

CEQA
Transmittal Memorandum for 2023

Attach one transmittal memorandum to the front of the original CEQA document. Clip copies in back.

- 1) If notice requires F&W receipt, you must provide a minimum of 3 copies of the document.
- 2) If notice does not require F&W receipt, you must provide a minimum of 2 copies of the document.

TYPE OR PRINT CLEARLY

LEAD AGENCY City of California City - Planning Department

PROJECT TITLE Notice of Exemption (NOE) for Site Plan Review (SPR) 21-33: Samadhi Bliss as Applicant.
7889 Forest Blvd., California City, CA 93505 (APN: 206-041-25)

PROJECT APPLICANT Samadhi Bliss, 545 E. Angeleno Ave., Suite #101, Burbank, CA, 91501

PHONE NUMBER (818) 621-2235

PROJECT APPLICANT ADDRESS Northerly of Forest Blvd., west of Neuralia Rd., APN: 206-041-25

CITY City of California City STATE CA ZIP CODE 93505

WORK ORDER # N/A **30-Day Posting** 35-Day Posting 45-Day Posting Other _____

CONTACT PERSON LaShelle Cooper, Planning Clerk PHONE NUMBER (760) 373-7141

CHECK DOCUMENT BEING FILED:

Notice of Availability.....No Fee

Notice of Intent.....No Fee

Notice of Preparation.....No Fee

Notice of Public Hearing.....No Fee

Other _____ No Fee

Environmental Impact Report (EIR).....\$3839.25

Previously paid F&W (**must attach F&W receipt**) F&W Receipt Number# _____

DFG No Effect Determination (**F&W letter must be attached**).....No Fee

County Administrative Fee.....\$50.00

Mitigated Negative Declaration or Negative Declaration.....\$2764.00

Previously paid F&W (**must attach F&W receipt**) F&W Receipt Number# _____

DFG No Effect Determination (**F&W letter must be attached**).....No Fee

County Administrative Fee.....\$50.00

Notice of Exemption.....No Fee

County Administrative Fee.....\$50.00

TOTAL \$ 50.00

*Additional copies to be returned to: Jenna Rompel

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

Interoffice Mail

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

JV - Trans Code _____ Dept _____ Fund _____ Expense Key _____

Money Order

Check



Rush Environmental, LLC

Notice of Exemption (NOE) Prepared for Site Plan Review (SPR) 21-33 (Samadhi Bliss) located at 7889 Forest Blvd. or APN: 206-041-25.



PROJECT TITLE:

Categorical Exemption, under the California Environmental Quality Act (CEQA), for a Commercial Cannabis Cultivation, facility of approximately 6,800 square-feet. The parcel (APN: 206-041-25), in which the Project is located, consist of approximately 0.90 gross acres and anticipates the development, permitting, construction, and operation of a 5,600 SF cannabis cultivation facility and a 1,200 SF office. The Project is zoned Light Industrial (M-1), as set forth in Section 9-2.1-4 of the California City Municipal Code (CCMC), and within the City of California City.

PREPARED BY:

Rush Environmental, LLC
Adam B. Rush, M.A., AICP
12672 Limonite Avenue
Suite 3E-112
Eastvale, CA, 92880
C: (951) 833-0878
adamr@rushenviron.com

Submitted: January 26, 2023

Resubmitted: March 16, 2023

NOTICE OF EXEMPTION (NOE)			
DATE:	March 16, 2023		
TO:	Larch McNeill	FROM:	Adam B. Rush, AICP Principal Consultant
	Senior Planner		
	(916) 539-0070		
	lmcneill@interwestgrp.com		
CC:	LaShelle Cooper, Planning Clerk		
RE:	SPR 21-33: Samadhi Bliss, 7889 Forest Blvd. (APN: 206-041-25)		

INTRODUCTION:

Rush Environmental, LLC has reviewed the Applicant’s proposal to develop, construct, and operate a new commercial cannabis cultivation production facility and associated office space (herein known as “the Project”). The Project is located adjacent, and northerly of Forest Blvd and westerly of Neuralia Blvd. The Project is situated in the south-central portion of City-core. At the request of the Lead Agency, the following is an outline of a General Rule CEQA Exemption, as defined by Section 15061, which is the most appropriate CEQA determination for the Project. The Project proposes to construct and operate a commercial cannabis cultivation facility that includes a maximum of 6,800 square-feet (sf) cannabis cultivation uses, including the growing, harvesting, manufacturing, and distribution of commercial cannabis to various retail locations.

The parcel (APN: 206-041-25), in which the Project is located, consist of approximately 0.90 gross acres and anticipates the development, permitting, construction, and operation of a 5,600 SF cannabis production facility and a 1,200 SF office. The parcel site is relatively flat and is consist of vacant land, surrounded by vacant land to the north, south, east, and west. There is an existing industrial facility located further east, at the corner of Forest Blvd. and Neuralia Road. The Project is zoned Light Industrial (M-1), as set forth in Section 9-2.1-4 of the California City Municipal Code (CCMC).

The Assessor’s Parcel Number (APN) is listed as 206-041-25, which is designated as *Light Industrial and Research* (M-1), as shown on Figure 2-2 of the California City General Plan Land Use Element. The Zoning Classification is consistent with the General Plan Land Use Designation. The parcel is located approximately 653-feet from any residential zoning classification. There is Single-Family Residential (R-1) zoning located easterly of Neuralia Road, which constitutes the closest residential zone. There are no residential homes located within 200-feet of the Project site. Pursuant to a review of the City’s current development projects list, no residential projects exist, or are proposed at this time, that would be located within a 200-ft radius from the Project site. The M-1 zoning classification sets forth the operating standards for commercial cannabis operations, inclusive of cultivation, manufacturing, distribution, and testing.¹ The Project is consistent with the M-1 zone and corresponding land use.

¹ California City Municipal Code (CCMC). Title 9, Chapter 2, Articles 21 and 29, and Title 5, Chapter 6.

SPR 21-33 (Samadhi Bliss)

Notice of Exemption

March 16, 2023

The Project is subject to a Site Plan Review (SPR) process, which once approved will allow for building and grading plans to be submitted to the City for review, and ultimately for permits to be issued. Given that the Project is located within a municipal corporate boundary, is less than five (5)-acres in size and is considered an infill property (based upon the planned development opportunities set forth in the City's General Plan) the General Rule Exemption (Section 15061(b)(3)) applies to the Project. As such, the Project does not require the preparation of an Initial Study to review, analyze and evaluate the possible effects resulting upon the surrounding environment.

The types of uses, authorized in the M-1 zone, include commercial cannabis cultivation as well as ancillary uses associated with the cultivation process, including but not limited to the harvesting, watering, and packaging of raw materials for manufacturing and distribution by others. The M-1 zone includes uses such as cannabis cultivation, distribution, manufacturing, testing, and ancillary uses necessary thereto. These facilities are subject to all State Law and regulations including the California Code of Regulations, Title 21, Division 42, Bureau of Cannabis Control. All cannabis related activities are only permitted in the interior of enclosed structures, facilities, and buildings.

The Lead Agency finds that the proposed development qualifies under a General Rule Exemption, as defined by Section 15061, of the 2022 CEQA Statutes and Guidelines. For reference, the Categorical Exemption (CE), is detailed below for ease of review and analysis:

According to the 2022, CEQA Statutes & Guidelines the following provisions are in effect per Sections 15061. GENERAL RULE EXEMPTION:

(b) A project is exempt from CEQA if:

(3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Reason why the Project is exempt:

- i. The proposed project occurs within the south-central portion of the City's core (General Plan 2009 – 2028 (GP)). Within the General Plan, Section 2.8, Figure 1-4 details that development around the City's core contains an available level infrastructure, public facilities, and public services and that adjacent development should be encouraged to the maximum extent (GP). This project is zoned M-1 (Light Industrial) as noted on the City's Interactive Zoning Map on their web site.² The M-1 zoning district provides for low-intensive manufacturing, processing, and storage activities which do not have the potential for detrimental impacts on surrounding properties. The anticipated operations of the Project contain industrial agricultural uses, which are completely contained within an

² Kern County Interactive Zoning Map, <https://maps.kerncounty.com/H5/index.html?viewer=> (Accessed July 7, 2021)

SPR 21-33 (Samadhi Bliss)

Notice of Exemption

March 16, 2023

enclosed facility, and considered by the Lead Agency to qualify as a low-intensive industrial and manufacturing land use. Furthermore, the M-1 zoning district also includes uses such as research/office park developments in conjunction with light industrial use where such locations are compatible with adjacent residential lands. The Lead Agency has determined that M-1 zoning district, and the zoning capacity contained therein, facilitate businesses, operations, and facility that are wholly consistent with the proposed Project. As such, the Project is consistent with the underlying land use and use, subject to implementation of all applicable regulations, ordinances, and rules set forth through the City's Municipal Code. In addition, the Project is subject to certain standard implementation and reduction measures established and set forth by the applicable state and federal government Trustee and Responsible Agencies.

The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- ii. The Project includes a facility that includes a Small Commercial Cultivation license type, as set forth by the Department of Cannabis Control pursuant to the codified California City Municipal Code as Title 9, Chapter 2, Articles 29, and Title 5, Chapter 6, of the same: "Commercial Cannabis" is defined as follows:
 - a. Section 9-2-2903: Location and Design of Cannabis Businesses. Cannabis businesses are permitted uses on property zoned M-1 (Light Industrial) or M-2 (Heavy Industrial) only and must meet all of the requirements for developments in those zones.
 - b. The Project anticipates the construction of approximately 5,600 SF of commercial cannabis cultivation and 1,200 SF office, consistent with adopted City Ordinances.
 - c. The Project is subject to a Site Plan Review (SPR) process and building and grading permits, as applicable; however, the Project requires review under the California Environmental Quality Act (CEQA), which analyzes and evaluates the possible impacts the surrounding environment. The types of uses, authorized in the M-1 zone, include commercial cannabis cultivation as well as ancillary uses associated with the cultivation process, such as harvesting, watering, trimming, and drying. The M-1 zone includes uses such as cannabis cultivation, distribution, manufacturing, testing, and ancillary uses necessary thereto. Commercial cannabis licensees are subject to all State Law and regulations including the California Code of Regulations, Title 21, Division 42, Bureau of Cannabis Control. All cannabis related activities are only permitted in the interior of enclosed structures, facilities, and buildings.

SPR 21-33 (Samadhi Bliss)

Notice of Exemption

March 16, 2023

The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses.

- iii. The total parcel size, for the Project, is 0.90 gross acres and is located completely within the City of California City and surrounded by vacant land of a similar zoning (M-1) in all directions.
 - a. **Infrastructure:** This Project proposes a maximum of 5,600 SF of Commercial Cannabis Cultivation and a 1,200 SF office. Forest Boulevard and Neuralia Road, both City-maintained major roadway facilities, form the southerly and easterly Project boundary, respectively. The General Plan was analyzed and approved based on construction occurring within these areas. Roads, both paved and unpaved were constructed throughout the area. The project will use a septic tank until a sewer line/connection is available. All regulations and ordinances will be followed for installation and use. This Project is not located in any Airport Land Use Compatibility Plan of the California Municipal.
 - b. **Traffic/Circulation:** The project will construct 5,600 SF Commercial Cannabis Cultivation facility, with a 1,200 SF office. The property represents an extension of urban-type uses located within the south-central core of California City. The Project is also adjacent to a major arterial roadway, which also qualifies as a General Plan Element roadway under the City's Circulation Element and the Kern County Circulation Plan. As such, growth inducing elements have already been introduced into the Project area, which were previously evaluated. The City of California City utilizes the Kern County Council of Government (KernCOG) traffic impact study guidelines and thresholds to determine whether a traffic study is required and for determining potential traffic impacts. According to the KernCOG guidelines, a project that generates less than 100-peak hour trips is considered to have no significant impacts.
 - c. **Biology:** The Project site does not contain any ephemeral streams, rills, or other similar bodies of water. Per the General Plan review and analysis, the Project area nor the vicinity contain any plant or animal species "identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations." The project site has no value as habitat for endangered, rare, or threatened species. The parcel in question is heavily disturbed and does not represent habitat for sensitive species or species that are listed either by the federal or state agencies. The property is surrounded by planned industrial and manufacturing to the north and east. In addition, biological studies have been conducted, for other projects, within the vicinity of this proposal. As such, no endangered species have been determined to exist, or their habitat either on or within a 500-ft buffer from the Project site. Furthermore, the project

SPR 21-33 (Samadhi Bliss)

Notice of Exemption

March 16, 2023

site does not contain any federally protected wetlands or riparian habitat. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

- d. **Water, Air Quality, Noise:** All regulations, and applicable policies, from the various agencies (East Kern Air Quality Control District, Lahontan Water Quality Control Board, the City of California City General Plan, etc.) will be followed preventing any significant impacts to traffic, noise, air quality, or water quality. The Municipal Code, City of California City, California, Title 5-Public Welfare, Chapter 6, Medical Cannabis Related Businesses and Activity provides clear requirements to operating cannabis facilities in the City of California City (California City 2018). Following these requirements further ensures no significant environmental impacts are likely to occur as a result of this project. Public services such as police and fire were coordinated with, and their approvals obtained through the SPR process. Estimated water use is 2.21 million gallons per year, provided by the City's Municipal Water Department. California City retains sufficient water supply, as detailed in the Urban Water Management Plan (California City 2017). Development of the project site was anticipated and assumed in the calculations for the aforementioned Plan. Furthermore, pesticide use will be controlled by compliance with existing regulations through the Department of Toxic Substance Control (DTSC). Up to 17.36 tons of industrial waste per year³ will be hauled away by a licensed company and disposed of in compliance with all existing standard regulations. One delivery vehicle a week will be transporting materials to and from the facility. Up to 15 employees will be present at the facility. There will be no public access. Facility lighting will be dark-sky compliant with security lights pointing downward (California City 2009). The project will comply with all City noise ordinances. Filtration systems will be designed to control odors using carbon filters. The City of California City, East Kern Air Quality Control District, and Lahontan Water Quality Control Board have regulations and ordinances in place which ensure operational issues from this project cannot cause a significant impact. The project site will comply with District Rule 402 (Fugitive Dust) for construction sites less than 1 acre.

Lead Agency Signature: *Larch R. McNeill*

Contact Person and Phone: Larch R. McNeill & (916) 838-8384

³ CalEEMod (v.2016.3.2). Shepard Place, Kern-Mojave Desert County, Annual

SPR 21-33 (Samadhi Bliss)
Notice of Exemption
March 16, 2023

Literature Cited:

California Department of Fish and Wildlife. 2019. A conservation strategy for the mohave ground squirrel, *xerospermophilus mohavensis*. 29pp.

City of California City. 2009. City of California City final general plan, 2009-2028. 209pp. On file at Planning Department, City of California City.

City of California City. 2017. Urban water management plan 2015 update, April 2017. On file at Planning Department, City of California City.

City of California City, 2018. Municipal code City of California City, California, chapter 6. medical cannabis related businesses and activity.

City of California City. 2020. Interactive zoning map. <http://www.CaliforniaCity-ca.gov/CC/City of California City, 2017>.

County of Kern. 2012. Airport land use compatibility plan. Kern County Planning and Community Development Department, 2700 "M" Street, Suite 100, Bakersfield, CA 93301. 388pp.

Hagan, Mark. 2017a. "Biological resource assessment of APN 216-010-18, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 14pp.

Hagan, Mark. 2017b. "Biological resource assessment of APN 216-010-20, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 14pp.

Hagan, Mark. 2017c. "Biological resource assessment of APN 216-140-03, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 11pp.

Hagan, Mark. 2017d. "Biological resource assessment of APN 216-140-16, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 13pp.

Hagan, Mark. 2018a. "Biological resource assessment of APN 216-010-25, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 13pp.

Hagan, Mark. 2018b. "Biological resource assessment of APN 216-010-04, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 15pp.

Hagan, Mark. 2019a. "Biological resource assessment of 11 lots, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 14pp.

Hagan, Mark. 2019b. "Biological resource assessment of 216-140-06, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 12pp.

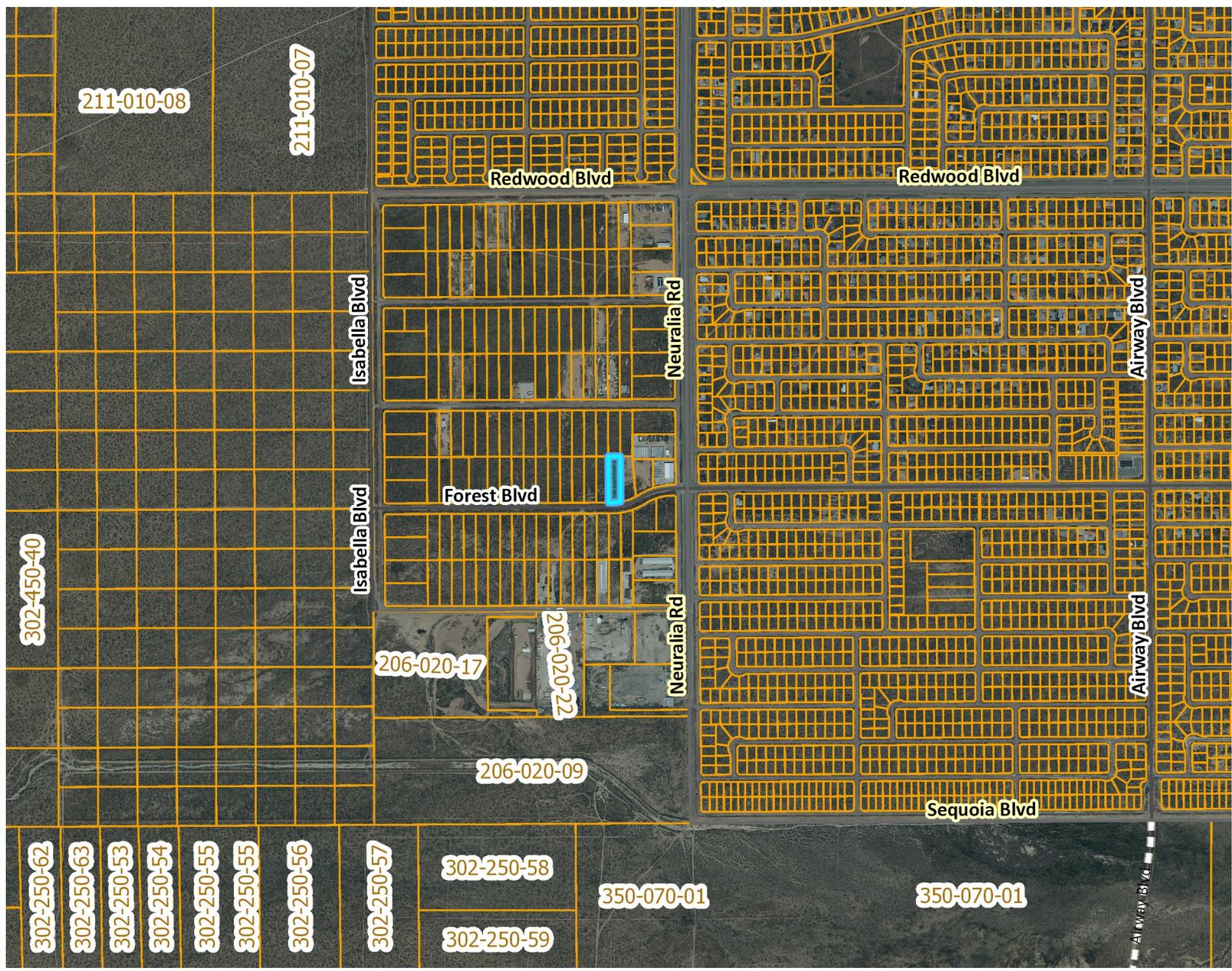
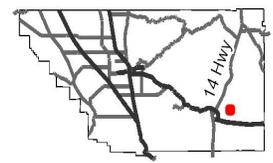
Hagan, Mark. 2020. "Biological resource assessment of APN 216-140-16, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 16pp.

Hagan, Mark. 2021. "Biological resource assessment of APNs 302-510-08, 09, 10, and 11, California City, California." Mark Hagan, 44715 17th Street East, Lancaster, California. 23pp.

APPENDIX A
LOCATION MAP
(*APN: 206-041-25*)



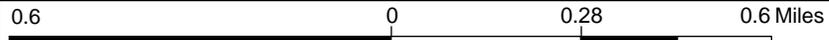
SPR 21-33 LOCATION MAP



Legend

- Roads 10k-24k
- Freeway
 - Highway
 - Major
 - Minor
 - Local
 - Ramp
 - Unpaved
- Parcels Land
 County Facilities

1 : 18,056



This map is a user generated static output from an Internet mapping site and is for general reference only. The County of Kern assumes no liability for damages, incurred by the user of this information, which occur directly or indirectly as a result of errors, omissions or discrepancies in the information.

Notes