past 40 years.

11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): California Department of Fish and Game, Kern County Air Pollution Control District, China Lake Naval Air Weapons Station

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resource | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

Determination: (to be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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 the 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

September 5, 2008

Date

Pamela Hill, Planning Technician II, City of Ridgecrest
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 factor 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 measure from Section XVII, "Earlier Analysis," may be cross-referenced).
- 5.) Earlier analysis 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 individual contacts should be cited in the discussion.
- 8) This is only a suggested plan, 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.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a. Have a substantial adverse effect on a scenic vista?		X		
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings.				X
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?		X		
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures I. AESTHETICS.				
II. AGRICULTURAL 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 Prim 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?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
Comments: This site is not located in an area designated as farmland per City of Ridgecrest General Plan 1991-2010.				
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?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
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)?				X
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures III. AIR QUALITY.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES – Would the project:				
a. Have a substantial adverse effect, either directly or through habitual 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 Game or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c. Have a substantial adverse effect on formerly protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established use of native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures IV. BIOLOGICAL RESOURCES				
V. CULTURAL RESOURCES – Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	
Comments : See comments in Discussion of Potential Impacts and Mitigation Measures V. CULTURAL RESOURCES.				
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:				X
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 and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures VI. GEOLOGY AND SOILS				
VII. 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?				X

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b. 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?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
Comments: No known significant hazards have been identified on the subject parcels per the City of Ridgecrest General Plan 1991-2010.				
VIII. HYDROLOGY AND WATER QUALITY – Would the project:				
a. Violate any water quality standards, waste discharge requirements?				X
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)?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		X		
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		X		
f. Otherwise substantially degrade water quality?				X
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?		X		
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?		X		
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures VIII. HYDROLOGY AND WATER QUALITY.				
IX. LAND USE AND PLANNING – Would the project:				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures IX. LAND USE AND PLANNING.				
X. 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?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Comments: No presence of mineral resources per City of Ridgecrest General Plan 1995-2010.				
XI. 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?				X
b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above the levels existing without the project?			X	
e. For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures XI. NOISE				
XII. POPULATION AND HOUSING - Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures XII. POPULATION AND HOUSING.				
XIII. PUBLIC SERVICES				
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:				
a. Fire Protection?			X	
b. Police Protection?			X	
c. Schools?		X		
d. Parks?			X	
e. Other public facilities?			X	
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures XIII. PUBLIC SERVICES.				
XIV. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Comments: The project includes construction of two parks. There is no evidence in the record to date to show that implementation of the project, as proposed, would result in substantial adverse impacts on park or recreational facilities or necessitate the construction or expansion of such facilities.				
XV. TRANSPORTATION/TRAFFIC – Would the project:				
a. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?				X
f. Result in inadequate parking capacity?				X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
Comments: The project will require the design of the new streets is consistent with the City of Ridgecrest General Plan 1991-2010 Circulation and Transportation Elements and Engineering Standards. A Traffic Study was done with the following recommended mitigation measures: No off-site mitigation is recommended per Traffic Study Prepared for Wild Pointe Ranch by Cornerstone Engineering, July 2008. All study intersections are expected to function with very little increased delay.				
XVI. UTILITIES AND SERVICE SYSTEMS – would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X
Comments: See comments in Discussion of Potential Impacts and Mitigation Measures XVI. UTILITIES AND SERVICE SYSTEMS				
XVII. 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?		X		
b. Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c. Does the project have environmental effects that will cause substantial adverse			X	

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
effects on human beings, either directly or indirectly?				

DISCUSSION OF POTENTIAL IMPACTS AND MITIGATION MEASURES

I. AESTHETICS

No scenic resources are present on the site. However, Ridgecrest Boulevard is proposed as a scenic corridor. Landscaping and fencing design along Ridgecrest Boulevard shall be submitted and approved by Planning Department staff before construction. Land uses in the general vicinity are a mixture of developed and undeveloped commercial and single-family lots. Given the commercial nature of the project and surrounding land uses, any impacts on the existing visual character or quality of the site and its surroundings would not be significant.

Street and parking lights are subject to City of Ridgecrest Development Standards. After full project buildout, new sources of glare will be created. No specific information currently exists regarding the lighting to be incorporated in the commercial portion of the development, but commercial development typically includes lighting for security and aesthetic purposes.

A mitigation measure is proposed to ensure that any future lighting installed is fitted with a hood or "glare shield" to ensure that the project's impact on nighttime views is reduced to a less than significant level. Specifically, light and glare from on-site exterior lighting fixtures shall be minimized by providing hoods, screens or other methods for directing lights downward to ensure that the project's potential impacts on nighttime views is reduced to a less than significant level. In addition, all commercial lighting will be directed away from adjacent roads and properties.

III.b AIR QUALITY

During construction, the applicant will comply with all dust control measures required by Kern County Air Pollution Control District (KCAPCD) Rule 402 (Fugitive Dust). For purposes of this rule, the project would be considered a "Large Operation," i.e., any active operation, including vehicle movement on unpaved roadways, on property involving in excess of 100 contiguous acres of disturbed surface area. The applicant will comply fully with all applicable dust control measures recommended by the KCAPCD. In addition, the applicant will ensure that all vehicles used for construction will be equipped with EPA/ARB certified engines.

The project will be accessed by paved roads; N. & S. Brady St., W. Ridgecrest Blvd, N. & S. Mahan St., W. Las Flores Ave. and will therefore not contribute to offsite dust impacts.

IV BIOLOGICAL RESOURCES

Environmental Setting

The site is at an elevation of 2,290 feet. The habitat is creosote bush scrub. The dominant perennial species is *Larrea tridentate* (creosote), *Ambrosia dumos* (burobush) and *Senna armata* (desert senna). Common annuals include *Erodium cicutarium* (filaree) and *Schismus barbatus* (split grass). Soils are primarily sandy loam with some pebbles. Topographically the site is generally flat with a few low hills (10 to 20 feet elevational gain), and drainage is via a few washes and sheet flooding. The slope is low, approximately two to three percent, and the aspect is to the northeast.

The Critical Habitat Impact Evaluation for threatened or endangered species on this site was 34 out of a maximum of 40. A ranking of 34 indicates that the site is heavily impacted by human use. The primary human impacts were from adjacent urbanization, roads, off-road vehicle use, dogs and dumping. Several factors should be taken into consideration in assessing the property for development, including (1) the project proposed would be in-fill which is surrounded by existing development; (2) the land has already been impacted by various human activities; and (3) the property is not and will not be part of a larger, functional ecosystem.

Mojave Ground Squirrel

The project site lies within the known range of the Mojave ground squirrel (*Spermophilus mohavensis*), a state-listed threatened species. This species has a relatively limited range, occurring in southwestern Inyo, eastern Kern, northwestern San Bernardino and northeastern Los Angeles counties. Peter Woodman with Kiva Biological Consulting conducted a Biotic Assessment on the property in October 2005, outside the U.S. Fish and Wildlife Service window of March 1 to June 1. No Mojave ground squirrels were observed during the survey, although no trapping was conducted.

After engaging in preliminary discussions with California Department of Fish and Game (CDFG) representatives, the applicant initiated a three-phase trapping survey for Mojave ground squirrels. The first phase was conducted from April 13-17, 2006. Although no Mojave ground squirrels were observed, a single adult male Mojave ground squirrel was captured on the fourth afternoon of the study. At that point, the trapping survey ceased and a report was prepared for submission to CDFG. Mr. Woodman updated the 2005 Biotic Assessment in February 2008; no Mohave ground squirrels were observed, but because a Mohave ground squirrel was trapped in 2006, Mr. Woodman recommended consultation with CDFG to determine appropriate mitigation and compensation measures. The applicant has been negotiating with CDFG and will obtain a take permit pursuant to Section 2081 of the California Endangered Species Act with the appropriate designation of mitigation acreage to compensate for the anticipated impacts. The take permit, along with the designation of appropriate mitigation acreage, will fully mitigate for the potentially significant impact of this project on the Mojave ground squirrel.

Burrowing Owl

The site is within the known range of the burrowing owl (*Athene curicularia*). While not a state or federally listed species, the burrowing owl is protected under the federal Migratory Bird Treaty Act, which makes it unlawful to take, possess, buy, sell, purchase or barter any migratory bird listed in 50 CFR Part 10, including feathers or other parts, nests, eggs or products, except as allowed by implementing regulations (50 CFR Part 21). The burrowing owl is a species of special concern in California because of declines in suitable habitat and both localized and statewide population declines.

Kiva Biological Consulting conducted a Biotic Assessment in October 2005, and one burrowing owl was located near the center of the site. The owl was using a burrow located in a five-foot deep pit. The owl did not appear to have been using the burrow for a long time because only a few pellets and splats of whitewash were found. The burrow had a single entrance and was a minimum of 1.5 meters long.

Kiva Biological Consulting updated the 2005 Biotic Assessment in February 2008. The burrowing owl found in 2005 was no longer present in the burrow, which was almost filled with dirt. No pellets or whitewash were observed. However, Mr. Woodman observed whitewash and pellets at a different burrow on the property. The feathers of a dead burrowing owl were found 10 meters from the burrow. Mr. Woodman concluded that a bird of prey probably killed and plucked the owl at the site and that a raptor, coyote or dog scavenged the body.

Because no burrowing owl was found at the site, no mitigation is required other than to conduct a preconstruction survey 30 days before any ground disturbance on the site. If a burrowing owl is found during the preconstruction survey, the applicant will follow applicable CDFG guidelines for relocating the burrowing owl before construction activities continue.

Desert Tortoise

The desert tortoise (*Gopherus agassizii*) has been listed as a threatened species by the State of California as well as the federal government. Kiva Biological Consulting conducted a Biotic Assessment for the desert tortoise in October 2005, which was updated in February 2008. Mr. Woodman found no live desert tortoises or desert tortoise sign on the property during either survey. In addition, the project site is not within Critical Habitat for the desert tortoise nor is it within a Desert Wildlife Management Area. While Mr. Woodman observed that the project site is at the edge of Ridgecrest and that some desert tortoises may still exist to the west and southwest of the site, he concluded that, given the long-term impacts to potential habitat in the area, the site does not support a viable desert tortoise population. Therefore, no mitigation measures are necessary.

V. CULTURAL RESOURCES

This site is not known to be one of cultural or archaeological significance per City of Ridgecrest General Plan 1991-2010 and the San Joaquin Valley Archaeological Information Center. However, construction at the site will halt in the event that cultural resources or human remains are found, and the San Joaquin Valley Archaeological Information Center will be contacted before construction activities resume.

VI. GEOLOGY AND SOILS

The site is not located in an Alquist-Priolo zone. No known active faults exist within the boundaries of the site. The closest active fault, the Little Lake Fault, is almost 2 km away from the site.

Arrow Engineering prepared a Soils Engineering Report on the property, dated May 10, 2006. According to the report, the site may be subject to seismic ground shaking since the project is in Seismic Zone 4, although the site is not unusually sensitive to seismic risks. Any building or structure constructed on this site should be designed to at least the minimum code standards for Seismic Zone 4, as designated by the latest edition of the California Building Code ("CBC"). Arrow Engineering also concluded that the preliminary expansion index of the on-site soil is in the "very low" classification.

In view of the relatively firm silty sands, relative densities, cohesion and depth to groundwater (100 ft), preliminary liquefaction analysis indicates that the potential for onsite liquefaction or seismically induced dynamic settlement is not probable. Provided recommendations from the soils report are incorporated into the site development, Arrow Engineering believes that the proposed grading on the site will not adversely affect the stability of the site or adjacent properties and, thus, will not be susceptible to hazards from landslides. In addition to full compliance with the CBC, the following recommendations are adopted as mitigation measures: (1) compliance with American Society for Testing and Materials ("ASTM") D 1557-91 soil compaction test procedures; (2) compliance with California Occupational Safety and Health Administration standards for trenches or excavations deeper than five feet; and (3) compliance with recommendations for mix design, curing, joints and reinforcement as promulgated by the Portland Cement Association.

Project site soils can be susceptible to wind erosion. Sporadic torrential rains can cause flash flood events that can create significant erosion. Work regarding excavation, grading and earth-work construction, fills and embankments will be addressed through adherence to Chapter 16 of the City Municipal Code.

VIII.c. HYDROLOGY AND WATER QUALITY

A Preliminary Flood Study for TTM 6691 was conducted in August 2005 and updated in February 2008. According to the study, the Federal Emergency Management Agency(FEMA) flood zoning maps have designated TTM 6691 as lying primarily in Flood Zone C, with portions of the site lying in Flood Zone A.

Flood Zone C areas are subject to minimal flooding while Flood Zone A areas are within the limits of the 100-year flood. Existing drainage patterns and topographical data as described in the City of Ridgecrest Master Drainage Plan (1989) are shown in Figure 1 and Table 1 of the Preliminary Flood Study. Water generally flows across the site from southwest to northeast. With existing development, about 81 cubic feet per second (cfs) (10-year flow) of drainage would be routed past the site. In the ultimate developed condition, 190 cfs are estimated to flow through the site from the southeast.

The site will include a 5-acre park/sump in the northeast corner of the site (APN 455-100-08). Per City of Ridgecrest Design Standards, the sump will be sized to hold a minimum of 8.0 acre- feet of water. The sump will be designed to hold all of the runoff from the project from a 10-year/24-hour storm. All of the internal streets and lots in the tract will drain to this sump at a minimum slope of 0.0025 feet per foot. Off-site flood waters that enter the site during a storm event will be routed through the site on the proposed streets. The flow will be directed to the sump, and any excess flow will be released on to the Las Flores and Mahan Street rights of way. Off-site tributary areas will be analyzed and 100-year flood volumes will be computed.

A final flood study will be conducted at the time of site grading to determine base flood elevations. This study will be submitted to and approved by the City prior to the issuance of grading permits. The finished floor for the project will be set one foot above base flood elevation or the top of adjacent curb, whichever is highest, per Kern County development standards.

IX.b. LAND USE AND PLANNING

The applicant proposes a zone change from E-1 to E-1.5, with a minimum lot size of 20,000 square feet. The existing Ridgecrest Zoning Ordinances provide for a zone of E-1, with a minimum lot size of 40,000 square feet; E-2 with a minimum lot size of 10,000 square feet; and E-3, with a minimum lot size of 7,500 square feet. The Planning Department staff has agreed to recommend a Zoning Ordinance Text Amendment to create the new estate zone district of E-1.5, which will be considered concurrently with TTM 6691 and the proposed GPA and ZC. The Project contains 192 lots to be zoned E-1.5.

XI. NOISE

The City of Ridgecrest is adjacent to China Lake Naval Air Weapons Station ("NAWS"). Therefore, all areas of the city are exposed to varied degrees of airport noise.

In the 1970s, the Department of Defense established the Air Installation Compatible Use Zone ("AICUZ") program, which is intended to promote compatible land use at military installations and in surrounding communities and to protect the health, safety and welfare of civilian and military personnel in areas adjacent to military airfields. In compliance with the AICUZ program, NAWS prepared an initial study in 1997, which analyzed several airfield operational scenarios and quantified noise and accident potential zones for a preferred operational profile that established NAWS airfield flight patterns and air corridors. A 2004 Environmental Impact Statement evaluated three operational scenarios and identified a 25% increase in airfield and range flight operations as the preferred alternative.

In 2007, NAWS completed a new AICUZ study intended to replace the 1997 study. The 2007 AICUZ included several recommendations for NAWS action, city and county action, Bureau of Land Management action and all AICUZ participants. Included with the suggestions for city action were recommendations to: (1) continue to provide CEQA notifications to NAWS for review and comment on City discretionary land use actions; (2) incorporate the AICUZ Military Influence Area ("MIA") and land use compatibility recommendations in the Ridgecrest General Plan Update and proposed Indian Wells Valley Specific Plan; and (3) develop and implement a policy requiring a site-specific evaluation for any proposed General Plan Amendment or Zoning Changes that would create residential projects or increase allowable density of existing designated residential development in an area identified as impacted by noise or safety concerns and require appropriate notification of potential aircraft noise and flight safety risk to realtors, buyers, sellers and residents of land within the flight corridors of the MIA.

In response to recommendations for NAWS action, the Department of the Navy has shifted the primary departure flight zones to the west. Therefore, the project site is not expected to be significantly impacted by overhead flights.

According to the 2007 AICUZ, the anticipated noise levels fall well below significance levels. Nonetheless, the project is in a MIA because of the nearby flight corridors. In keeping with AICUZ recommendations and to ensure that all future residents are aware of the MIA, prior to issuance of certificates of use and occupancy, the applicant must demonstrate that future residents will be informed of the MIA. This demonstration may take the form of a covenant to that effect recorded on the project site or through disclosure forms to be signed by new residents. The disclosure form will provide that each resident acknowledges that he/she is moving into an MIA and that military operations may affect the community. In addition, the City will notify the NAWS of this project and seek comment on this application and will incorporate any additional mitigation measures recommended by NAWS.

XII. POPULATION AND HOUSING

The City of Ridgecrest General Plan 1991-2010 has identified adequate vacant areas for a variety of residential uses, including this project site. The site is vacant and is surrounded by sparse development and vacant lots. There is a dense residential development to the northeast. The project is not expected to induce substantial growth but accommodate growth expected from the China Lake Naval Air Weapons Station Base Realignment and Closure plan.

XIII. PUBLIC SERVICES

Schools

The applicant will pay required development fees to mitigate for any impacts to schools. Pursuant to Resolution #20 0708 of the Governing Board of the Sierra Sands Unified School District, applicant will pay \$2.97/ square foot of residential building space and \$0.47 per square foot of commercial building.

Each residential unit will have an average of 2,400 square feet; therefore, the applicant will pay an average of \$7,100 per residential lot or a total of approximately \$1.6 million. The commercial space is estimated at 87,200 square feet; therefore, the total estimated fee will be \$40,984. Payment of these developer fees is anticipated to fully mitigate for any impact on the Sierra Sands Unified School District.

Sewer Services

The sanitary sewer system for this project will tie into the existing City of Ridgecrest 8" sanitary sewer gravity line at the intersection of Las Flores Avenue and Mahan Street.

Cornerstone Engineering conducted a Sanitary Sewer Study in March 2008 and updated August 2008, the purpose of which was to calculate the design sanitary sewer discharge from the subject project and determine what effect the project discharge will have on the existing City of Ridgecrest collection system and make appropriate recommendations.

a. Sewer System Design and Analysis

The tributary area for the existing system was broken up into 40 different branches and annotated with letters from A to NN. Tributary branch boundaries were then delineated to determine discharge volumes and connection points to the Las Flores/China Lake line. Each segment reach of the Las Flores/China Lake pipe line was then numbered from east to west for a total of 36. An exhibit map delineating each branch is included in the study. Each reach section is also labeled on Exhibit 1 in the exhibit maps section at the back of the study.

Cornerstone Engineering then built a spreadsheet to determine the sewer demand from each tributary branch and the capacity of the subsequent reach for the various scenarios. For future buildout, it was

assumed that all vacant land with residential entitlements (per City of Ridgecrest Land Use maps) would ultimately be developed to an average density of 4 units/ acre.

Finally, Manning's Pipe Calculator in AutoCAD was used to determine the capacity for each reach section. The capacity values were compared with demands on the pipes to understand which pipe reach sections could be exceeding capacity.

b. Study Results

Results from the modeling of the four scenarios can be seen in Tables 1.0, 1.1, 2.0 and 2.1 of the study Appendices. Cornerstone Engineering determined that the existing system is currently inadequate in reaches 19 through 23 and in reaches 29 through 36. The design discharge from Wild Pointe Ranch is expected to be 0.315 cfs. When this design discharge is added to the existing system, reaches 19 through 36 all exceed capacity.

Cornerstone Engineering further determined that at future buildout of existing entitlements, system reaches 19 through 36 all exceed capacity. Cornerstone Engineering concluded that all 10" lines within this range must be upsized to a 12" or 15" line while all existing 15" lines must be upsized to an 18" line. In the future buildout-plus project scenario, all 10" lines from reach 19 and above must be replaced with 15" pipe, 15" lines must be replaced with 18" pipe.

c. Recommendations

Cornerstone Engineering has recommended that reach sections 17 and 19-36 be upgraded before TTM 6691 is built out. To account for future growth, all lines to be replaced should accommodate the future buildout plus project scenario as described in Table 2.2 of the study. Cornerstone Engineering recommended upsizing reach section 17 to a 12" diameter pipe and sections 19-23 to 15" diameter PVC pipe and replacing sections 24-36 with 18" diameter PVC pipe.

The total cost of installation of the new pipes is estimated to be \$983,664. It is recommended that this cost be allocated proportionately for all new residential development on a per-unit basis and for all new commercial development on a per-acre basis. Thus, the cost for sewer improvements will be approximately \$622 per future residential unit and \$5,218 per future commercial acre.

d. Summary/Mitigation Measures

With the development of TTM 6691, a design flow of 0.315 cfs (203,737.5 gpd) of sewage effluent will be added to the Las Flores/China Lake line. Cornerstone Engineering has concluded that the pipe is currently over capacity at thirteen reach sections within the line, even without the development of TTM 6691. Thus, the sanitary sewer system should be upgraded with or without the development of TTM 6691. With the addition of TTM 6691, the line would exceed capacity at eighteen reach sections. Even without the addition of TTM 6691, all eighteen reach sections would exceed capacity with the onset of future growth within the vacant lots of the tributary area. With the development of TTM 6691 and all vacant lots within the tributary area, nineteen reach sections will be over capacity. The installation of the new pipeline will cost approximately \$984,000, with TTM 6691's proportionate share being approximately \$190,000. The sewer study findings are preliminary and the applicant shall be required to provide a more detailed sewer capacity study, which will include the results of a flow monitoring survey on the trunk line segments that appear to be inadequate.

Three alternative scenarios are recommended to mitigate for the potential sewer deficiencies. The first scenario would entail the applicant paying the recommended \$190,000 sewer improvement fee into a City of Ridgecrest sewer fund. All other new development would pay into the fund based upon the per-unit/per-acre costs listed above in this report. The City of Ridgecrest would then use the capital from the fees collected to upgrade the entire system in the future.

The second scenario would involve "opening day mitigation," so that the applicant would apply its proportionate share (\$190,000) to sewer upgrades that would be installed by the applicant before

recording of the first phase of TTM 6691. The upgrades would be performed on the existing sewer lines in the tributary area with the greatest demand-to-capacity ratio, or the portions of the system that most need upsizing. In this scenario, the system would not have to wait until additional vacant properties in the tributary area were developed before any actual improvements to the sewer system would take place.

Under the third scenario, the City would impose appropriate sewer connection fees to fully mitigate for this impact.

e. Updated Study

Cornerstone Engineering updated its sewer study in August 2008 at the request of the City Engineer, who has indicated that the City has not observed surcharging in the wastewater collection system trunk lines identified in the study. The City had planned to install wastewater flow meters to confirm the conclusions of the study. However, the City has postponed purchase of the flow meters indefinitely due to City budget constraints.

The applicant has offered to pay for the rental of two flow meters for the City to install in manholes at the Werner/Las Flores and Balsam/Argus intersections and collect data for one week. However, due to recent flooding events and a backlog of work at the City, the installation of the flow meters is not possible at this time. Nonetheless, the applicant remains prepared to supply the flow meters when feasible. Prior to the development of sewer designs for the project, a final report should be prepared and delivered to the City Engineer which includes at least a week of trunkline flow monitoring. The monitoring data will be used to further calibrate the assumptions of Cornerstone's preliminary study and confirm the capacity of the existing sewer trunk system. The mitigation measures recommended above are considered to be conservative and should therefore should fully mitigate project impacts regardless of the outcome of any subsequent trunkline flow monitoring.

XV. TRANSPORTATION/TRAFFIC

Cornerstone Engineering prepared the Traffic Study for Wild Pointe Ranch in January 2008 based on a traffic engineering investigation. No off-site mitigation measures are recommended to compensate for the increase in traffic anticipated due to the project. All study intersections are forecasted to function with less than significant increased delay. Adjacent half-street improvements and all proposed internal streets should be constructed in order to facilitate access to all newly created parcels.

The project should be approved without off-site mitigation measures. Internal and adjacent street improvements should be included in the project's conditions of approval. All traffic impacts are considered negligible and are expected and appropriate for this proposed neighborhood. To mitigate for any unforeseen impacts, the applicant will pay the required traffic impact fees. The traffic impact fees to be paid by applicant are estimated at \$402,000 for the 228 residential lots in the development and approximately \$373,826 for the 87,200 square feet of commercial space.

Cornerstone Engineering updated the study in July 2008 at the request of the City Engineer to develop new traffic counts at the intersections of Mahan and Las Flores and Mahan and Ridgecrest. However, the potential impacts did not change and the proposed traffic impact fees described above are expected to fully mitigate those impacts.

XVI. UTILITIES AND SERVICE SYSTEMS

The applicant has received a will-serve letter from Indian Wells Valley Water District dated May 13, 2008. There is no evidence in the record to date to show that implementation of the project would require or result in the construction of new or expanded water or wastewater treatment facilities which would cause significant environmental effects. Pursuant to a recent study conducted by the City Public Services Department, the City has sufficient capacity to provide wastewater services for the project. The applicant proposes to build a stormwater sump with storm drain pipe; however, impacts will not be significant. The

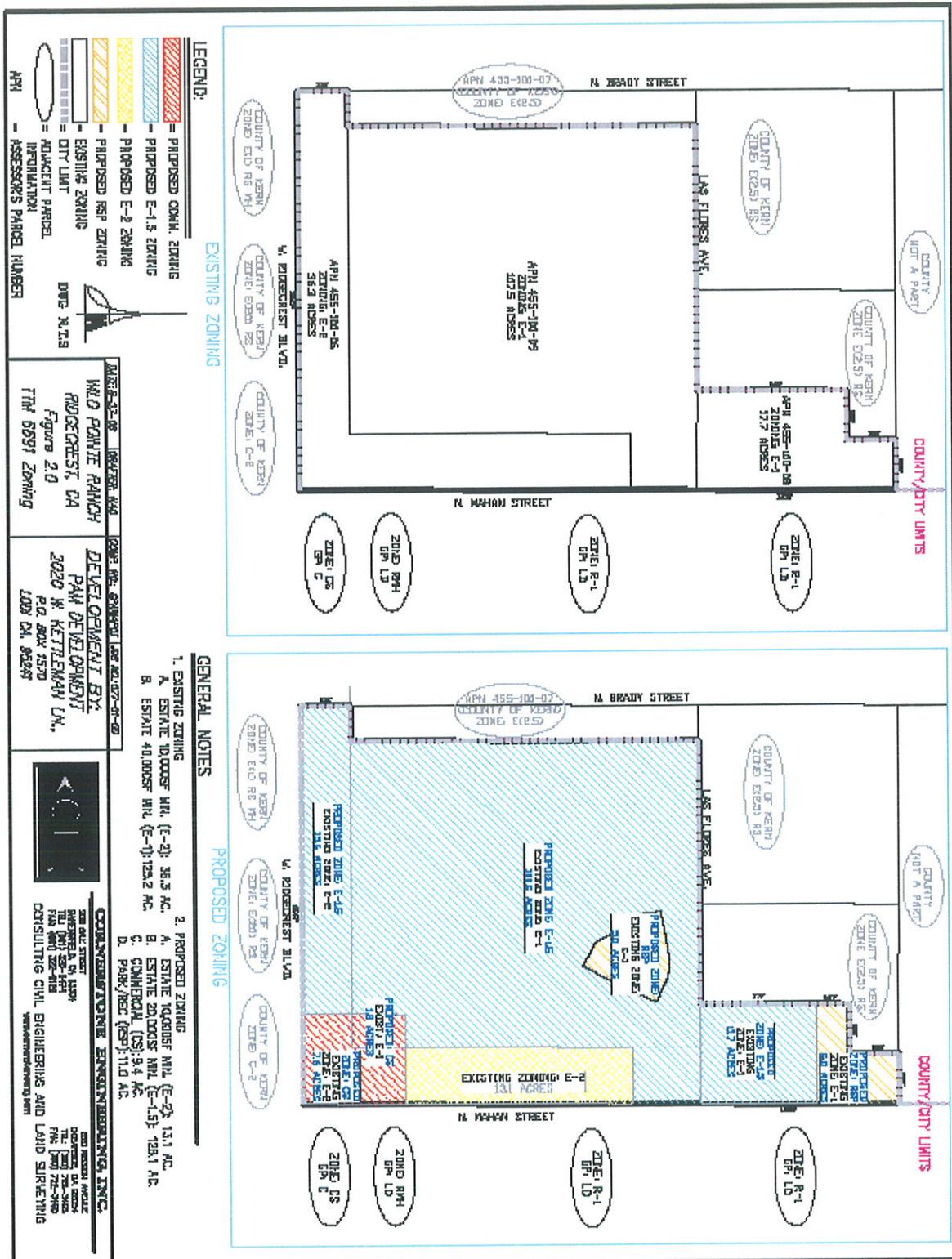
project is within the boundary of the Ridgecrest landfill and service area of Ridgecrest Sanitation. The Ridgecrest landfill still has capacity to accommodate the project. Implementation of the project is not expected to result in substantial adverse impacts on existing landfills and will comply with federal, state, and local statutes applicable to solid waste.

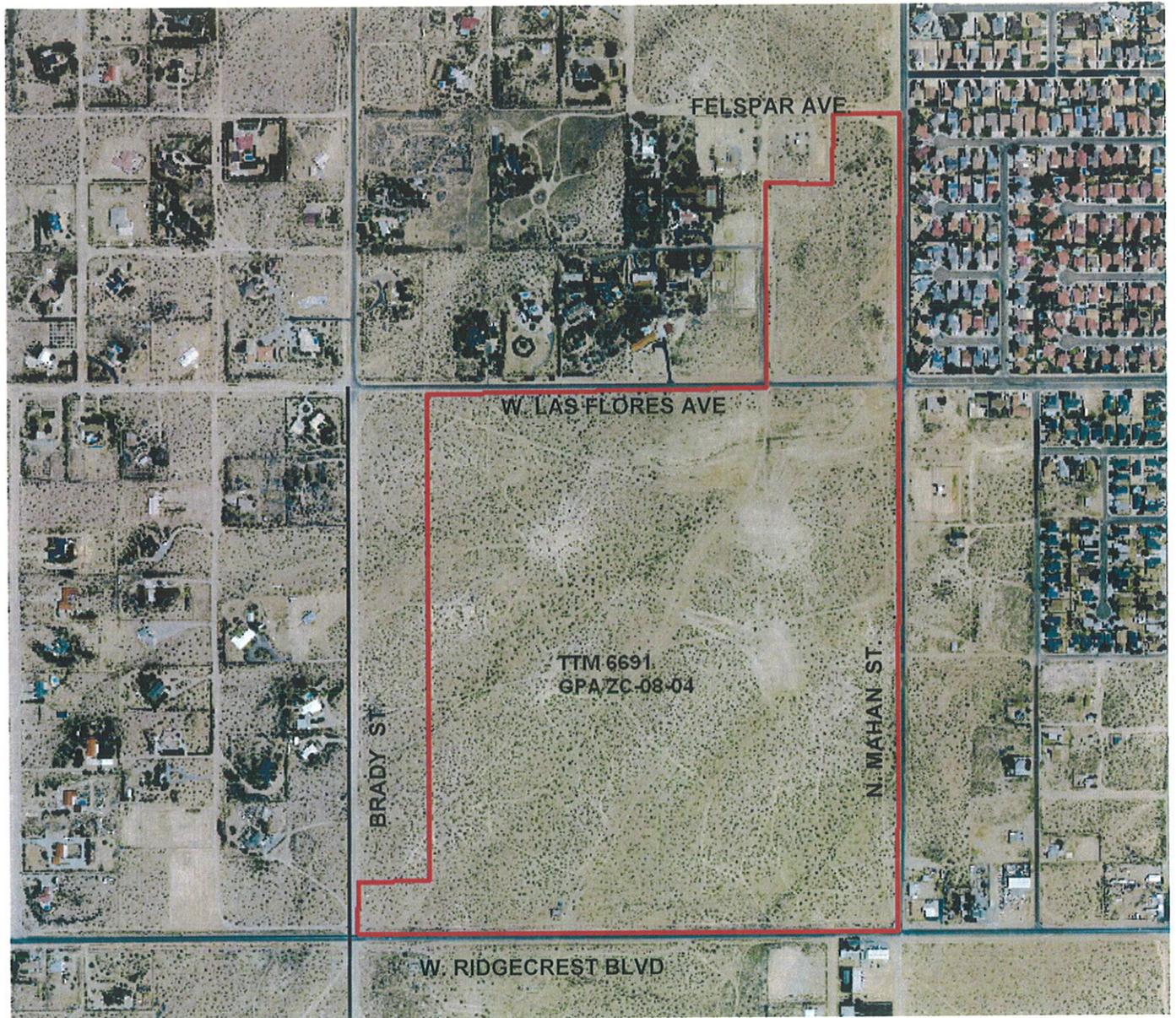
Although the project is not anticipated to result in a significant impact, the Kern County Waste Management Department has recommended the following mitigation measures, which will be incorporated into the conditions of approval for the project:

- The applicant should implement or participate in a program to recycle or divert the demolition and construction waste stream, green waste, electronic waste, municipal and commercial solid waste. A good recycling program can be an effective mitigation measure for these purposes.
- The applicant will generate construction and demolition debris. Kern County charges up to \$38.25 a ton at the landfill for disposal of this waste stream. Many local businesses recycle construction and demolition debris. The applicant should include measures for recycling construction and demolition waste to the greatest extent feasibly possible.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- (a) Based on the foregoing evaluation, the proposed project is not expected to have significant impacts that cannot be reduced to a level of insignificance through implementation of existing regulatory requirements and the proposed mitigation measures.
- (b) The impacts of this project are not considerable when viewed in connection with the effects of past, present or probable future projects.
- (c) The project has no non-mitigatable consequences for human health





Project Aerial View

Bibliography

The following items are available for review at the City of Ridgecrest, Planning Department during regular business hours. Contact: Pamela Hill, Planning Technician II at 760-499-5066 or by email at phill@ci.ridgecrest.ca.us.

1. Air Installation Compatible Use Zone Study (AICUZ) dated May 2007 by Naval Air Weapons Station, China Lake (NAWS)
 2. Biotic Assessment dated February 2008 by Kiva Biological Consulting (*Attached to Dept. of Fish and Game and U.S. Dept of Fish and Wildlife copy*)
 3. City of Ridgecrest General Plan 1991-2010
 4. City of Ridgecrest Land Use Maps – Current
 5. City of Ridgecrest Master Drainage Plan (1989)
 6. City of Ridgecrest Municipal Code - Current
 7. City of Ridgecrest Zoning Ordinance Text Amendment – Pending for E-1.5 (*attached to NAWS copy*)
 8. Flood Study-Preliminary dated February 2008 by Cornerstone Engineering
 9. General Plan Amendment GPA-08-04 *Figure 1* and Zone Change ZC-08-04 *Figure 2* (*attached*)
 10. Draft Mitigated Negative Declaration (*attached*)
 11. Sanitary Sewer System Study – Preliminary dated August 2008 by Cornerstone Engineering
 12. Soils Engineering Report-Preliminary dated May 10, 2006 by Arrow Engineering
 13. Tentative Tract Map – TTM 6691 (*attached*)
 14. Traffic Study dated July 2008 by Cornerstone Engineering
- Will Serve Letter – Water dated May 13, 2008 by Indian Well

Proposed Zoning Ordinance Text Amendment for E-1.5 (20,000 s.f.)

After Section 20-6 (Estate Density) of Chapter XX (Zoning) of the City of Ridgecrest Ordinances, add the following new Section 20-7 and renumber the subsequent sections accordingly.

20-7 E-1.5 Estate

20-7.1 Purpose and Intent

To provide living areas which combine certain advantages of both urban and rural location by limiting development of low-density concentration of one-family dwellings and permitting a limited number of animals to be kept for pleasure or hobbies, free from activities of a commercial nature.

20.7-2 Permitted Uses

- a. A one-family dwelling.
- b. Accessory buildings and structures located on the same parcel of land.
- c. Private greenhouses and horticultural collections, flower and vegetable gardens and fruit trees not intended for commercial purposes.
- d. Home occupations.
- e. The keeping of domestic animals as regulated by subsection 20-5.1b.
- f. Second Units subject to the requirements of subsection 20-8.12.

20-7.3 Conditional Uses. The following uses may be permitted subject to the application for a conditional use permit per Section 20-21 of the Code:

- a. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges, day care centers, nursery schools, private nonprofit schools and colleges, churches, parsonages and other religious institutions.
- b. Public and private charitable institutions, hospitals, sanitariums, rest homes and nursing homes, not including hospitals, sanitariums, rest homes or nursing homes for mental or drug addict or liquor addict cases.
- c. Public uses of an administrative, recreational, public service or cultural type including City, County libraries, museums, art galleries, police and fire stations and other public buildings, public playgrounds, parks and community centers.

d. Electrical distributions substations, gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.

e. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision and temporary subdivision sales offices and signs and model home display areas.

20-7.4 *Site Area.* The minimum site area shall be 20,000 square feet.

20-7.5. *Building Height and Coverage.* Building height and coverage shall be as set forth in the R-1 District.

20-7.6. *Lot Frontage.* Each lot shall have no less than 80 feet of frontage on a public street, unless located on a knuckle or cul-de-sac. In this case, the front yard width as scribed by the radius arc shall be no less than 55 feet.

20-7.7 *Lot Width.* The minimum width of each lot shall be no less than 80 feet except as provided in subsection 20-7.6.

20-7.8 *Lot Depth.* The minimum depth of each lot shall be no less than 120 feet.

20-7.9 *Site Density.* Not more than one dwelling unit shall be permitted on each site.

20-7.10. *Yard Requirements.* The front, rear and side yards shall be no less than those set forth in the R-1 District.



CITY OF RIDGECREST

PHONE 760-499-5082

FAX 760-499-1580

100 WEST CALIFORNIA AVENUE • RIDGECREST, CALIFORNIA 93555-4045

5 June 2008

Tract 6691 Wild Pointe Ranch
Traffic Study, Sewer System and Drainage Studies Review

Traffic Study

A traffic study was conducted by Cornerstone Engineering for Tract 6691. Apparently the field traffic counts for this study were conducted in November of 2005. Since that time a number of projects or are planned which impact the present and future field traffic counts. Those projects which have been completed are as follows:

Construction of Mahan Street from Upjohn Avenue to Ridgecrest Boulevard. At the time of the traffic counts this was a dirt road now it has 2-12' travel lane and 11' parking land all the way through. At the intersection and for about 800 feet south it is 4-12' travel lanes and 2 parking lanes. Also, Mahan Street from Ridgecrest Boulevard to Las Flores Avenue has been widened. This results in a continuously paved road from Springer Ave. to Inyokern Road and provides an alternate route from and to Ridgecrest Heights and the Base. Queing of traffic at the Mahan and Ridgecrest intersection on Mahan during peak hours indicates the need for some form of traffic control at that intersection.

Brady Street to the west of the project has been paved from Ridgecrest to Las Flores. This provides a continuous paved route on Brady from Ridgecrest to Inyokern Road and has modified the traffic pattern and volume in the general area since the 2005 counts.

The Kern County Roads Department indicates that they are planning on paving Las Flores Avenue (now a dirt road) from Brady to Jack's Ranch Road in the near future. This will further modify the traffic patterns and volumes in the area since the 2005 counts.

The traffic study should be updated to reflect these changes.

Sewer Study

A sewer study was conducted by Cornerstone Engineering to determine the adequacy of the existing downstream wastewater collection system to convey the wastewater flows from Tract 6691. The results of the study indicate that even without Tract 6691 the existing collection system is operating at over capacity and needs to be reconstructed at 13 locations. Wastewater personnel were instructed to investigate these 13 locations to determine if in fact the lines in question were operating at over capacity and if there was any record of maintenance problems in the subject areas. They found no evidence that the lines were over capacity nor was there any record of higher than normal maintenance problems. The question of whether or not there is an existing capacity problem needs to be addressed in order to validate the assumptions as to flow rates made in the study.

Assuming the flow rates can be validated and the study is correct then eventually 18 sections of sewer main will need to be replaced with Tract 6691 and full build out of the tributary area at an estimated cost of \$984,000. The study proposes to impose a fee on the undeveloped areas to finance the reconstruction. The pro rata share of this cost for

Tract 6691 is approximately \$190,000 which the developer would pay. The political implications of a plan such as this, as well as, the Prop 218 implications need to be addressed. The possibility that the City might assume responsibility for replacement of the 13 sections of main that are allegedly over capacity now should be explored. After all the sewer mains in question were installed in 1952 and are 56 years old.

Drainage

The drainage study does not account for the recently constructed roadway embankment on Brady Street west of the site. This embankment and the culverts which were installed may require modification of the street layout in order to accommodate the outflow from the culverts. The drainage study should be revised to reflect these changes.

Joe Pollock
City Engineer



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
2008-TA-0592

September 25, 2008

Pamela Hill
City of Ridgecrest
Community Development Department
100 West California Avenue
Ridgecrest, California 93555

Subject: Planning Developments for Ridgecrest, California

Dear Ms. Hill:

This letter is in response to your correspondence, requesting comments on proposed land subdivisions and conditional use permits within your jurisdiction. Our assessment of these actions does not constitute a full review of potential effects to species listed pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)(Act). The purpose of these assessments is to identify the parcels that federally listed species may inhabit, and to advise you whether implementation of these proposed projects may result in take of a listed species.

Section 9 of the Act prohibits the “take” of listed species and could result in prosecution unless that take is authorized by the U.S. Fish and Wildlife Service (Service). Take is defined by the Act as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined as significant habitat modification or degradation that actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 Code of Federal Regulations 7.3). Harass is defined as an intentional or negligent act or omission that creates the likelihood of injury to listed species by annoying it to such an extent as to significantly impair normal behavior patterns which include breeding, feeding or sheltering (50 Code of Federal Regulations 17.3). Take may be authorized by the Service through the issuance of a biological opinion for Federal projects (section 7 of the Act) or an incidental take permit for non-federal projects (section 10(a)(1)(B) of the Act).

The following parcels are within the range of the desert tortoise (*Gopherus agassizii*), but implementation of a project on these sites would have low potential for take of individuals of this species.

<u>Project ID</u>	<u>Tracking Number</u>
APN 455-100-06	2008-TA-0592
APN 455-100-08	2008-TA-0592
APN 455-100-09	2008-TA-0592

The City of Ridgecrest should provide special notice to the proponents and to subsequent property owners that the project is within the range of the desert tortoise. In the event that the proponents, proponents' agents, subsequent property owners, or other concerned parties encounter a desert tortoise during development on the parcels listed above, the project proponents should suspend all ground-disturbing activities and contact the Service immediately.

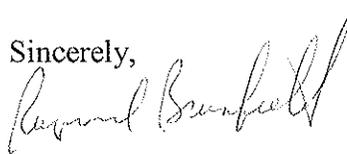
Please note that this letter does not constitute authorization for a project proponent to take a desert tortoise in any manner. If the development project results in unanticipated take of the desert tortoise or in the event that the desert tortoise is subsequently found within the project boundaries, the project proponent should suspend all construction activities and contact us immediately.

If field surveys are conducted for the desert tortoise, we request that you provide us with copies of the methods and results of the surveys. Specifically, we request that these results be provided to us in a Geographic Information System shape file. If this is not possible, please provide the results in an Excel spreadsheet that includes the UTM coordinates.

We also recommend that the City of Ridgecrest and the project proponents contact the California Department of Fish and Game to determine if any of the proposed projects require permitting under the California Endangered Species Act.

If you have any questions, please contact Judy Hohman of the Ventura Fish and Wildlife Service at (805) 644-1766, extension 304.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond Bransfield". The signature is written in a cursive style with a large, stylized initial "R".

Raymond Bransfield
Senior Biologist



KERN COUNTY WASTE MANAGEMENT DEPARTMENT

Daphne B. Harley, Director
2700 "M" Street, Suite 500
Bakersfield, CA 93301-2372
(661) 862-8900
(800) 552-KERN (option 6)
Fax: (661) 862-8905
<http://www.co.kern.ca.us/wmd/>

May 30, 2008

Mr. Kristopher Olson, P.E.
Cornerstone Engineering, Inc.
208 Oak Street
Bakersfield, CA 93304

RE: Wild Pointe Ranch

Dear Mr. Olson:

Thank you for the opportunity to comment on the Wild Pointe Ranch project. The proposed project will construct approximately 229 single-family homes on approximately 161.5 acres. The proposed project is located in Section 32, of Township 26 South, and Range 40 East M.D.B. & M in the City of Ridgecrest.

The Kern County Waste Management Department (KCWMD) has reviewed the proposed project and has the following comments:

Solid Waste Volume and Waste Hauling

The KCWMD has calculated that the proposed project may generate about 388 tons of solid waste per year. This calculation does not include the construction waste produced during development. The site is not located within a Universal Collection area, and the franchise hauler for the proposed project is Ridgecrest Sanitation.

Landfills

Solid waste generated by this project will most likely be disposed in the Ridgecrest Sanitary Landfill, located at 3301 Bowman Road; Ridgecrest, CA 93555. In 2007, the incoming solid waste stream to the referenced landfill was an average of 183 tons per day (tpd). This facility has a permitted daily capacity of 701 tpd and a remaining permitted capacity of 6,075,481 cubic yards with an estimated completion date of 2015. The proposed project would generate approximately 1.07 tons of solid waste per day, 0.21 percent of remaining permitted tpd. The Ridgecrest Sanitary Landfill has sufficient capacity to serve the project. It is unlikely that the proposed project will result in a significant impact to the Ridgecrest Sanitary Landfill.

Environmental Impacts and Recommendations

The City of Ridgecrest has recently developed a Local Assistance Plan for compliance with the AB 939 waste diversion requirements. The KCWMD recommends the developer contact the City of Ridgecrest to determine how this may impact the proposed Project.

The landfill capacity is a consideration in determining future solid waste impacts. Although the project is not anticipated to result in a significant impact, the KCWMD recommends the following mitigation measures in order to further reduce the daily incoming solid waste stream flows:

- The project proponent should implement or participate in a program to recycle or divert the demolition and construction waste stream, green waste, electronic waste, municipal, and commercial solid waste. A good recycling program can be an effective mitigation measure when developing the proposed CEQA documentation for this project.
- The proposed project will generate construction and demolition debris. The correspondence did not include any project construction and demolition waste generation estimates. The County charges up to \$38.25 a ton at the landfill for disposal of this waste stream. There are local businesses that recycle construction and demolition debris. The project should include provisions for recycling, to the greatest extent feasibly possible, for construction and demolition waste.

We look forward to seeing the project's Negative Declaration and appreciate being added to the notification mailing list. KCWMD may provide additional comments when the CEQA document is circulated for review and comment. If you have any further questions please contact Michael Dillenbeck at (661) 862-8907.

Sincerely,
DAPHNE B. HARLEY, Director



By: Nancy L. Ewert, P.E.
Engineering Manager
Technical Resources Division



DEPARTMENT OF THE NAVY

NAVAL AIR WEAPONS STATION
1 ADMINISTRATION CIRCLE
CHINA LAKE, CALIFORNIA 93555-6100

IN REPLY REFER TO:

5090
Ser OPDK/510
15 Oct 08

Mr. Matthew Alexander
Planning Department
City of Ridgecrest
100 W. California Avenue
Ridgecrest, CA 93555

OCT 20 2008

Dear Mr. Alexander:

Public Works Department staff has completed their review of development proposal TTM 6691, GPA / ZC 08-04 referred to as the Wild Pointe Ranch project. The proposed development is located on 161.5 acres situated north of Ridgecrest Boulevard and east of Mahon Street. This project would accommodate 228 single-family residential lots, two recreational parks and a shopping center. If approved, this undertaking would require a general plan amendment, a zone change and a proposed zoning ordinance text amendment. According to the adopted Ridgecrest General Plan Noise Element (Figure 7-2) this area is located within a 65 Combined Noise Equivalency Level zone.

The proposed project area is located below and adjacent to the Naval Air Weapons Station's departure flight tracks from Armitage Airfield. Increasing residential densities under departure flight tracks would increase the number of families potentially exposed to over-flight noise and inherent flight safety concerns. This condition could lead to unacceptable safety risks and increased annoyance factors that could constrain mission readiness. As such, we recommend that the City retain the current zoning and land use designation for this site, and promote a project design that conforms to existing land use directives.

We appreciate this opportunity to participate in the City's planning process. Should you have any questions, my point of contact on this and related matters is Mr. John O'Gara. He can be reached by phone at (760) 939-3213, or by e-mail at john.ogara@navy.mil.

Sincerely,

G.C. Peterson
Captain, U.S. Navy
Commanding Officer

**RECEIVED FROM SIERRA SANDS UNIFIED SCHOOL DISTRICT –
Nov.13, 2008**

COMMENTS ON WILD POINTE TTM 6691- PAM CORP.

Mrs. Hill;

Sierra Sands Unified School District is providing the following comment on the Wild Pointe Project.

PAM made the District aware of their plans early on. The District made PAM aware that their planned project(s) would have a significant impact on educational services. The District discussed the following with PAM:

- payment of Developer Fees at whatever rate is in effect for the District at the time of project commencement (currently, Level I School Fess are assessed)

and

- provision of a school site (the District believes that a middle school would be appropriate - additionally, it would be desirable to incorporate Joint Use between the District and the City in the form of a park which the District would utilize during school hours for school purposes. The park would be jointly used by the community when school is not in session. This item contained in the parenthesis were not discussed with PAM. Approximately 25 acres is an appropriate size for a middle school site. Additional acreage would be necessary to complete the park. The total number of acres is dependent upon City preferences.)

and

- also discussed was the potential for PAM to provide a school to the District.

The District has always maintained that the additional units would impact the schools in the boundary areas. PAM and the District discussed this impact and possible mitigation. It has always been the District's request that school fees be paid in addition to the provision by PAM of a school site and/or a school building.

While the District regrets that a District representative is unable to attend the upcoming Planning Commission meeting, Superintendent Mrs. Jody Rummer is available for discussion on Friday, November 14. The District expects to be able to attend subsequent Planning Commission meetings and would welcome the opportunity to discuss its concerns with PAM at any time.

VR

Elaine Janson

Elaine Wunderlich Janson
Chief Financial Officer
Sierra Sands Unified School District
113 Felspar St.
Ridgecrest, CA 93555
760-375-1582/ FAX 760-375-4562

Ref: General Plan Amendment and Zone Change GPA/ZC-08-04 & Tentative Tract Map TTM 6691

1. My home is located at 1201 Las Flores. I am concerned about the potential for flooding due to run off from the project. I am impacted by drainage down Las Flores and/or drainage that could find its way into the desert area behind my lot.

2. The south side of Las Flores from its intersection with Mahan to the west boundary of 1209 Las Flores does not have curbs and gutters. It also protrudes into the right lane of Las Flores making the lane unusable. This poses two problems. The first is that drainage would erode this area carrying sand down Las Flores. The second is that this would be a bottleneck to the increased traffic eastbound on Las Flores from the project.

3. A final concern is that there be financial responsibility by either Cornerstone Engineering or the City of Ridgecrest if flood damage occurs due to poor engineering.

Frank Deits
1205 W Las Flores
Ridgecrest, CA 93555
760-371-2281

Pamela Hill

From: bearcat.007@juno.com
Sent: Sunday, November 09, 2008 7:59 AM
To: Pamela Hill
Subject: gpa/zc-08-04 and ttm6691

dear Pamela hill.....thank you for the notice of 30 Oct 2008

i think this is a splendid idea and is long overdue in coming to ridgecrest. as you know it was begun once before but fell out.

so i think let the project begin, yes indeed.....good show.....thank you ed Leckey

Pamela Hill

From: Pamela Hill
Sent: Friday, November 14, 2008 1:54 PM
To: Matthew Alexander
Subject: Another WildPoint response

Mr. Stuart Breil 1548 W Las Flores, got his flyer yesterday (when I delivered it). Thanked me very much. Has complained before on the motorcycle activity on the parcel. Police tell him to call the county as it is not in the City. County will not come out. Thinks ½ is too dense and that 1 ac would be more compatible.

*Pamela Hill
Planning Technician II
City of Ridgecrest - Planning Department
100 West California Ave.
Ridgecrest, CA 93555-4054
760 499-5066 phill@ci.ridgecrest.ca.us*

COMMENTS:

Helen Johantgen called to comment on the Wild Point Project. Was not happy with the density, not compatible with neighborhood.

Robert Wagner, Las Flores Ave, came by to review the project drawings. Not happy with current dust and motorcycles, no one will do anything about it. Owner should be responsible. Not happy with the density.

INDIAN WELLS VALLEY WATER DISTRICT

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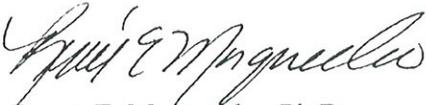
To: City of Ridgecrest
Planning Department
100 W. California Ave
Ridgecrest, CA 93555

Re: Tentative Tract Map 6691

To Whom It May Concern:

The Indian Wells Valley Water district can provide potable water service for normal use and fire protection, upon demand, without limitation, to the above referenced location, subject to all Indian Wells Valley Water District Ordinances, Rules and Policies, upon construction by the developer of any water system facility extensions; relocation of any existing water lines and/or existing fire hydrants; and/or additional improvements which may be found necessary, and the deposit of applicable charges and fees for obtaining water service.

Sincerely,



Renee E. Morquecho, Ph.D.
District Engineer

Matthew Alexander

From: Derrill Whitten [dgw@cornerstoneeng.com]
Sent: Friday, November 14, 2008 3:35 PM
To: Matthew Alexander
Cc: Kris Olson; Tom Fallgatter
Subject: RE: agecny comments - wildepointe ranch

Mathew

Here are the conditions that I would propose for the TTM 6691.

PUBLIC WORKS COMMENTS

Traffic: As we discussed, the memo from Joe is incorrect. We did recount the traffic on Mahan, at Ridgecrest and at Las Florez because Joe said that the paving of Mahan had caused an increase in the traffic on the street. We did not recount the other intersections in the study because Joe said that he did not see a significant increase in these other intersections from 2005. So, we took new counts where Joe felt they were needed and we used the old counts, with a 3% increase to account for traffic growth since 2005. The original traffic study was done for a tract map with about 460 dwelling units. The latest design is about half this amount. Needless to say, even with the new traffic counts which were higher along Mahan, the project density cut in half reduced the project impacts to insignificant. The traffic impact fees paid by the development will mitigate the traffic.

Sewer: The sewer study done by Cornerstone found that the sewer main in Las Florez is undersized for the area it is intended to serve. Another sewer study commissioned by the City back in the '80s found the same deficiency. However, the City has never experienced a sanitary sewer overflow on this line so there is some scepticism among staff with regard to the veracity of the study. Therefore we propose that the sewer study will be calibrated with a few weeks of field data collection to confirm the actual flow rates currently in the system. With this data, the sewer study will be revised to reflect the current conditions and recommendations. The developer will pay for the data collection rental, data collection and sewer study update. The City will use city staff to place and retrieve the data collectors. The sewer study will recommend improvements to the sewer collection system and cost estimates, subject to City approval. As mitigation, the developer shall pay a pro-rata share of these improvements to the city based upon his proportionate share of the flowrate. OR, at the discretion of the City, the developer shall install opening day improvements to the sewer collection system equal to his pro-rata mitigation fee.

I propose the following condition for sewer impacts:

The developer has prepared a sewer study identifying portions of the sewer collection system that may be deficient in size to accommodate the project. Prior to submittal of sewer plans, the developer will pay for field data collection and shall calibrate and update the sewer study with the field data. The City will assist the developer by providing staff to place and retrieve the data collectors in the collection system. The sewer study will recommend improvements to the sewer collection system and cost estimates, subject to City approval. As mitigation, the developer shall pay a pro-rata share of these improvements to the city based upon the project's share of the flowrate. OR, at the discretion of the City, the developer shall install opening day improvements to the sewer collection system equal to the pro-rata mitigation fee.

Drainage: I propose the following condition:

The developer has prepared a preliminary drainage study which shows the feasibility of the project. A final drainage study shall be prepared and submitted with the project grading plans. The study shall be reviewed and approved by the City Engineer. The study shall demonstrate the adequacy of drainage and flood conveyance facilities. All drainage and flood improvements shall be designed and installed in accordance with City standards and policies.

SCHOOL COMMENTS You and I have already discussed the school request and the fact that the site is not a good place for a school site because of the concerns raised by the Navy. In addition to this, the site is subject to flooding. It is relatively simple to convey the existing flood waters through the development in the streets as designed. If you plot a 25 acre school site down in the middle of the site, you have to take the flood waters around the school site. We are not saying that the school would flood, but that the access streets around the school would be subject to flooding which would

cause a nuisance. We dont think the location is a good school site. The project will be paying school mitigation fees which are intended as adequate mitigation for school impacts.

DEPT OF FISH AND WILDLIFE

You already have a condition that says that all development shall be done in conformance with state and federal law. It goes without saying, that the killing of a desert tortoise is a violation of federal law. I dont think that anything else is required. You will note in reading the USDI letter that after the long paragraph about what constitutes a "take" they end the letter with this little blurb:

The following parcels are within the range of the Desert Tortiose (Gopherus agassizii), but implementation of a project on these sites would have low potential for take of individuals of this species.

They don't seem to be too concerned and they have not asked for specific mitigation so I don't think that any additional conditions are required. Due to the fact that the site is heavily impacted by human activity, I find it doubtful that any Tortiose exist on the site. Never-the-less, we could include the following note to be included on all grading and improvement plans:

If, during the construction of these improvements, a desert tortiose is encountered on the construction site, all ground disturbing acitivities shall be halted and the US Fish and Wildlife service shall be contacted. Construction activities may resume only after the tortiose has been removed from the site in accordance with US Fish and Wildlife protocol.

SOLID WASTE

According to the County, landfill capacity is not an issue but they want mitigation for C and D materials. I propose the following:

During construction of the project, the project developer shall implement measures to recycle or divert the construction waste stream away from the county landfill to the greatest extent possible.

Derrill G. Whitten Jr., PE, LS

CORNERSTONE ENGINEERING, INC

208 Oak Street

Bakersfield, CA 93304

661-325.9474

dqw@cornerstoneeng.com

From: Matthew Alexander [mailto:malexander@ridgecrest-ca.gov]

Sent: Friday, November 14, 2008 9:28 AM

To: Derrill Whitten

Subject: agecny comments - wildepoinete ranch

Derrill:

Here are comments, including from a neighbor.

I excluded water dist. For now – just their standard.

Also, we should be getting something in this morning from Kern county planning and Kern county roads.

Matthew Alexander AICP