

Volume 4

Greater Tehachapi Area Specific and Community Plan

Attachment 1

Changes Made to the Greater Tehachapi Area Specific and Community Plan

Attachment No. 1

Changes made to the Greater Tehachapi Area Specific and Community Plan (GTASCP)

The following is a summary of the modifications to the Greater Tehachapi Area Specific and Community Plan (GTASCP) completed since release of the August 2010 Redline Update:

Note: All references to the Greater Tehachapi Area Specific Plan (GTASP) have been changed to the Greater Tehachapi Area Specific and Community Plan (GTASCP).

CHAPTER 1: INTRODUCTION

1.1 INTRODUCTION

The GTA is known for its four seasons, railroad history (including the Tehachapi Loop), electricity-generating wind turbines, and distinctive rural communities containing primary and secondary homes. The rural communities that make up much of the area have developed over a 30 to 40 year period, with many starting as second home communities and transitioning into primary home communities. Since 2000, the ~~GTA's~~ [Kern COG Tehachapi Planning Area](#) population has grown from approximately 28,400 to approximately 35,000, an increase of about 23 percent. [As of 2000, the population within the GTA specific plan boundaries was approximately 15,687.](#) In response to this growth, the County Of Kern has recognized that a coordinated planning effort is needed to guide future growth within the Greater Tehachapi Area while protecting the area's unique character and environmental resources.

1.3 RESCISSION OF EXISTING SPECIFIC PLANS

Most of the existing General Plan land use designation codes within these existing Specific Plans remain unchanged. [All policies and implementation measures contained within the GTASCP are applied to the region as a whole, and not solely to specific communities. The policies and implementation measures contained within the previously adopted Specific Plans were reviewed and incorporated into the Plan as appropriate.](#)

1.5.2 Physical Character of GTASCP Study Area

The GTA is comprised of ~~three~~-[four](#) watersheds that drain into the ~~three~~-[four](#) groundwater basins that are within the boundaries of the study area. The Tejon Creek watershed occupies the western portion of the GTA and drains the Cummings Valley and a portion of the Brite Valley to the west via Chanac Creek and Tejon Creek. The Tehachapi Creek watershed occupies the north and central portions of the GTA

and drains the western Tehachapi Valley and a portion of Brite Valley to the northwest via Tehachapi Creek. The east Tehachapi Valley watershed occupies the eastern portion of the GTA and drains the eastern Tehachapi Valley easterly via Cache Creek into the Mojave Desert.

1.5.4 Greater Tehachapi Communities

Golden Hills

The Golden Hills area is subject to the Golden Hills Specific Plan and which is based on the Boise-Cascade Properties, Inc. Golden Hills Master Plan adopted in 1965. Golden Hills was originally subdivided in the late 1960s and early 1970s as a recreational second-home community with an 18-hole championship golf course, stables, horse trail easements, and green belts. The predominant land use is large-lot residential development with an urban core center (commercial uses) near SR-202 and Golden hills Boulevard. A majority of the residents in Golden Hills are now permanent residents. The Golden Hills Community Service District (GHCS D) provides water services for the higher density areas of Golden Hills. [The GHCS D and the Golden Hills Sanitation Company were initially co-applicants on the Waste Discharge Requirements as issued by the Regional Water Quality Control Board. This relationship was terminated in 2001.](#) The Golden Hills Sanitation Company [currently](#) operates a ~~secondary tertiary~~-level wastewater treatment plant located along the Brite Creek watershed in Golden Hills. ~~It was originally a joint venture along with the Golden Hills Country Club and GHCS D.~~ The plant processes approximately 25,000 gallons of waste water daily, with a potential capacity of 100,000 GPD. The Company plans for future expansion of its service area. [Presently, approximately 90% of the existing lots within the GHCS D boundaries are on septic systems.](#) According to the GHCS D's Projections of Golden Hills Future Connections, Undeveloped Lots, and Population report prepared in 2008, there are 3,992 developed and undeveloped lots within the boundaries of the Golden Hills Specific Plan. The GHCS D has estimated a population of 8,276 and 2,864 households (based on utility connections) for 2008.

Old Towne

The Old Towne Specific Plan was adopted in 1983 and updated in 1992 for this community, which consists of 982-acres. The Old Towne Specific Plan area is bounded on the north by Cummings Valley Boulevard, the west by Backus Road, the south by Highline Road, and the east by Robinson Street. The estimated build-out population was 1,902 persons. The Old Towne Specific Plan lists designates 537 acres for residential land use for up to 827 dwelling units, 119 acres of commercial, 131 acres of industrial, 174 acres of resource reserve, and 21 acres of park and flood control facilities. Old Towne also has the most commercial and industrial land use designations of the existing Specific Plans. [A portion of](#) Old Towne is within the boundaries of the Golden Hills CSD and receives water from the Golden Hills CSD community system.

Monolith

The Monolith Specific Plan was adopted in 1983 for 263 acres of relatively flat land between Tehachapi Boulevard and the Union Pacific/Burlington Northern Santa Fe (UP/BNSF) railroad

right-of-way on the north, SR-58 on the south, and Tehachapi Willow Springs road on the west. Monolith is located about 1/2 mile southwest of the Lehigh Cement Monolith Plant. Permitted land uses include a mobilehome park on 34 acres, a light industrial park on 229 acres, and open space. Only the mobile home park has been developed and is served by a package sewage treatment plant that is under the monitoring jurisdiction of the Kern County Environmental Health ~~Services Department~~[Division](#).

1.6 SPECIFIC AND COMMUNITY PLAN STRUCTURE

- The **Housing Element** incorporates the Kern County General Plan Housing Element by reference.
- The **Specific and Community Plan Implementation Element** describes how implementation of the specific plan would be administered and financed.

CHAPTER 2

LAND USE

2.1 PURPOSE AND SCOPE

The GTASP incorporates the relevant development plans, goals, policies, and implementation measures of the previously adopted Golden Hills, [Mendiburu Springs](#), Monolith, and Stallion Springs Specific Plans, except as these existing plans may be affected by updated environmental constraints data, or if the land use designations are inconsistent with the Kern County General Plan method of designating land uses. Although these plans are rescinded with the adoption of the GTASP, a majority of the underlying existing land use designations are retained. The GTASP does not modify any existing zoning classifications.

2.1.2 Existing Development

Figure 2-4, *Williamson Act Contract Lands*, shows the land classifications for areas that are currently under Williamson Act contracts in the GTA. Of the total enrolled acreage of 52,460, approximately 2,070 acres are designated Prime Farmland, [as defined by the State Department of Conservation](#). No Farmland Security Zone (FSZ) contract lands are present in the GTA.

2.1.4 Land Use Designation System for the Specific and Community Plan

Land Use Classification		General Description
RESOURCE		
8.1	Intensive Agriculture	Areas devoted to the production of irrigated crops or having a potential for such use. Other agricultural uses, while not directly dependent on irrigation for production, may also be consistent with the intensive agriculture designation. Minimum parcel size is 40 20 acres gross. Uses shall include, but are not limited to, the following: Irrigated cropland; orchards; vineyards; horse ranches; raising of nursery stock ornamental flowers and Christmas trees; fish farms; bee keeping; ranch and farm facilities and related uses; one single-family dwelling unit; cattle feed yards; dairies; dry land farming; livestock grazing; water storage; ground water recharge acres; mineral; aggregate; and petroleum exploration and extraction; hunting clubs; wildlife preserves; farm labor housing; public utility uses; and agricultural industries pursuant to provisions of the Kern County Zoning Ordinance, and land within development areas subject to significant physical constraints.
8.2	Resource Reserve	Areas of mixed natural resource characteristics, such as rangeland, woodland, and wildlife habitat which occur within an established County water district. Minimum parcel size is 40 20 acres gross, except lands subject to a Williamson Act Contract/Farmland Security Zone Contract, in which case the

		minimum parcel size shall be 80 acres gross. Uses shall include, but are not limited to, the following: Livestock grazing; dry land farming; ranching facilities; wildlife and botanical preserves; and timber harvesting; one single-family dwelling unit; irrigated croplands; water storage or groundwater recharge areas; mineral; aggregate; and petroleum exploration and extraction; recreational activities, such as gun clubs and guest ranches; and land within development areas subject to significant physical constraints.
8.3	Extensive Agriculture	Agricultural uses involving large amounts of land with relatively low value-per-acre yields, such as livestock grazing, dry land farming, and woodlands. Minimum parcel size is 40 <u>20</u> acres gross, except lands subject to a Williamson Act Contract/ Farmland Security Zone Contract, in which case the minimum parcel size shall be 80 acres gross. Uses shall include, but are not limited to, the following: Livestock grazing; dry land farming; ranching facilities; wildlife and botanical preserves; and timber harvesting; one single-family dwelling unit; irrigated croplands; water storage or groundwater recharge areas; mineral; aggregate; and petroleum exploration and extraction; and recreational activities, such as gun clubs and guest ranches; and land within development areas subject to significant physical constraints.
8.5	Resource Management	Primarily open space lands containing important resource values, such as wildlife habitat, scenic values, or watershed recharge areas. These areas may be characterized by physical constraints, or may constitute an important watershed recharge area or wildlife habitat or may have value as a buffer between resource areas and urban areas. Other lands with this resource attribute are undeveloped, non-urban areas that do not warrant additional planning within the foreseeable future because of current population (or anticipated increase), marginal physical development, or no subdivision activity. Minimum parcel size is 40 <u>20</u> acres.

2.2.1 General Land Use and Development

Assumptions

- For the purpose of determining development capacity within the GTA, an overall growth assumption of 2.0% per year was utilized. This growth rate was established based on professional judgment in consultation with demand forecasting prepared by the Kern Council of Governments (KernCOG). The GTASP includes a 2030 Planning Horizon that addresses future growth from 2008 (Existing Baseline Conditions) to 2030, a 22 year period. The population of GTA has grown just over three percent per year from 1990 to 2000, and slightly over two percent per year from 2000 to 2007. There is no expectation of any dramatic increase in population in the coming decades. No industrial stimuli or other development is anticipated that would create a “boom town” effect with rapid, significant population growth. ~~To the contrary, it is expected that the policy effects of AB 32 and SB 375, joined with the general economic slowdown experienced starting in 2007, have converged to suppress regional growth. Other~~ ILimitations to ~~continued~~future population growth ~~at current levels~~ include on-going water supply constraints, environmental constraints within the study area, and increasing energy and transportation costs. KernCOG has established a 2% average growth rate in Metropolitan Bakersfield and 1.5% in all outlying areas in Kern County based on the analysis of a variety of factors, including population information established by the 2000 census and parcel data from the County assessor’s office. The City of Tehachapi utilized a 2% growth rate for their General Plan Update. Therefore, the 2% growth rate was assumed for the GTASP given the plan

area’s ongoing development as an urban and regional area. The focus of the growth assumption is on the residential development capacity of the GTA as it is considered to be the majority of future development. Commercial and industrial uses are necessary to create a balanced community with supporting services and a job base.

2.2.2 Residential Development

Assumptions

Table 2-8. Summary of Existing Development, 2030 Planning Horizon Growth Alternatives , and General Plan Capacity with Constraints			
2008 Existing Units ¹	2030 DUs Projection @ 2% Annual Growth	Existing General Plan Capacity Alternative (DUs)	General Plan DU Capacity Incorporating Known Physical Constraints
8,754	13,534	44,300	32,750
<p><i>Note: Total DUs includes existing and new dwelling units.</i></p> <p><i>1 County GIS, 2008.</i></p> <p><i>2 Physical Constraints map codes (2.1 - 2.11) have not been mapped for portions of the GTA. Inclusion of additional Constraint areas will further reduce the General Plan capacity DUs.</i></p>			

2.3.1 General Land Use and Development

Policies

Policy LU.2 Require that all new residential subdivisions where any created lot will development on property measuring 2.5 gross acres or less, all new commercial, and all new industrial development be served by adequate sewer systems ~~via the annexation into the City of Tehachapi or an existing Community Services District (CSD); including a Public Utility Commission regulated entity.~~ In the event that the development cannot ~~be annexed into a CSD or the CSD does not have sewer capacity to support the proposed development~~ be served by public sewer, the project proposal shall include a package sewer treatment plant or a request for a sewer exception from Kern County Engineering, Surveying, and Permit Services.

Policy LU.6 Implement strategic growth and sustainability principles in new development to achieve more efficient provision of public services, facilities, infrastructure and utilities. Examples include use of the ~~including requirements for the use of the~~ Cluster Combining District, the Open Space, and the Special Planning District of the Zoning Ordinance. ~~The County shall promote clustering or other measures~~ as a means of achieving efficient and sustainable construction and providing larger areas of usable

common open space.

Policy LU.9 The County shall not support new development on properties with physical and/or environmental constraints unless appropriate studies establish that development will not be hazardous to life and property, and that potential impacts may be mitigated or overriding circumstances exist that preclude mitigation of all impacts. Physical and environmental constraints may include, but are not limited to: flooding hazards, steep slopes, fire hazards, seismic hazards, landslide areas, liquefaction, shallow groundwater, and areas that would be impacted by dam failure.

Policy LU.11 The County will continuously consider new ideas and approaches to further streamline, improve and facilitate effective land use development.

Implementation Measures

Implementation 1 All specific plan amendment requests and all other development proposals for new industrial uses, new commercial uses, and any new residential subdivision where any created lot will measure 2.5 gross acres or less ~~or single lot measuring 2.5 gross acres or less,~~ shall be required to connect to a public sewer. This connection can be accomplished via (1) annexation~~ed~~ into the City of Tehachapi, (2) annexation to a ~~or a~~ Community Services District (CSD) or any Public Utility Commission regulated entity and shall be connected to and served by a community sewage collection and disposal system, or (3) the project shall install a package treatment plant designed per the requirements of the Kern County Environmental Health ~~Service Department~~Division.

In the event that a project cannot be served by a public sewer or install a package treatment plant, the applicant shall apply for a sewer exception to the Kern County Engineering, Surveying, and Permit Services Department for approval by the Board of Supervisors. The sewer exception request shall be accompanied by a soils engineering study prepared for the project site which indicates that alternative septic systems, either individual or community design, are equal to or better than a community collection, treatment, and disposal system. This report must be approved by the Kern County Environmental Health ~~Services Department~~Division.

All other development may be permitted to utilize a septic system, subject to the review and approval of the Kern County Environmental Health ~~Services Department~~Division. , ~~subject to the following provisions:~~

~~a) a. In the event that a project cannot be annexed into a CSD, the applicant shall apply for a sewer exception to the Kern County Engineering, Surveying, and Permit Services Department for approval by the Board of Supervisors. The sewer exception request shall be accompanied by a soils engineering study prepared within the last year which indicates that alternative septic systems, either individual or community design, are equal to or better than a community collection, treatment, and disposal system. This report must be approved by the Kern County Environmental Health Services Department.~~

~~b. All development subject to this section and that does not obtain approval of a sewer exception shall be required to annex to an existing CSD or the City of Tehachapi. Policies LU.2, 5, 6~~

Implementation 2 All discretionary development proposals shall be accompanied by documentation which demonstrates that all necessary infrastructure, water supply, and adequate public services ~~will be~~ are available ~~at the time of development~~ prior to construction of the project. Discretionary projects shall present this information during the discretionary permit application process. *Policies LU.3, 5, 6*

Implementation 4 Any development proposal (including specific plan amendments, zone changes, conditional use permits, precise development plans, land divisions, etc.) involving 40 gross acres or more shall be required to ~~When processing any request for a residential zone change or residential tract map, the County shall require~~ implement innovative development through the use ~~of strategic growth principles and various County implementation tools such as~~ the CL (Cluster), SP (Special Planning), or . and OS (Open Space) Combining zone districts. All projects involving less than 40 gross acres shall implement ; density bonuses; construction of transit facilities; innovative growth principles using methods to be evaluated by the County on a case by case basis.etc. For example, Cluster Plans approved in conjunction with the Cluster (CL) Combining District will permit flexible design and siting standards (such as setbacks, yards, and building relationships). *Policies LU.1, 5, 6*

Implementation 5 All new land division actions (including lot line adjustments, parcel maps, parcel map waivers, tract maps, etc.) will be reviewed to ensure consistency with the minimum lot size provisions ~~established by this plan.~~ *Policy LU.5, 6, 9*

Implementation 6 All new development proposals that are located along established or natural drainage courses shall preserve those drainage areas through the dedication of open-space corridors that are a minimum of 50-foot wide (25 feet from centerline) or a distance as approved by the

Engineering, Surveying, and Permit Services Department. Such dedications would be made to the County or the applicable public entity ~~CSD, as determined by the County~~. Pedestrian, bicycle, equestrian or other trails may be included within this open space corridor, if deemed to be compatible. Policy LU.5, 6

Implementation 7 All discretionary proposals shall be subject to Dark Skies development principles, as specified by the Kern County Zoning Ordinance and as follows:

1. Shielding: All outdoor lighting fixtures which utilize 100 watts or more (based on an incandescent bulb), or emit 1,600 lumens or more per fixture, shall be fully shielded, unless the fixture is exempted by this chapter. All floodlights which utilize less than 100 watts per fixture must be at least partially shielded to reduce light spill-over onto adjacent properties.
2. Uplighting: The light source (bulb) within all lighting fixtures shall be oriented downward to prevent direct uplighting, except as follows:
 - a. Accent lighting of architectural features: Architectural features may be illuminated by vertical uplighting, provided that no glare or off-site light spillover is produced. Lamps used for this type of accent lighting shall be low intensity to produce a subtle lighting effect and shall utilize less than 100 watts and shall emit less than 1,600 lumens per fixture.
 - b. Accent lighting of other objects: For statues, public art, or other objects of interest where the light cannot be effectively contained by the structure and where objects cannot be illuminated with down lighting, upward lighting may be used in the form of narrow-cone spotlights that utilize less than 100 watts and emit less than 1,600 lumens and confine the illumination to the object of interest. Unrestricted uplighting of a displayed United States Flag or the State of California State Flag shall be permitted.
 - c. All other lighting aimed against structures: An outdoor lighting fixture may be aimed against a structure only if: (1) the light is effectively contained by the structure; (2) no glare is visible from off site; and (3) the fixture is fully shielded so that no light is emitted above the horizontal plane.
 - d. Low voltage landscape light: Low voltage landscape lighting such as that used to illuminate fountains, shrubbery, trees, walkways, etc., shall be permitted provided that such lighting is limited to fixtures utilizing a maximum of 60 watts, the fixture is not mounted to poles or buildings, and the fixture is shielded to eliminate glare and light spillover onto adjacent

properties.

3. Where playing fields or other special activity areas are to be illuminated by floodlight, lighting fixtures shall be mounted, aimed, and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that off-site light spillover onto any residentially zoned (E, R-1, R-2, R-3) property is minimized.
4. New off-site outdoor advertising signs installed after the effective date of this chapter and which include externally mounted light fixtures shall be subject to the following: The externally mounted light fixtures shall be mounted to the top of the advertising structure, shall be oriented downward and shall be fully shielded, except for fixtures utilizing less than 100 watts and emitting less than 1,600 lumens per fixture. Externally mounted light bulbs or lighting tubes that are not filled with neon, argon, or krypton shall not be visible from any portion of an adjacent public right-of-way or adjoining property. Internally illuminated signs shall be exempt from this chapter and shall be regulated as set forth by Chapter 19.84 (Signs) of the Kern County Zoning Ordinance.
5. New outdoor light fixtures located anywhere within a residential zone district (E, R-1, R-2, R-3) or within any other zone district where the new fixture is located within 25 feet of an existing single-family residence:
 - a. Lighting fixtures (such as carriage lights, under-eave lights and porch lights) that utilize less than 100 watts and emit less than 1,600 lumens per fixture and that do not project light above the horizontal plane shall not be subject to an illumination curfew.
 - b. Security lighting fixtures that utilize 100 watts or more (or emit 1,600 lumens or more) shall be controlled by a motion-sensor device if used after 11:00 p.m., and the fixture shall only be illuminated when activated by the device. The motion sensor device shall be programmed so that the fixture remains illuminated for no more than ten (10) minutes if activated by the device. Each fixture shall conform to all other provisions of this chapter, including shielding requirements.
 - c. All other non-exempt outdoor lighting fixtures shall be turned off between the hours of 11:00 p.m. and sunrise.

Policy LU.7

Implementation 9 All specific plan amendment requests and all discretionary development proposals shall be required to comply with the California Environmental Quality Act (CEQA) and may be required to provide additional technical information to demonstrate compliance

with CEQA, including, but not limited to:

- a. Agricultural Conversion Study, if the project site is subject to a Williamson Act or Farmland Security Zone contract or is designated by the County's General Plan, zoned, or used for agricultural purposes.
- b. Traffic Report/Study, unless waived by Kern County Roads Department.
- c. Septic System Feasibility Study, unless waived by the Kern County Environmental Health Services ~~Department~~ Division.
- d. Biological Study.
- e. Water Supply Assessment.
- f. Archaeological and Paleontological Study.
- g. Geotechnical Study.
- h. Air Quality Study, unless waived by the Eastern Kern Air Pollution Control District.
- h.i. Evidence of consultation with the applicable electricity utility provider. The consultation shall address the availability of adequate electrical infrastructure and specify those improvements that the project would be responsible for and incorporates appropriate energy efficiency measures.
- j. Other studies as deemed necessary by the Planning and Community Development Department. *Policies LU.5, 6, 9*

Any studies prepared prior to the adoption of this Plan may be utilized, as deemed appropriate by the County on a case by case basis.

Implementation 11 Government Code Section 65400 mandates that Kern County submit an annual report on the status of the Kern County General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1 of each year. Upon adoption of this plan, the County shall include a section in the annual report regarding the GTASCP. This section will be presented to the Board of Supervisors and will evaluate how the Plan has been implemented and will include a

[recommendation regarding the need to re-open and/or revise any portion\(s\) of the Plan.](#)

2.3.2 Residential Development

Policies

Policy LU.~~4~~12 Reduce rural sprawl by requiring new development proposals to demonstrate that sewer, water, and public services are available or will be provided to support any proposed development.

Policy LU.~~12~~—13 Promote denser growth patterns and protection of natural resources that retain the rural character of the community.

Policy LU.~~13~~14 Facilitate the provision of reliable and cost-effective utility services to residents.

Policy LU.~~4~~15 Support new development only when the necessary public services, infrastructure, and utilities can be provided without additional costs to established service users.

Policy LU.~~15~~16 Respect the development patterns of existing communities by incorporating separations between the communities in the GTA.

Policy LU.~~16~~17 Encourage clustering of housing as a means of protecting natural resources and avoiding physical constraints.

Policy LU.~~17~~18 Permit limited neighborhood-type commercial uses in all residential map code designations provided that the specific commercial use being proposed is determined to be of a neighborhood nature and appropriate/compatible with surrounding uses.

Policy LU.~~18~~19 The GTASP ~~shall~~ establishes a development cap [for the implementation](#) of 4,780 additional residential units within the unincorporated area of the GTA through the year 2030. [The County shall obtain annual reports of the number of residential building permits issued within the unincorporated Greater Tehachapi Area. The County shall establish a system to track the number of residential building permits received.](#) ~~No additional building permits for residential units shall be permitted beyond that maximum capacity until the County can update the Specific Plan~~

~~Policy LU 19—The County shall research the creation and implementation of architectural and aesthetic development guidelines for all new multi-family residential development throughout the GTA.~~

Implementation Measures

Implementation ~~11~~-12 All residential development proposals shall be reviewed by the County to determine the costs of any County facility/ infrastructure improvements which are necessitated by the proposed development. Required improvements shall be implemented or mitigated by the project proponent. Policy LU.13

Implementation ~~12~~-13 The County shall encourage development that provides cost-effective delivery of infrastructure/utility services and limits rural sprawl by developing within or adjacent to areas with adequate infrastructure and utility capacity. Policies LU.11, 12, 13, 14, 17

Implementation ~~13~~-14 Certain residential development projects may be awarded density bonuses as specified by Chapter 19.92 of the Kern County Zoning Ordinance in return for special project design, infrastructure improvements, extra amenities, usable open space, or other developer efforts. Policy LU.16

Implementation ~~14~~-15 All zone change requests which would create multi-family residential zoning districts (R-2 and R-3) shall include the PD (Precise Development Plan) Combining District. Policies LU.16

Implementation ~~15~~-16 All ~~development~~ proposals for cluster-style residential development shall dedicate ~~contain a minimum of~~ 35 percent ~~(or any higher amount as required by the Airport Land Use Compatibility Plan)~~ of the net project area ~~(or any higher amount as required by the Airport Land Use Compatibility Plan) of parcels proposed for cluster development shall remain~~ as open space. Private yards and public and private streets shall not be considered as open space land. Policies LU.16

Implementation ~~16~~-17 If the development cap for the implementation of 4,780 dwelling units is reached prior to the year 2030, individual ministerial building permits will only be issued if the applicant can provide evidence, via with a water supply analysis or other means, that adequate water is available to serve the proposed use for a minimum period of 20 years. Discretionary projects will continue to be evaluated on a case-by-case basis to determine that adequate infrastructure and natural resources are water is available to serve the project, until the County can update the GTASP. ~~The County shall obtain annual reports of the number of residential building permits issued within the unincorporated Greater Tehachapi Area. The County shall establish a system to track the number of residential building permits received. Once the development growth cap of 4,780 units has been achieved, no additional residential building permits shall be issued until the County prepares an update of this Specific Plan which demonstrates that~~

~~adequate infrastructure and natural resources are available for additional development.~~ Policy LU.18

~~Implementation 17 The County shall prepare architectural and aesthetic development guidelines, to be incorporated into the PD Combining Zone District requirements, for all new multi-family residential development throughout the GTA. Policy LU.26~~

2.3.3 Commercial and Industrial Development

Policies

- Policy LU.~~19~~21 The County will promote a pattern of commercial and industrial development that contributes to the economic and physical development of existing communities throughout the GTA.
- Policy LU.~~20~~22 Support new development only when the necessary public services, infrastructure, and utilities can be provided without additional costs to established service users.
- Policy LU.~~21~~23 The County shall encourage future neighborhood commercial uses within close proximity of existing or planned residential development. The County shall not support requests for new commercial designations that are made far in advance of actual current demand.
- Policy LU.~~22~~24 Encourage new commercial buildings which are oriented towards public streets and sited at consistent frontage lines with parking areas located at the rear of buildings in order to give better definition to the public realm, prevent the development of “strip centers,” and establish a safer and more active on-street pedestrian zone.
- Policy LU.~~23~~25 The County shall protect existing industrial designations from incompatible land use intrusion. ~~and t~~Those land areas best suited for industrial activity by virtue of their location and other criteria shall be protected from residential and other incompatible development.
- Policy LU.~~24~~26 Require that new industrial uses provide design features such as screen walls, landscaping, increased height and/or setbacks, and lighting restrictions between the boundaries of adjacent residential land use designations so as to reduce impacts on residences due to light, noise, sound, and vibration.
- Policy LU.~~25~~27 Light Industrial (Map Code 7.1) may be considered near a residential neighborhood and other sensitive uses provided there is an adequate

means of establishing compatibility. Requests for new Map Code 7.2 (Service Industrial) and 7.3 (Heavy Industrial) designations shall be discouraged on sites contiguous to or located within 1/4 mile of residentially- designated property.

Policy LU.~~26~~28 The County shall research the creation and implementation of architectural and aesthetic development guidelines for all new commercial and industrial development throughout the GTA.

Implementation Measures

Implementation ~~17~~-19 The County shall encourage the development of future commercial uses near existing or planned residential development. Policies LU.19, 21

Implementation ~~18~~-20 The County shall support infill development by encouraging the reuse and occupancy of existing commercial and industrial buildings that have adequate infrastructure and public services before supporting the construction of new buildings in undeveloped areas outside of existing communities. Policies LU.20, 21

Implementation ~~19~~-21 All development proposals for commercial uses shall be reviewed to ensure that the scale of the proposed development is consistent with the rural character of the area and that proper screening is included in the project design to minimize impacts on nearby residential and/or sensitive land uses. Policies LU.19, 22

Implementation ~~20~~-22 All zone change requests which would create new commercial (CH, C-1, C-2) or industrial (M-1, M-2, M-3) zoning shall be reviewed to ensure that the depth of new commercially or industrially zoned area is at least half the length of the street frontage. Exceptions may be made where existing development or physical constraints dictate a different, more logical shape. Policy LU.22

Implementation ~~21~~-23 All zone change requests which would create new commercial or industrial zoning districts shall include the PD (Precise Development Plan) Combining District. Policies LU.19, 20, 21

Implementation ~~22~~-24 Any newly proposed commercial and industrial development that is adjacent to a residentially-zoned and/or developed parcel shall demonstrate compatibility with adjacent residential development through the following:

- a. Evaluation and mitigation of potential noise impacts.
- b. Reduction and/or minimization of light spill-over onto adjacent

properties.

- c. Buffering of residential development from proposed commercial/industrial development through use of walls, landscaping, screening, etc.
- d. Placement loading/unloading areas as far as practicable from residences.
- e. Or by other means as determined by the Planning Director. Policies LU.19, 20, 23, 24, 25, 26

Implementation ~~23-25~~ All applications for a Specific Plan Amendment to a commercial or industrial designation shall include sufficient data to allow the County to review the request using the following criteria and guidelines:

- a. Location suitability with respect to market demand area.
- b. Provision of adequate access, ingress and egress facilities and services, and the mitigation of traffic impacts.
- c. Provision of adequate water, sewer, and other public services to be used.
- d. Provision of adequate on-site, nonpublic water supply and sewage disposal if no public systems are available or used.
- e. Compatibility with adjacent uses (scale, noise, emissions, or other nuisances, etc.) and methods for buffering.
- f. Design, layout, and visual appearance coordinated with existing adjacent commercial and industrial uses.
- g. Overall consistency with the General Plan. Policies LU.19, 20, 21, 23, 24, 25, 26

Implementation ~~24-26~~ The County shall prepare architectural and aesthetic development guidelines, to be incorporated into the PD Combining Zone District requirements, for all new commercial and industrial development throughout the GTA. Policy LU.26

2.3.4 Resource Management

Policies

Policy LU.~~27~~29 Preserve existing agricultural areas, including chartered Prime Farmland,

Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance which can support a variety of agricultural uses based on soil characteristics, topography, and location from premature conversion.

Policy LU.2830 Support sustainable agricultural and agri-tourism practices where feasible and compatible with surrounding land uses.

Policy LU.2931 Encourage qualifying agricultural lands to participate in the Williamson Act or Farmland Security Zone programs.

Policy LU.3032 Areas designated for agricultural use [Map Code 8.1 (Intensive Agriculture), Map Code 8.2 (Resource Reserve), Map Code 8.3 (Extensive Agriculture), Map Code 8.5 (Resource Management)] should be of an economically viable size in order to participate in the Williamson Act/Farmland Security Zone programs.

Policy LU.3433 The County should encourage the merger of largely undeveloped antiquated subdivisions which are designated Map Code 8.1 (Intensive Agriculture), Map Code 8.2 (Resource Reserve), Map Code 8.3 (Extensive Agriculture), or Map Code 8.5 (Resource Management) into larger holdings to achieve density consistency with the underlying land use designation.

Policy LU.3234 Require recreational or open space buffers between existing resource uses and proposed residential or other sensitive land uses.

Policy LU.3335 ~~Discourage subdivision of agriculturally designated land if the subdivision would divide land into areas that are too small to support viable agricultural operations or which contributes to~~ Encourage the separation of ~~the transition of~~ non-urban land uses (such as agricultural operations and wildlands), from urban land uses ~~agricultural lands to non-agricultural uses~~ by supporting proposals that facilitate a phased transition between resource areas and developed areas. The transition could be accomplished via creation of large estate or agriculturally zoned parcels and open space areas.;

Policy LU.3436 Agriculture and other resource uses will be considered a consistent use in areas designated for Mineral and Petroleum resource uses on the General Plan.

Policy LU.3537 Lands classified as MRZ-2, as designated by the State of California, should be protected from encroachment of incompatible land uses.

Policy LU.3638 Areas along rivers and streams will be conserved where feasible to enhance drainage, flood control, recreational, and other beneficial uses

while acknowledging existing land use patterns. All surface waters, including rivers, streams, drainages, washes, ponds, pools, or wetlands shall be conserved from permanent and intermittent impacts.

Policy LU.~~37~~39 All new land division actions of agriculturally-designated land (8.1, 8.2, 8.3, and 8.5) shall have a minimum lot size of ~~forty (40)~~twenty (20) acres, unless an 80-acre minimum is required for an existing Williamson Act Contract. Each parcel shall be permitted to contain single-family residences as permitted by the A zone district.

Policy LU.~~38~~40 Where agriculturally-designated land (8.1, 8.2, 8.3, and 8.5) does not have access to water rights, it shall not be considered as priority agricultural land.

Policy LU.~~39~~41 When evaluating Specific Plan Amendment proposals to change agriculturally-designated lands to accommodate nonagricultural uses (e.g., residential, commercial, or industrial development), the County shall consider the following factors:

- a. Approval of the proposal will not unreasonably interfere with agricultural operations on surrounding lands.
- b. Public services (schools, fire, sheriff, etc.) and infrastructure (roads, water, sewer, etc.) that are necessary for the proposal are available and have the capacity to adequately serve the project.
- c. There is a demonstrated need and lack of other feasible locations for the proposed project at the proposed location based upon population projections, market studies, or other indicators.
- d. The proposal incorporates innovative green and sustainable measures and/or an accompanying preservation of other agricultural lands.
- e. The site is contiguous to properties that are developed or characterized by non-agricultural land uses.
- f. The property is unsuitable for long-term agricultural use due to soil conditions other similar limiting factors such as insufficient water access, accessibility, etc.
- g. Clear and demonstrable reasons exist for approving the proposal over needs to retain the land for long-term agricultural use.
- h. Where adjacent or within proximity (1/2 mile) to existing urban areas, the County shall discourage agricultural conversion that is

discontinuous with urban development.

Policy LU.4042 The County shall encourage the continued development of existing and future agri-tourism industries, such as wineries and farmer's markets throughout the GTA, including the conversion of residentially-designated parcels where appropriate when such development can be appropriately mitigated to ensure minimal environmental impacts.

Implementation Measures

Implementation ~~25-27~~ Protect resource land uses, such as agricultural crops, oilfields, mineral extraction areas, etc., through the use of appropriate implementing zone districts: A (Exclusive Agriculture), DI (Drilling Island), NR (Natural Resource), or PE (Petroleum Extraction). Policies LU.27, 29, 30, 31, 33, 35

Implementation ~~26-28~~ The County shall continue to monitor new legislation as it relates to energy production and shall support energy or agricultural uses in areas designated for Mineral and Petroleum uses. ~~and periodically review the General Plan and Zoning Ordinance for any required updates.~~ Policies LU.34

Implementation ~~27-29~~ Areas designated as Map Codes 8.1, 8.2, 8.3, and 8.5 shall have a minimum lot size of ~~40-twenty (20)~~ acres for land division purposes. However, when a property is under Williamson Act Contract and is designated as 8.2, 8.3, or 8.5, the minimum parcel size shall be eighty (80) acres, until such time as a contract expires or is cancelled. Once a contract expires or is cancelled, the minimum parcel size shall revert to ~~40-twenty (20)~~ acres for all future land division purposes. Policies LU.27, 29, 30, 31, 33, 37

Implementation ~~28-30~~ All discretionary development proposals located within 1,000 feet of agriculturally-designated land or agricultural operations shall include adequate buffers to reduce sound transmission and dust/ spray transfer. Buffering requirements shall be determined by the County, in consultation with the California Department of Conservation, on a case by case basis according to the type of development proposed and the potential impacts of neighboring agricultural operations. Policies LU.28, 39

Implementation ~~29-31~~ All Cluster Plans, Precise Development Plans, Conditional Use Permits and Subdivision Maps located on property within 1,000 feet of agriculturally-designated land or agricultural operations shall include a notation which notifies potential property owners and/or applicants within the project area of the potential for agricultural operations and

conditions in the area. Policies LU.27, 28

Implementation ~~30-32~~ 32 Agriculturally designated lands shall be conserved through the use of agricultural zoning with minimum parcel size provisions as established by the Kern County Zoning Ordinance and the policies of this Specific Plan. Policies LU.27, 29, 30, 31, 33, 37

Implementation ~~31-33~~ 33 All Specific Plan Amendments proposing to convert Prime Farmland, as defined by [the State Department of Conservation and](#) CEQA (Public Resources Code section 21060.1), to a non-agricultural designation and any discretionary proposal for development which would place non-agricultural uses on property that has been planted within the last five years shall be accompanied by a Farmland Conversion Study (prepared using County Guidelines for Agricultural Soils/Farmland Conversion Studies) as part of a development application. Mitigation for the loss of agricultural land shall be at a ratio of 1:1 for net acreage before conversion, shall include properties located within the GTA, and may include one or more of the following to satisfy this requirement:

- a. Funding and purchase of agricultural conservation easements (to be managed and maintained by an appropriate entity as determined by the County);
- b. Purchase of credits from an established agricultural farmland mitigation bank;
- c. Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland in California;
- d. Participation in any agricultural land mitigation program adopted by Kern County that provides equal or more effective mitigation than the measures listed above. Policies LU.27, 29, 33, 37, 39, 40

CHAPTER 3

CONSERVATION & OPEN SPACE

3.2 ASSUMPTIONS AND ISSUES

3.2.1 Water Resources

The groundwater availability of the three [adjudicated](#) groundwater basins is shown on **Table 3-1, *Groundwater Basin Water Availability***. This table represents a snap shot in time and should not be used as a determining factor as to the amount of groundwater available to facilitate future development proposals.

Groundwater Basin	Safe Yield/(acre-foot)	Allowed Pumping (acre-foot)	2008 Current Production (acre-foot)¹	2008 Dwelling Units Served²	% of Safe Yield	2008 Unexercised Groundwater (AF)
Brite Basin	500	500	328	411	66%	172
Cummings Basin	4,090	4,090	3,958	4,066	97%	132
Tehachapi Basin (incl. City of Tehachapi)	5,500	5,524	5,127	4,277	93%	397
Subtotals	10,090	10,114	9,413	8,754		701
<p>1. 2008 production includes agriculture use.</p> <p>2. Dwelling units are supplied from either the groundwater basins or imported SWP water or a combination of both.</p>						

As shown on Table 3-1, each basin is currently serving its existing dwelling units, [agriculture](#), and other water users without exceeding the safe yields of each basin. In addition, the Tehachapi Valley Basin is providing water to the City of Tehachapi. Based on 2008 groundwater current water use conditions, 701 acre-feet (AF) of groundwater is available to serve additional development within the GTA, ~~without any supplemental water supply from the State Water Project (SWP) or other sources.~~ However, this available water is [also used for agricultural purposes and is](#) shared with the City of Tehachapi, meaning that the 701 AF of unexercised groundwater must serve a combination of growth within the GTA and the city unless other means of providing water service are identified. The TCCWD has a contract for 19,300 acre-feet per year (AFY) of imported water from the SWP; however, TCCWD is not guaranteed 100 percent of its allocation each year as SWP delivery percentages vary with weather conditions and other water-related environmental and regulatory constraints in

California. Additionally, the TCCWD only has the infrastructure in place to pump ~~a maximum of 15,000~~ 12,000-15,000 AF into the Greater Tehachapi Area annually. In general, depending on the annual allocation of SWP water made available from the Kern County Water Agency and the State Department of Water Resources (DWR), TCCWD pumps between 3,000 and 8,000 AF annually.

Currently, recycled water is available from the Bear Valley wastewater treatment plant. Approximately 25 AF per year are used for golf course irrigation. Water not needed for irrigation is discharged to Sycamore Creek. CCI is in the process of upgrading its wastewater treatment facility to produce recycled water; a projected 900 AF per year will be available in the year 2011.

Water facility infrastructure and delivery is provided by several water and/or water/wastewater utilities in the GTA. These include Bear Valley ~~Springs~~-CSD, Golden Hills CSD, the Golden Hills Sanitation Company, Stallion Springs CSD, Alpine Forest Park Mutual Water Company, Grand Oaks Water Company (California Water Service Corporation), West Tehachapi Mutual Water Company, and the City of Tehachapi. **Figure 3-1, CSD and Water Company Service Areas**, shows the location of water providers in the GTA. Groundwater quality in the GTA is generally high. All of the water districts regularly monitor the water quality in their wells and are required to meet federal and state standards for drinking water.

3.3.1 Water Resources

Policies

Policy COS.9 Require all discretionary actions submit proof of the availability of a sufficient water supply via connection to an existing CSD or public utility (~~which must have an adopted Urban Water Management Plan and necessary~~ with the necessary infrastructure to facilitate the delivery of water), annexation to the City of Tehachapi, evidence of available groundwater/well sources, or through the use of contracted banked water or other means as established by this plan.

Implementation 2 The County shall encourage and cooperate with the California Corrections Institute (CCI), water suppliers~~y~~ and wastewater treatment providers in the planning, development, and construction of water and wastewater facilities needed to transmit, treat, store, and distribute recycled water supplies. Policies COS.1, 3, 4, 5, 6, 10, 12, 14

Implementation 3 Throughout the development process, the County shall ensure that all new development incorporates construction standards which protect groundwater quality by incorporating comprehensive well construction standards and groundwater protection strategies for ~~identified degraded~~ any affected watersheds. Policies COS.1, 7, 8, 9, 10, 11, 14

Implementation 10 All new discretionary ~~and ministerial~~ development proposals shall incorporate, when feasible, water conservation techniques with the goal of reducing individual water use and limiting outdoor water use. Such techniques include, but are not limited to: use of low-flow plumbing fixtures on new construction, use of high-efficiency irrigation systems for new development and retrofitting of existing development and agricultural irrigation, use of graywater for landscaping, use of reclaimed water resources for reasonable and beneficial use, and use of drought-tolerant vegetation. Policy COS.8

Implementation 13 New discretionary development shall require consultation with the U.S. Army Corps of Engineers, [the California Regional Water Quality Control Board](#), and the California Department of Fish and Game if potential waters of the U.S. [and/or waters of the State, including](#) ~~or~~ wetlands, are present on site. Preservation of wetlands shall be the primary consideration; otherwise, mitigation measures pursuant to CEQA shall be implemented. Policies COS.2, 13

Implementation 16 All discretionary development projects shall be served by adequate water systems via the annexation to the City of Tehachapi [or annexation into](#) ~~or into~~ an existing Community Services District (CSD) [or public utility \(including a mutual water company\)](#) with adequate capacity. The development shall be required to adhere to the terms of will-serve letter as specified by the City or CSD/[public utility](#), including requirements for the dedication of water rights, purchasing of State Water Project water for banking, installation of additional infrastructure, etc. In the event that a proposed development cannot be annexed into a CSD/[public utility](#) or the [agency](#) ~~CSD~~ does not have water capacity to support the proposed development, the project proponent shall utilize one of the following options:

Option A: All general plan requests, zone changes and land division shall be limited to a minimum of ~~2040~~ acre parcel size.

Option B: Development shall be limited to one single-family house and one secondary or additional dwelling unit per existing lot when permitted by the existing base zone district.

Option C: The applicant shall provide information which

demonstrates that there are sufficient alternative water resources to serve the proposed project, other than those that would otherwise be provided by a CSD/[public utility](#). This information is to be analyzed during the required CEQA review process and shall include, but is not limited to, each of the following:

1. Submit a Water Supply Assessment which demonstrates that a long-term water supply (for a 20-year timeframe) is available for the proposed project. The water assessment shall include, but not be limited to, the following:
 - a. Source and quantity of historical water use on the site.
 - b. Estimated water consumption of the proposed development and the estimated storage, if any, required to meet the projected need. “Projected need” includes water required for fire protection.
 - c. Recommendations for additional sources of water to address demand shortage. Such measures may include, but are not limited to, development of future sources of additional surface water and groundwater, including water transfers; conjunctive use; reclaimed water; conservation; additional storage of surface water; and groundwater.
2. Submit a Water Conservation Plan that identifies the specific water conservation practices to be implemented by the project. Implementation includes, but it not limited to the following:
 - a. Use of recycled water for all landscaping.
 - b. Use of drought- and fire-tolerant landscaping in-lieu of traditional sod.
 - c. Establishment of a Water Allocation Budget.
3. Submit evidence the water usage of the proposed project will be offset by the acquisition of land use entitlements from other properties within the GTA or by other means as deemed appropriate by the County. This evidence can take the form of the following:

- a. Process a Specific Plan Amendment to reduce the development capacity of other properties within the GTA
- b. Acquisition of land use development rights as obtained through an accepted Development rights Transfer Program. Policies COS.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

Implementation 17 Any project which disturbs more than 1 gross acres of land, land disposes of waste (including mining waste), utilizes recycled water, proposes to potentially alter a streambed, or discharges fill material to a surface water shall consult with the Regional Water Quality Control Board to assess the need for permits from that Agency. These permits may include, but are not limited to: Clean Water Act (CWA) permits; a National Pollutant Discharge Elimination System (NPDES) General Construction Stormwater Permit, an individual stormwater permit, compliance with Title 27, Waste Discharge Requirements (WDR), Water Reclamation Requirements (WRRs), Water Quality Certification (WQC), etc.

~~Implementation 17~~ ~~The applicants for future projects shall reduce construction waste transported to landfills by recycling solid waste construction materials to the greatest extent feasible, such as taking materials to recycling and reuse locations listed in the brochure on recycling construction and demolition materials available on the Kern County Waste Management Department website. Policies COS.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16~~

~~Implementation 18~~ ~~The applicants for future projects shall provide a fenced storage area for recyclable materials that is clearly identified for recycling. This area shall be maintained on the site during construction and operation. A site plan showing the recycling storage area shall be submitted to the Kern County Planning and Community Development Department and Kern County Waste Management Department prior to the issuance of any grading or building permit for the site. Policies COS.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16~~

3.3.2 Scenic and Natural Resources

Implementation Measures

Implementation ~~19~~-18 All discretionary development that proposes new structures on or near a ridgeline, or for proposals within an otherwise scenic region as determined by the County, must conduct a visual impact analysis using line-of-sight exhibits from various points of view, to be determined by the County. These exhibits shall illustrate the structure's elevations in relation to the ridgeline or scenic point of interest, and shall be accompanied by a site plan showing topography and the proposed location of the buildings. Policy COS.18

Implementation ~~20~~-19 All development projects shall be subject to the provisions of Chapter 19.88 (Hillside Development) of the Kern County Zoning Ordinance. Projects shall be reviewed for compliance with the ordinance to minimize the impacts of development on scenic resources in the GTA. Policy COS.18

Implementation ~~21~~-20 All discretionary development proposals that are within identified environmental hazard areas shall submit the appropriate technical studies, as determined by the Kern County Planning and Community Development Department, to identify the most suitable area for development within the property. Policies COS.19, 20

Implementation ~~22~~-21 The County shall encourage the use of strategic growth principles, clustering, and various implementing tools, including the use of the OS (Open Space) zoning district for new development for the purpose of preserving open space and natural resources. Policies COS.20, 21, 22

Implementation ~~23~~-22 All discretionary development proposals and ministerial projects shall be subject to the Dark Skies development principles, as specified by the Kern County Zoning Ordinance. These provisions include requirements that outdoor light fixtures be oriented downward and are fully shielded. Policy COS.23

Implementation ~~24~~-23 The County shall support requests to add the SC (Scenic Corridor) combining zone district to properties adjacent to scenic portions of highways, as determined by the County, to preserve the scenery along these highways. Policies COS.19, 20

Implementation Measures

Implementation ~~25~~-24 The County shall work with the Audubon Society, the

Nature Conservancy, Bureau of Land Management, California Department of Fish and Game, U.S. Forest Service, and other appropriate public agencies, private entities and landowners to conserve, protect and enhance open space and wildlife habitat areas. Policies COS.24, 25, 26, 27, 28

Implementation ~~26~~-25 All discretionary development proposals requiring preparation of an environmental document shall consult with responsible and trustee wildlife agencies, including but not limited to the California Department of Fish and Game and the U.S. Fish and Wildlife Service. Policies COS.24, 25, 26, 27, 28

Implementation ~~27~~-26 All discretionary development proposals for project sites that have the potential to contain a sensitive or “special-status” plant or animal species shall be accompanied by a written Biota Study, when deemed necessary by the County. The report shall be submitted as a part of the discretionary application process and shall include an analysis of the known and potential sensitive species located within the project area and shall include recommendations for project-specific mitigation. The report shall also include recommendations regarding the need for additional surveys such as Pre-Construction Surveys, Special-Status Plant or Animal Surveys, and the need for further consultation with the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG). Policies COS.24, 25, 26, 27, 28

Implementation ~~28~~-27 All development and construction activities shall adhere to any recommended mitigation measures as identified by any Biota Survey, Pre-Construction Survey, Special-Status Plant Survey, Incidental Take Authorization/Permit, and any requirements of the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG). These requirements include, but are not limited to the following:

- a. Requirements for avoidance, protection, installation of fencing/buffers/ conservations easements, onsite habitat restoration/enhancement, implementation of best management practices, payment of conservation fees, preparation of project-specific management plans as required by the CDFG/USFWS, etc.
- b. Consultation with regulatory agencies such as the California Department of Fish and Game (CDFG) or the U.S. Fish and Wildlife Service (USFWS).

- c. Requirements for vehicle wash-out to prevent the spread of invasive plants.
- d. Consultation with the CDFG/USFWS to identify appropriate measures to prevent impacts to the nesting bird species, such as establishing a buffer around occupied nests.
- e. Requirements for the applicant to retain a biological firm as an on-call service provider to recover and relocate ground-dwelling Special-Status species if encountered during construction.
- f. Requirements for the applicant to provide environmental training to all personnel working on the site during project construction and operation.
- g. Procedures to address any found Special-Status species that is injured or dead.
- h. Requirements to cover steep-walled trenches or excavations used during construction
- i. Requirements to set exterior lighting at the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from neighboring habitat to the maximum extent practicable.
- j. Migratory or native avian species, ground-disturbing and vegetation removal associated mitigation.
- k. Mitigation identified to avoid adverse impacts to jurisdictional habitats.
- l. Mitigation identified to address potential impact wildlife corridors.

Implementation ~~29~~28 The County shall explore the development and implementation of conservation programs with State and federal wildlife agencies for property owners desiring streamlined endangered species mitigation programs. Policies COS.24, 25, 26, 27, 28

Implementation ~~30~~29 Where feasible, the County shall support efforts to secure key wildlife migration corridors and habitat areas through dedication, easements, or other acquisition mechanisms. Policies COS.24, 25, 26, 27, 28

Implementation ~~31~~30 Riparian areas will be managed in accordance with U.S. Army Corps of Engineers, and the California Department of Fish and Game rules and regulations to enhance drainage, flood control, biological, recreational, and other beneficial uses while acknowledging existing land use patterns. Policies COS.24, 25, 26, 27, 28

Implementation ~~32~~31 The following applies to all discretionary development projects (General Plan Amendment, Zone Change, Conditional Use Permit, Tract Maps, Parcel Maps, Precise Development Plan) that contain oak woodlands, which are defined as development parcels having canopy cover by oak trees of at least ten percent (10%), as determined from base line aerial photography or by site survey performed by a licensed or certified arborist or botanist. If this study is used in an Environmental Impact Report, then a Registered Professional Forester (RPF) shall perform the necessary analysis.

- a. Development parcels containing oak woodlands are subject to a minimum canopy coverage retention standard of thirty percent (30%). The consultant shall include recommendations regarding thinning and diseased tree removal in conjunction with the discretionary project.
- b. Use of aerial photography and a dot grid system shall be considered adequate in determining the required canopy coverage standard.
- c. Adjustments below thirty percent (30%) minimum canopy standard may be made based on a report to assess the management of oak woodlands.
- d. Discretionary development, within areas designated as meeting the minimum canopy standard, shall avoid the area beneath and within the trees unaltered drip line unless approved by a licensed or certified arborist or botanist. Policy COS.29

Implementation ~~33~~32 The following applies to development of parcels having oak tree canopy cover of less than ten percent (10%), but containing individual oak trees equal to or greater than a 12-inch diameter trunk at 4.5 feet breast height.

- a. Such trees shall be identified on plot plans.
- b. Discretionary development shall avoid the area beneath and within the trees unaltered drip line unless approved by a

licensed or certified arborist or botanist.

- c. Specified tree removal related to the discretionary action may be granted by the decision making body upon showing that a hardship exists based on substantial evidence in the record.
Policy COS.29

3.3.4 Cultural and Paleontological Resources

Implementation Measures

Implementation ~~34~~ 33 All discretionary projects (including Specific Plan Amendment requests) shall be required to comply with the California Environmental Quality Act (CEQA) and may be required to provide a Cultural Resources Records Search prepared by the Southern San Joaquin Valley Information Center (SSJVIC) at California State University, Bakersfield, when deemed necessary by the County. The report shall be submitted as part of the discretionary application process and shall include recommendations regarding the need for a physical Archaeological/Paleontological Study on the site.

Additionally, all projects that are located within those areas defined as “Archaeological Sensitivity Area” in Figure 3-5, Culturally Sensitive Areas, of the GTASP shall be required to prepare and submit the following items to the County prior to project approval:

1. A Phase I Cultural Assessment by a qualified archaeologist, if recommended by one of the following: the County, the SSJVIC, or the Cultural Resources Records Search; or if the site is within close proximity to a known cultural resource.
2. A Phase II Cultural Assessment by a qualified archaeologist if resources are found during the Phase I Cultural Assessment which would require archaeological testing to determine the vertical and horizontal limits of the resource, an assessment of site integrity, and an evaluation of site importance through the analysis of site features and artifacts.
3. A Phase III (data recovery) evaluation if the potentially significant resource could not be avoided. The Phase III evaluation would require data recovery and excavation of a representative sample of the cultural resource and site. As part of the data recovery excavations, partial preservation or avoidance

of said resource could occur.

4. A Paleontological Resource Mitigation Plan shall be prepared if paleontological resources are anticipated to occur onsite or as recommended by the Paleontological Report. The mitigation plan shall be submitted to the Kern County Planning and Community Development Department for review and approval and shall include the following:
 - a) Procedures for the discovery, recovery, and salvage of paleontological resources encountered during construction, if any, in accordance with standards for recovery established by the Society of Vertebrate Paleontology.
 - b) Identification and mapping of specific areas of high and moderate sensitivity that would be monitored during construction.
 - c) Verification that the applicant has an agreement with a recognized museum repository, for the disposition of recovered fossils and that the fossils shall be prepared prior to submittal to the repository as required by the repository (e.g., prepared, analyzed at a laboratory, curated, or cataloged).
 - d) Description of monitoring reports that would be prepared. *Policy COS.30*

3.3.5 Mineral Resources

Policies

Policy COS.33 Require ~~any~~^{all} oilfield-related development to take place in accordance with DOGGR regulations and all mining-related development to take place in accordance with the requirements of the Surface Mining and Reclamation Act (SMARA).

Implementation Measures

Implementation ~~35~~³⁴ All proposals to amend this plan shall be reviewed to ensure that the proposal would not result in the potential for sensitive uses to occur within close proximity to an existing mining operation or oilfield-related development. Policy COS.31

Implementation ~~36~~³⁵ All development proposals which would place non-mineral resource development within one mile of a known mining operation shall be reviewed to ensure that the proposed use

would not conflict with the existing mining operation. Should potential incompatibilities be identified, the County shall not support the project unless those potential impacts can be mitigated to a less-than-significant level. Policies COS.31, 32, 33

Implementation ~~37~~-36 The County shall discourage the rezoning of any State-designated mineral resource areas to residential or commercial zone districts to protect them from loss to urban development. Policies COS.31, 32, 33

3.3.6 Air Quality

Implementation Measures

Implementation ~~38~~-37 The County shall continue to pParticipate with the California Air Resources Board and/or the Eastern Kern Air Pollution Control District on programs to reduce transportation pollution. Policies COS.34, 35, 36, 37, 41

Implementation ~~39~~-38 The County shall refer aAll discretionary permits ~~shall be referred~~ to the Eastern Kern Air Pollution Control District for review and comment. Policies COS.34, 35, 36, 37, 41

Implementation ~~40~~-39 All new discretionary development proposals which may emit air emissions that exceed the thresholds established by the Eastern Kern Air Pollution Control District may be required to submit an Air Quality Impact Analysis (AQIA), including greenhouse gas emission equivalents as a part of the discretionary application process. The Planning and Community Development Department shall determine the necessity of an AQIA during the preliminary review of each discretionary application The AQIA shall include a focused Greenhouse Gas (GHG) report that identifies the mitigation measures (regulatory or applicant implemented) for the reduction by 29 percent of the project's "business as usual" operational CO2 equivalent emissions, or a reduction to be determines by any future Greenhouse Gas/Climate Change Action Plan as prepared by the County ~~in accordance with Sustainability Implementation Measure 12~~, and as quantified by the AQIA. The GHG report shall be submitted to the Eastern Kern Air Pollution Control District along with the AQIA for review and comment regarding the methodology used to quantify the reductions. Policies COS.34, 35, 36, 37, 41

Implementation ~~41~~40 All new discretionary development proposals shall include mitigation measures and/or conditions of approval to reduce any air quality impacts resulting from construction and operational stages. Policies COS.34, 35, 36, 37, 38, 39, 40, 41

Implementation ~~42~~41 All new discretionary development proposals shall include mitigation measures and/or conditions of approval to require that construction complies with the Kern County Grading Ordinance and all adopted applicable dust control measures of the Eastern Kern Air Pollution Control District. Policies COS.37, 38

Implementation ~~43~~42 All new residential development proposals shall include a design for safe and efficient vehicle access to commercial land uses from arterial streets to ensure efficient vehicular ingress and egress. Policies COS.34, 37, 39, 40, 41

Implementation ~~44~~43 The County shall consult with the local transit agency and incorporate all appropriate and feasible transit amenities into development projects. Policies COS.34, 36, 39

Implementation ~~45~~44 The County shall ensure development projects create the maximum opportunity for the use of alternative modes of transportation, such as walking, biking, and public transportation. Policy COS.39

Implementation ~~46~~45 Prior to issuance of grading permit, if deemed appropriate by the County, future applicants shall develop a Fugitive Dust Control Plan in compliance with Eastern Kern Air Pollution Control District Rule 402 to reduce PM10 and PM2.5 emissions during construction.

The Fugitive Dust Control Plan shall include:

- a. Name(s), address(es), and phone number(s) of person(s) responsible for the preparation, submission, and implementation of the plan;
- a. Description and location of operation(s); and
- b. Listing of all fugitive dust emissions sources included in the operation.
- c. The following dust control measures shall be implemented:

1. All onsite unpaved roads shall be effectively stabilized using soil stabilizers that can be determined to be as efficient as or more efficient for fugitive dust control than California Air Resources Board approved soil stabilizers, and that shall not increase any other environmental impacts including loss of vegetation.
2. All material excavated or graded will be sufficiently watered to prevent excessive dust. Watering will occur as needed with complete coverage of disturbed areas. The excavated soil piles are watered hourly for the duration of construction or covered with temporary coverings.
3. Construction activities that occur on unpaved surfaces will be discontinued during windy conditions when winds exceed 25 miles per hour and when those activities cause visible dust plumes.
4. Track-out shall not extend 25 feet or more from an active operation and track-out shall be removed at the conclusion of each workday.
5. A wheel-washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the proposed project property.
6. All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
7. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
8. All grading activities shall be suspended when wind speeds are greater than 30 miles per hour.
9. Other fugitive dust control measures as necessary to comply with Eastern Kern Air Pollution Control District Rules and Regulations. *Policies COS.34, 35, 37*

Implementation ~~47~~⁴⁶ Prior to issuance of grading permit, the County and/or Eastern Kern Air Pollution Control District shall determine which of the following measures to reduce construction emissions would be appropriate for any future project.

- a. All off-road construction diesel engines not registered under California Air Resources Board's Statewide Portable Equipment Registration Program, which have a rating of 50 horsepower (hp) or more, shall meet, at a minimum, the Tier 2 California Emission Standards for Off-Road Compression-Ignition Engines as specified in California Code of Regulations, Title 13, Section 2423(b)(1) unless that such engine is not available for a particular item of equipment. In the event a Tier 2 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with retrofit controls that would provide nitrogen oxide (NO_x) and particulate matter (PM) emissions that are equivalent to Tier 2 engine.
- b. All equipment shall be turned off when not in usage. Engine idling of all equipment used during both construction and operation/maintenance shall be minimized.
- c. All equipment engines shall be maintained in good operating condition and in proposed tune per manufacturers' specification.
- d. The unpaved main access road for employees and deliveries to the maintenance complex shall be paved or effectively stabilized using soil stabilizers that can be determined to be as efficient as or more efficient for fugitive dust control than California Air Resources Board approved soil stabilizers, and that shall not increase any other environmental impacts including loss of vegetation.
- e. The other unpaved roads at the site shall be stabilized using water or soil stabilizers so that vehicle travel on these roads does not cause visible dust plumes.
- f. Traffic speeds on unpaved roads shall be limited to 15 miles per hour. Traffic speed signs shall be displayed prominently at all site entrances and at egress point(s) from the central maintenance complex.
- g. All onsite off-road equipment and on-road vehicles for operation/maintenance shall be new equipment that meets the recent California Air Resources Board engine emission standards or alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, as appropriate.

- h. All equipment shall be turned off when not in usage. Engine idling of all equipment used during both construction and operation/maintenance shall be minimized.
- i. All equipment engines shall be maintained in good operating condition and in proposed tune per manufacturers' specification. Policies COS.34, 37

Implementation ~~48-47~~ As appropriate, the County shall implement the following throughout implementation of the GTASP:

- a. Encourage site plan designs to provide appropriate set-back and/or design features that reduce Toxic Air Contaminants at the source.
- b. Encourage future applicants for sensitive land uses to incorporate design features (e.g., pollution prevention, pollution reduction, barriers, landscaping, ventilation systems, or other measures) in the planning process to minimize the potential impacts to sensitive receptors.
- c. Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors as feasible. *Policies COS.34, 35, 37, 38*

3.3.7 Renewable Energy

Policies

Policy COS.50 The County shall [coordinate with the County Public Utilities Commission to](#) review all proposed transmission lines and their alignments for conformity with this Specific Plan.

Implementation Measures

Implementation ~~49-48~~ The County shall encourage the incorporation of alternative energy features in project design and construction. The County shall consider these types of design features for projects utilizing the CL (Cluster Combining) in determining whether a project has met the development standards of the CL District, as specified by Section 19.58.150.B. Policies COS.42, 44

Implementation ~~50-49~~ The County shall support proposals to add the Wind Energy Combining (WE) Zone District to parcels where development of wind energy would not conflict with surrounding land use entitlements and development in order to promote the use of

wind energy as an alternative to fossil fuels. Policies COS.42, 43, 44, 45, 48

Implementation ~~51~~50 All development proposals shall be subject to the adopted State Green Building Standards Code for sustainability and energy conservation. This requirement shall be applied to new development proposals through the development review and building permit processes. Policy COS.44

Implementation ~~52~~51 The County should promote a continuing dialogue with wind energy industry representatives to monitor trends in wind energy development and technology. Policies COS.42, 43, 44, 46, 47, 48

Implementation ~~53~~52 The County should monitor the supply and demand of electrical transmission capacity locally and statewide. Policies COS.49, 50, 51, 52, 53

Implementation ~~54~~53 The County shall continue to maintain provisions in the Zoning Ordinance and update as necessary to provide for transmission line development. Policies COS.49, 50, 51, 52, 53

Implementation ~~55~~54 Require that all wind energy development within the GTA adhere to the setback requirements of the WE Zone District of the Kern County Zoning Ordinance. Policies COS.42, 45

Implementation ~~56~~55 Require that all wind turbines installed within the GTA be equipped with safety and engineering features to prevent excess rotor speed, to minimize the risk of tower failure, and to maintain personnel health and safety. Policies COS.42, 45

3.3.8 Parks and Recreation

Goals

GOAL COS.~~11~~14 Improve parks and recreational availability in the Greater Tehachapi Area.

Implementation Measures

Implementation ~~57~~56 Support attempts by the Tehachapi Valley Recreation and Parks District to acquire privately owned recreational facilities that have become vacant and/or non-maintained. Policy

COS.54

| Implementation ~~58~~57 All discretionary development proposals that include multi-family development shall include landscaping and common-usable space areas as required by the Special Development Standards in the Zoning Ordinance (Chapter 19.80). The County shall also encourage the inclusion of parks, open space areas, and natural drainage design features in all new development. Policy 53

CHAPTER 4

CIRCULATION

4.2.1 General Circulation and Roadways

Some traffic congestion exists within the GTA along State Route (SR) 202 between the Cummings Valley and the Tehachapi Valley. This congestion is largely associated with traffic generated by the California Correctional Institute (CCI) and residential development in the area. Congestion along SR-202 increases travel time for residents of the Cummings Valley, Stallion Springs, and Bear Valley Springs areas, as SR-202 provides the primary access route into and out of these communities. Any future expansion of the CCI facility, or communities within the western half of the GTA, will require mitigation of additional impacts to SR-202, which may include widening. Additionally, a number of road segments are forecasted to have capacity deficiencies with continuing growth. This is largely because the existing rural road network is made up of two-lane roads with limited ability to handle increased traffic volumes. The County has established Transportation Impact Fee programs for portions of the GTA as shown in **Figure 4-2, Transportation Impact Fee Areas**, within the GTA. Development within this area is subject to a payment of a transportation impact fee. [This fee system was adopted by the Board of Supervisors and includes a listing of area-wide improvements that are needed for the Fee Area. Fee payments are placed into a collective fund which is allocated toward the construction of for future improvements in the area as the need occurs. The fee is a flat rate for residential dwelling units and is variable for commercial and industrial projects, based on the intensity of the use and the amount of impact that the project will have.](#) The County will need to continue to reexamine funding sources for additional road improvements to mitigate existing and forecasted capacity deficiencies, as well as for on-going maintenance. It is noted that those roads located within the boundaries of the Bear Valley Community Services District (BVCS D) are owned and maintained by that district.

4.3.1 General Circulation and Roadways

Policies

Policy CIR.5 [The County shall require that all new project proposals include adequate on and off-site street paving to ensure sufficient access, drivability and circulation throughout the Greater Tehachapi Area Specific Plan boundaries.](#)

~~[Any new division of land involving five \(5\) or more parcels where any parcel to be created is less than twenty \(20\) gross acres or any new multi-family residential, commercial or industrial development, except as otherwise provided in Chapter 19.80 of the Kern County Zoning Ordinance shall be connected to the nearest existing County](#)~~

~~maintained road via a road improved to Type A Standards by the project proponent or other agreement as stipulated by the County. Require that all new public and private roads within the boundaries of the GTA be improved to Type A Standards, unless the Kern County Roads Department determines that Type B Standards would be sufficient to accommodate the use of the new road. The improvement shall begin at the project site and shall connect the project to the nearest County maintained road.~~

Implementation Measures

Implementation 4 Any new division of land where any parcel to be created is less than twenty (20) gross acres or any new multi-family residential, commercial or industrial development, shall construct onsite road improvements to Type A standards, unless the Kern County Roads Department determines that Type B Standards would be sufficient. Additionally, when any portion of the project boundary is located within one mile of a County-maintained road, the project shall be connected to the road via a road improved to Type A Standards by the project proponent or other agreement as stipulated by the County. Projects located more than one mile from an existing County-maintained road shall be subject to off-site paved road improvements as determined by the County Roads Department on a case by case basis.

Any new division of land creating parcels which all contain twenty (20) gross acres or more shall be subject to the street improvements requirements as stipulated by Title 18, the Kern County Land Division Ordinance.

~~All street improvement plans shall be reviewed by the Roads Department for compliance with applicable County street design standards, including paving requirements. Any new division of land involving 5 or more parcels where any parcel to be created is less than 20 gross acres or any new multi-family residential, commercial or industrial development, except as otherwise provided in Chapter 19.80 of the Kern County zoning ordinance shall be connected to the nearest existing County-maintained road via a road improved to Type A Standards by the project proponent or other agreement as stipulated by the County. All new public and private roads within the boundaries of the GTA shall be improved to Type A Standards, unless the Kern County Roads Department determines that Type B Standards are sufficient to accommodate the use of the new road. The improvement shall~~

~~begin at the project site and shall connect the project to the nearest County maintained road.~~ Policies CIR.1, 4, 5

4.3.2 Trails and Bicycle/Equestrian/Pedestrian Networks

Policies

Policy CIR.17 Locate equestrian and pedestrian trails along, but separated from, roads and highways, where feasible, to satisfy non-vehicular circulation needs and enhance the safety and attractiveness of the roadways. Maximum flexibility is achieved for acquiring land for trails when they are located adjacent to roadways within rights-of-way or in setbacks. Link trails not located along roadways to trails or walkways along roadways to form a comprehensive circulation system. The applicable utility company/easement holder shall be consulted on a case-by-case basis prior to the co-location of any trail along a utility easement to ensure compatibility with the purposes and future needs of the easement.

4.3.4 Rail Services and Aircraft Operations

Implementation Measures

Implementation 19 The County shall rReview for consistency discretionary land use development applications within airport influence areas (as shown in the ALUCP) and military overflight areas, including the R-2508 Complex. Policies CIR.19, 20, 21

Implementation 20 The County shall rCoordinate and cooperate with airport operators, the County Department of Airports, the California Department of Transportation Division of Aeronautics, affected cities, Edwards Air Force Base, NAWS China Lake, and the Department of Defense on the ALUCP and review of land use applications, public education, and encroachment issues. Policy CIR.20

Implementation 21 The County shall pPursue grants and funding from appropriate agencies for updates and maintenance of the ALUCP and the study of encroachment issues. Policy CIR.20, 21

Implementation 22 The County shall rPursue funding for electronic, GIS-based maps for the ALUCP. Provide the ALUCP plan on the County website to facilitate access to the real estate community, airport operators and pilots, consultants and property owners. Policy CIR.19

Implementation 23 The County shall require the utilization of ~~Utilize~~ Avigation easements to increase buyer awareness of impacts from proximity to airports and military bases. Policy CIR.21

CHAPTER 5

SAFETY

5.3.1 General Safety

Implementation Measures

Implementation 5 For any project requiring a discretionary approval, the Kern County Environmental Health ~~Services—Department~~Division (KCEHSD) will review future projects to ensure compliance with State and County vector control requirements and determine if preparation of a pest/vector management plan is necessary. If required, said plan will be reviewed and approved by the KCEHSD. Policy SAF.1, 3

5.3.2 Seismic Hazards, Landslides, Steep Slopes, and Liquefaction

Implementation Measures

Implementation 14 When processing any request for a residential zone change or residential tract map, the County shall require the use of the Cluster (CL) Combining District to permit flexible design and siting standards as a means of achieving efficient and sustainable construction and avoidance of environmental hazard constraints. Should the County determine that efficient and sustainable design and the avoidance of environmental hazards can be achieved without use of the CL District, the County may choose to waive this requirement. Policies SAF.13, 14, 15, 16, 17

5.3.3 Flood Hazard, Shallow Groundwater, and Dam Failure

Implementation Measures

Implementation ~~17-29~~ All development proposals in areas designated 2.5 (Flood Hazard) shall be accompanied by a Flood Hazard Study prepared by a certified engineer, if required by the Kern

County Department of Engineering, Surveying, and Permit Services. Any mitigation measures identified by the study shall be incorporated into the project's design and engineering. Policies SAF.18, 19, 20

Implementation ~~18~~30 All development proposals in areas designated 2.5 (Flood Hazard) shall construct required drainage facilities as specified by the Kern County Department of Engineering, Surveying, and Permit Services. The facilities shall be constructed in accordance with applicable Kern County standards and best management practices to facilitate water conveyance and avoid or minimize potential flood impacts. Drainage facilities shall also be required outside of those areas designated 2.5, as determined necessary by the Kern County Department of Engineering, Surveying and Permit Services. Policies SAF.18, 19

Implementation ~~19~~31 Discretionary critical facilities within potential inundation areas shall be designed to mitigate or prevent effects of inundation. Policy SAF.20

Implementation ~~20~~32 All development proposals in areas designated 2.3 (Shallow Groundwater) shall be accompanied by Groundwater Study prepared by a certified engineer, if required by the Kern County Department of Engineering, Surveying and Permit Services. Any mitigation measures identified by the study shall be incorporated into project design and engineering. Policies SAF.18, 19, 21

Implementation ~~21~~33 Development in a delineated dam inundation zone, or in low-lying areas reasonably subject to inundation in the event of dam failure, shall be avoided. Similarly, development shall incorporate horizontal and vertical setbacks from confined bodies of water to avoid inundation by seiche. Policies SAF 19, 21

5.3.4 Wildland Fire Hazard

Policies

Policy SAF.~~22~~21 Educate residents about wildfire risks and the steps needed to mitigate those risks.

Policy SAF.~~23~~22 Require subdivisions to incorporate secondary or emergency access where appropriate, unless the Kern County Fire Department

(KCFD) determines that adequate fire protection can be provided with one access route.

Policy SAF.~~24~~23 Encourage the use of defensible space principles (fuel modification zones), including re-vegetation with less flammable plants and trees and the use of limited irrigation.

Policy SAF.~~25~~24 Require that all new residential, commercial, and industrial development provide an accessible supply of water for fire suppression activity.

Policy SAF.~~26~~25 The discretionary development approval process shall be coordinated with the KCFD to ensure that Fire Department response services and project design features can adequately protect the proposed project and serve the community.

Policy SAF.~~27~~26 Support the U.S. Forest Service and other agencies in the implementation of fuel reduction programs throughout the GTA.

Policy SAF.~~28~~27 Discourage specific plan amendments that would facilitate the development of new residential subdivisions within areas designated as 2.6 (Fire Hazard) unless appropriate project-specific measures have been identified to reduce the potential risk and impacts from wildland fires.

Implementation Measures

Implementation ~~22-34~~ All development proposals shall be reviewed by the Kern County Fire Department (KCFD) to determine the need for fire protection services. New development shall not be approved unless adequate fire protection facilities and resources can be provided. Policies SAF.22, 23, 24, 25, 26

Implementation ~~23-35~~ All development proposals shall be reviewed by the Kern County Fire Department (KCFD) to ensure that the design complies with the adopted Fire Code and development standards of the KCFD regarding access, fire flows, emergency vehicle access, and fire protection facilities. This review may require special building design materials and features for properties located within the high Fire hazard areas, as specified by the KCFD. Policies SAF.23, 24, 25, 26

Implementation ~~24-36~~ All development proposals shall be reviewed by the Kern County Fire Department (KCFD) and the Kern County Roads Department to ensure that adequate street widths and clearance areas are being provided to accommodate fire protection

equipment and emergency vehicles. Policies SAF.23, 24, 25, 26

Implementation ~~25-37~~ All development proposals shall include an assessment of impacts on public services and facilities, and identify recommendations for mitigation of those impacts. Policies SAF.23, 24, 25, 26

Implementation ~~26-38~~ All discretionary applications ~~for a building permit, specific plan amendment, zone change, land division, precise development plans, or conditional use permit~~ for property which is designated as Map Code 2.6 (Fire Hazard) shall ~~prepare~~ include a Fire Protection Plan to be reviewed and approved by the Kern County Fire Department. The Fire Protection Plan shall identify all proposed protection measures to address fire concerns which are beyond the scope of the existing regulations as found in the Fire Code and Wildland Urban Interface Regulation Checklist. The Fire Protection Plan shall be subject to revision based on comments received by the Fire Department. Policies SAF.22, 28

Implementation ~~27-39~~ All structures which require a building permit and that are constructed ~~within any portion of the GTA that is~~ within the “Very High” fire hazard area, as shown in Figure 5-6 (Fire Hazard Severity Zones), shall adhere to the requirements of the Kern County Fire Code and the most current requirements of the Wildland Urban Interface regulation Checklist as maintained by the Kern County Fire Department’s Fire Prevention Unit. Those standards shall include, but are not limited to the following:

Fire Department Access

- Access roads and driveways up to 150 feet in length and serving no more than two single family dwellings shall be no less than 15 feet wide with a 15 foot vertical clearance.
- Access roads more than 150 feet in length or serving more than two single family dwellings or commercial properties shall be no less than 20 feet wide with a 15 foot vertical clearance.
- Provide an approved turnaround when a dead-end driveway exceeds 150 feet.
- Access roads and driveways shall be surfaced with aggregate base or aggregate sub-base to a compacted

minimum thickness of 4 inches.

- Access roads and driveways shall not have a grade of more than 15 percent and shall be paved with asphalt or a similar surface when the grade is more than 10 percent.
- Access roads and driveways shall have no curve or turn with less than a 20-foot turning radius.
- Gate widths will equal or exceed the width of the access roads and driveways, which they control.
- The address numbers shall be posted and clearly visible from the street prior to construction.

Fire Protection Water Supply

- An approved fire hydrant shall be installed if the structure is within 600 feet of a recognized water distribution system. Otherwise, the following water tank requirements apply.
- Water tanks cannot be shared by more than one property.
- Structures up to 2,500 square feet of floor space shall have a water tank with a capacity of 3,500 gallons. Structures over 2,500 square feet of floor space shall have a water tank with a capacity of 5,000 gallons.
- Place water tanks between 75 and 200 feet of all inhabitable structures with a floor area of more than 500 square feet.
- Position tanks so that a 50,000 lb. fire engine can park within 8 feet of the fire department connection. Access roads to the tank shall be no less than 15 feet wide, with an all weather surface.
- The tank must have a 2 1/2 inch valved male outlet with fire hose threads (National Standard Thread) with an automatic refill device and water level indicator. The bottom of the threaded connection shall be between 6 and 12 inches above grade.
- A fire hydrant may be connected to the water tank by an approved, engineered underground pipe system. The underground pipe must be a minimum of 4 inches in diameter. The system must be approved and inspected by the Kern County Fire Department.

Defensible Space

- Building proprietors will create and maintain adequate and

approved defensible space by modifying and/or removing combustible vegetation adjacent to structures. Clearance guidelines, outlined in, and mandated by, Section 4707 (Chapter 6 of the 2006 International Wildland Urban Interface Code), stipulate that defensible space is free of flammable and combustible vegetation and other materials that would contribute to fire spreading from the wildlands to the structure or from the structure to the wildlands.

- Storage of firewood and combustible materials, including construction materials storage sites, shall be located at least 20 feet from structures. These collection sites cannot be located beneath, or on, projections attached to main structures, and must be at least 15 feet below tree crowns.
- Defensible space guidelines are further specified, and can be obtained by contacting the Kern County Fire Department. Policies SAF.22, 23, 24, 25, 26, 27, 28

Implementation ~~28~~-40 All roads shall be properly marked and all homes shall have addresses that are prominently displayed. Policies SAF.23, 24, 25, 26

Implementation ~~29~~-41 Proposed discretionary actions shall be required to maintain minimum weed abatement or vegetation clearing around and within individual lots as specified by the Kern County Building Code (Chapter 8.46), and identify during public review of the project the means in which minimum weed abatement or vegetation clearing will be maintained. Policy SAF.24

Implementation ~~30~~-42 The County shall maintain a high level of inter-jurisdictional cooperation and coordination, including appropriate automatic aid agreements with fire protection/suppression agencies in the city of Tehachapi and with the U.S. Forest Service and Federal Bureau of Land Management. Policy SAF.27

Implementation ~~31~~-43 The County shall not support specific plan amendment proposals that would facilitate the development of new residential subdivisions within areas designated as 2.6 (Fire Hazard) unless appropriate project-specific measures have been identified to reduce the potential risk from wildland fires. Policy SAF.28

Implementation ~~32~~-44 As development is proposed in the future, the County shall review projects on a case-by-case basis to specify development

and design features to ensure potentially hazardous fire risks are identified and adequately mitigated in accordance with the Wildfire Risk Management Plan, Greater Tehachapi Communities Wildfire Protection Plan, the Kern County Multi-Hazard Mitigation Plan, Kern County Wildland-Urban Interface Code, Kern County Fire Code, and the Greater Tehachapi Area Specific Plan.

Implementation ~~33-45~~ If deemed appropriate by the County, the applicant for any future project shall develop and implement a Fire Safety Plan for use during construction and operation. The applicant shall submit the Fire Safety Plan, along with maps of the particular project site and access roads, to the Kern County Fire Department for review and approval prior to the issuance of any building permit or grading permits. The Fire Safety Plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following:

- a. All internal combustion engines, stationary and mobile, shall be equipped with spark arresters. Spark arresters shall be in good working order.
- b. Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition.
- c. Fire rules shall be posted on the project bulletin board at the contractor's field office and areas visible to employees.
- d. Equipment parking areas and small stationary engine sites shall be cleared of all extraneous flammable materials.
- e. Personnel shall be trained in the practices of the Fire Safety Plan relevant to their duties. Construction and maintenance personnel shall be trained and equipped to extinguish small fires in order to prevent them from growing into more serious threats.
- f. Applicant shall make an effort to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside of the official fire season. When the above tools are used, water tanks equipped with hoses, fire rakes, and axes shall easily

accessible to personnel.

- g. Smoking shall be prohibited in wildland areas and shall be limited to paved areas or areas cleared of all vegetation.

| Implementation ~~34-46~~ When a Red Flag Warning is issued by the National Weather Service for a future project area, all non-emergency construction and maintenance activities shall cease. This provision shall be clearly stated in the Fire Safety Plan.

CHAPTER 6

NOISE

6.3.1 General Noise and Noise Sensitive Areas

Implementation Measures

- Implementation 3 All discretionary development proposals may be required to submit an acoustical report, as deemed necessary by the Kern County Environmental Health ~~Services—Department~~[Division](#), indicating the means by which the developer proposes to comply with the noise standards. The acoustical report shall:
- a. Be the responsibility of the applicant.
 - b. Be prepared by a qualified acoustical consultant experienced in the fields of environmental noise assessment and architectural acoustics.
 - c. Be subject to the review and approval of the Kern County Planning and Community Development Department and the Environmental Health ~~Services—Department~~[Division](#). All recommendations therein shall be complied with prior to final approval of the project. Policies NOI.1, 2, 3, 4

6.3.2 Roadways

Policies

- Policy NOI.[76](#) Require that all new development within proximity to highways and arterial roadways and require that all development within proximity to such roadways be accompanied by an acoustical analysis to ensure that the development would be compatible with the roadway.

6.3.3 Railway Operations and Ground Vibrations

Policies

- Policy NOI.[87](#) Require all new development that is within close proximity to existing rail operations to submit an acoustical analysis which demonstrates that the development will be compatible with the

existing rail operations.

Implementation Measures

Implementation 11 All new development proposals which would place sensitive land uses (such as residential, schools, churches, etc.) that may be sensitive to ground borne vibration shall be accompanied by a vibration analysis, as deemed necessary by the Kern County Environmental Health ~~Services—Department~~ Division. The vibration analysis will ensure that sensitive vibration land uses are not exposed to a vibration level greater than 75 VdB or to a peak particle velocity of 0.2 in/sec or greater. Policy NOI.8

6.3.4 Airports and Airport Operations

Policies

Policy NOI.~~9~~8 The burden of providing acoustical compatibility shall be placed on the proposed discretionary project rather than existing development.

Policy NOI.~~10~~9 Ensure that new development in the vicinity of airports will be compatible with existing and projected airport noise levels as set forth in the ALUCP.

6.3.5 Industrial Operations

Policies

Policy NOI.~~11~~10 Require new development proposals within close proximity to existing industrial operations or zone districts to submit an acoustical study to demonstrate that the new development will be consistent with the existing industrial entitlement.

6.3.6 Energy Operations

Policies

Policy NOI.~~12~~11 Continue to require new wind farm development to comply with the noise standards of the Wind Energy Combining District [Kern County Code Section 19.64.140(J)]. Portions of the eastern GTA have the WE (Wind Energy Combining District) zoning classification, which could permit future development of wind energy systems within the GTA. Therefore, efforts should be made to site future residential development or other sensitive uses in areas that are not adjacent to WE zoned areas.

Policy NOI. ~~13~~12 New wind energy development should be encouraged within the Tehachapi Wind Resource Area so as to minimize impacts to noise sensitive areas.

CHAPTER 7

SUSTAINABILITY

7.1 PURPOSE AND SCOPE

The concept of sustainability acknowledges that there is a delicate balance between the economic benefits of continued growth and the need to preserve the natural resources which sustain the new development and provide an improved quality of life to the public. Sustainability is the ability to facilitate smart future development while ensuring that there will be adequate resources available to support that growth in the future.

7.3 SUSTAINABILITY ELEMENT GOALS, POLICIES AND IMPLEMENTATION MEASURES

Policies

Policy SUS.16 The County shall encourage all new residential, commercial, and industrial structures to be constructed in an orientation that is optimal for the receipt of solar energy. This policy will facilitate increased use of solar panels to generate alternative energy that can be used on-site.

Implementation Measures

Implementation 5 All new development shall utilize energy-efficient streetlights where appropriate and shall be encouraged to retrofit existing on-site streetlights with more efficient technology. Policy SUS.4

Implementation 14 The County shall ~~implement~~ encourage the utilization of the following policies for achieving ~~the~~ its 2030 sustainability strategy:

- Development of a set of policies and a program of incentives that will encourage developers to build in a more energy- and resource-efficient manner, including the reduction of total water consumption (potable and non-potable) by requiring features such as low-flow fixtures and drought-tolerant landscaping.
- ~~Reduce the use of~~ Decrease the reliance on non-renewable

energy by encouraging new projects to incorporateing elements such as photovoltaic panels and the new generation of smaller, low-impact wind turbines.

- Reduce/Decrease energy consumption by designing buildings that take advantage of features such as better insulation (e.g., green roofs), natural ventilation, natural day lighting, efficient lighting fixtures, and solar rather than gas water heaters.
- Utilization of recycled, rapidly renewable, and locally-sourced materials that reduce impacts related to materials extraction, processing, and transportation.
- Incorporation of LEED (Leadership in Energy and Environmental Design) for Neighborhood Development program requirements into development plans of greater than ten homes if feasible.
- Reduction of stormwater runoff by implementing features that promote groundwater infiltration (e.g., bioswales) and reuse of stormwater (e.g., rainwater harvesting) for non-potable uses such as irrigation and toilet flushing.

Implementation 15 The County shall implement the following State sustainability legislation, as it is required by State law:

- AB 32 (Global Warming Solutions Act of 2006): AB 32 requires California to reduce its total greenhouse gas emissions to 1990 levels by 2020. AB 32 was preceded by Executive Order S-3-05 of 2005, which required an 80 percent reduction in greenhouse gas emissions from 1990 levels by 2050.
- SB 375 (2008): SB 375 requires each federally-designated Metropolitan Planning Organization (MPO) in California to develop a “sustainable communities strategy” to reduce greenhouse gas emissions from automobiles and light trucks. SB 375 is related to and helps achieve the goals of the previously-approved AB 32. At the writing of this element, the MPO serving the GTA, Kern COG, is working with the California Air Resources Board (CARB) to develop greenhouse gas reduction targets for automobiles and light trucks. Future planning actions taken by the Kern County will take into consideration the need to minimize motor vehicle use in order to meet these targets.

- AB 1358 (California Complete Streets Act of 2008): AB 1358 requires that, upon any substantive revision of the General Plan Circulation Element, the community's circulation plan be modified to plan for a balanced, multimodal circulation system. The circulation plan must be designed to meet the needs of all users of area roadways, defined to include motorists, bicyclists, pedestrians, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation. While this legislation is not directly applicable to specific plans, the GTASP abides by the goals of AB 1358 by encouraging a range of actions that may be taken to encourage the use of multiple modes of transportation.
- California Code of Regulations (CCR) Title 24, the California Building Standards Code, Part 6 (1978, as revised): The Building Energy Efficiency Standards portion of Title 24 establishes energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption.
- California Code of Regulations (CCR) Title 24, the California Building Standards Code, Part 11 (2007): The California Green Building Standards Code establishes environmentally-friendly building standards relating to planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental air quality.
- AB 170 (2003): Requires the County to amend appropriate elements of its General Plan to include data, analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year after the first revision of its Housing Element that occurs after January 1, 2004.

Implementation 17 [The applicants for future projects shall reduce construction waste transported to landfills by recycling solid waste construction materials to the greatest extent feasible, such as taking materials to recycling and reuse locations listed in the brochure on recycling construction and demolition materials available on the Kern County Waste Management Department website. Policies SUS.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15](#)

Implementation 18 [The applicants for future projects shall provide a fenced storage area for recyclable materials that is clearly identified for recycling. This area shall be maintained on the site during construction and operation. A site plan showing the recycling storage area shall be submitted to the Kern County Planning](#)

and Community Development Department and Kern County Waste Management Department prior to the issuance of any grading or building permit for the site. Policies SUS.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15

CHAPTER 8

HOUSING

No changes.

CHAPTER 9

SPECIFIC AND COMMUNITY PLAN

IMPLEMENTATION

The Greater Tehachapi Area Specific and Community Plan (GTASCP) will be implemented over a 30-year timeframe involving a series of phases that will require a combination of resources in order to achieve full success. This chapter outlines anticipated phasing of implementation, probable financing and maintenance provisions, and the implementation of and/or amendments to components of the Plan. The GTASCP provides for the orderly and efficient development of the Plan area in accordance with the provision of the Kern County General Plan. The Plan identifies the goals and polices of the General Plan that are applicable to the Plan area through the establishment of land use designations, circulation patterns, development policies, and the definition of required infrastructure to support the planned land uses. These goals, policies and implementation measures identified in the plan are implemented through use of the GTASCP as a planning tool for future growth within the plan area.

9.1.1 Relationship to the General Plan

The Greater Tehachapi Area Specific and Community Plan Area, herein referred to as the Plan area, is entirely within the jurisdiction of Kern County. Consequently, this Plan is an integral component of, but subordinate to, the Kern County General Plan. By State law (Government Code 65451 et seq.), a specific plan must maintain internal consistency with the General Plans, by incorporation of the County General Plan goals, and inclusion of policies that support the adopted Elements of a General Plan.

9.2 SPECIFIC PLAN IMPLEMENTATION

9.2.1 Implementation of Future Policies and Programs Identified by this Plan

The GTASCP contains several policies and implementation measures which state that the County will explore and implement new programs when the necessary resources and funding becomes available to do so. In order to ensure that these issues are appropriately addressed, the items have been prioritized as stated below. The County shall make efforts to allocate funding and resources to each item in the order as indicated below.

1. Consistency Zoning: Section 65860 of the California Government Code requires that all zone districts be consistent with the underlying General Plan. Therefore, after the adoption of the

Specific Plan, the County shall process staff-initiated zone changes to ensure that all zone districts are consistent with the underlying specific plan designations established by this Plan. Every effort has been made to ensure that the designations established by this plan match the existing zone districts; however, as specified above, the County is required to review existing designations and classifications to ensure consistency between the two.

2. Architectural Guidelines: Policy LU.26 and Land Use Implementation 26; which state that that the County shall prepare architectural and aesthetic development guidelines, to be incorporated into the PD Combining Zone District requirements, for all new commercial and industrial development throughout the GTA. The County may elect to utilize geographical groupings when preparing these guidelines. For example, the guidelines could focus on communities throughout the GTA, such as: (1) NE Mountain Foothills Enclaves, (2) Golden Hills area, (3) Alpine Forest Enclave, (4) Stallion Springs area, (5) Bear Valley area, (5) Portions of the Hard Flat Enclave, etc.
3. Master Trails Plan: Implementation 17 states that the County will prepare a comprehensive GTA “Trails, Parks, and Recreation Master Plan” based on the input of community members, public agencies, and other organizations. The County may elect to utilize geographical groupings when preparing this plan. For example, the plan could focus on communities throughout the GTA, such as: (1) NE Mountain Foothills Enclaves, (2) Golden Hills area, (3) Alpine Forest Enclave, (4) Stallion Springs area, (5) Bear Valley area, (5) Portions of the Hard Flat Enclave, etc.
4. Multiple policies within the GTASCP state that the County shall encourage the development of other programs, land uses and technologies such as the development additional methods to utilize recycled water, development of a “Transfer Development Rights Program”, etc. These programs shall be implemented on a case by case basis as resources become available.

Requests to amend this plan to re-prioritize these items shall be considered by the Kern County Planning Commission and Board of Supervisors.

9.23 SPECIFIC PLAN AND COMMUNITY

ADMINISTRATION

9.23.1 Specific and Community Plan Amendment Process

The Plan may be amended, as necessary to achieve consistency, in the same manner it was adopted via resolution. Each amendment shall include all chapters or portions of the Specific Plan that are affected by the change.

1. Types of Specific Plan Amendments: Types of changes, which would require a Specific Plan Amendment include, but are not limited to:

- a. Changes to the boundary, which would increase the size of the Plan area.
 - b. Any change in a land use designation.
 - c. Changes to the Circulation Element's Roadways map.
 - d. Minor text amendment and/or changes to identified goals, policies and implementation measures.
2. Compatibility Criteria: In reviewing proposed amendments to the Plan, the following criteria are used in determining an amendment's compatibility with the overall intent of the GTASCP:
- a. Consistency with the amended General Plan goals and policies set forth by the GTASCP.
 - b. Consistency with the GTASCP objectives for land use, conservation and open space, circulation, safety noise, sustainability and housing policies as outlined in the Specific Plan.
 - c. Consistency with the overall theme and design character established for the GTASCP.
3. Plan Amendment Procedures
- a. An amendment to the Plan may be initiated by a property owner's application or at the direction of the Board of Supervisors. Amendments shall be consistent with the requirements of California Government Code Sections 65453-65454 and shall be subject to State and local public notice requirements.

9.23.2 Elements of Specific and Community Plan

This Specific and Community Plan conforms with and implements all of the required elements as set forth by Sections 65450-65457 of the California Government Code. The Plan provisions also meet the statutory requirements for a Community Plan. The Kern County General Plan, which is incorporated into this Plan by reference, and the GTASCP comprise an internally consistent set of goals, policies, implementation measures, regulations, and a zoning ordinance implementation for the Plan area. The implementation of the Specific and Community Plan elements and adoption is described in more detail below.

9.23.3 Specific Plan Statutory Requirements

California law provides that a specific plan may be adopted by ordinance or resolution. The GTASCP is adopted by resolution. As such, it identifies specific policies which give direction to the mix of land uses and goals applicable to the Plan area consistent with the General Plan's statement of development policies and action programs (State of California, Planner's Guide to Specific Plans, Office of Planning and Research, 2001). Section 65451 of the California Government Code requires that a Specific Plan contain the following information:

- 1. A specific plan shall include a text and a diagram(s) which specify all of the following in detail:

a. The distribution, location and extent of the uses of land including open space within the plan.

The GTASCP includes land use maps which illustrate the distribution, location and extent of the uses of land including open space within the plan.

b. The proposed distribution, location and extent of major transportation, sewerage, water, drainage, solid waste disposal, and energy components, and other essential facilities proposed to be located within the plan and needed to support the land uses proposed.

The GTASCP includes a Roadways map to illustrate transportation corridors. The various Community Services Districts and public utilities within the Plan Area maintain maps and documentation which illustrate the major sewerage, water, drainage, solid waste disposal and other essential facilities located within the plan area. Those maps and other forms of documentation that illustrate the existing and planned infrastructure are hereby incorporated by reference into the GTASCP. The GTASCP also includes specific policies which require that certain new residential, commercial and industrial development be served by a public sewer and public water source. These provisions are intended to ensure that growth occurs logically and does not occur before adequate infrastructure is in place.

c. Standards and criteria by which development will proceed, and standards for conservation, development and utilization of natural resources, where applicable.

The GTASCP includes seven elements which identify goals, policies and implementation measures for development, conservation and utilization of natural resources.

d. A program of implementation measures including regulations, programs, public works and financing measures necessary to carry out the plan.

The GTASCP includes seven elements which identify specific implementation measures which specify a variety regulations and programs in which the plan will be implemented. These include provisions for sewer connections, adequate water service, adherence to Dark Skies principles, installation of road improvements for new development, preservation of agricultural land, etc. Additional discussion of financing measures is included in this chapter under Section 9.3.

2. The specific plan shall include a statement of the relationship of the specific plan to the General Plan. Additionally, Appendix C of the Kern County General Plan requires that, in addition to the information in Government Code Section 65451, a specific plan must also include a discussion of each general plan element. Specific plans are intended as tools for the systematic execution of the General Plan, and they, therefore, are to include all detailed regulations, conditions, programs, and proposed legislation which shall be necessary or desirable for the systematic implementation of each element of the General Plan.

The GTASCP includes all required elements, including the addition of an extra chapter entitled the Sustainability Element.

3. Appendix C of the Kern County General Plan also requires that a Specific Plan include a public service and facility component, which is defined as follows:

“A public service and facility component will be required to be included in Specific Plans. Specific Plans shall require the implementation of a Precise Development combining district or other implementation for all commercial/industrial or multifamily residential development to implement the policies of the document. The public service and facility analysis shall follow the County of Kern Residential Fiscal Impact Analysis Guidelines. If no residential land use is proposed for the Specific Plan, then impacts will be analyzed and mitigated through the Environmental Document.

- a. A cost and revenue analysis and long-term plan for the provision of services;
- b. An infrastructure capital improvement plan specifying ongoing operating and maintenance costs and revenues; and
- c. A financing plan which assumes adequate funding for required capital Improvement investments and for ongoing operating and maintenance costs.”

Chapters 2-9 of the GTASCP address all of the elements required by Government Code Section 65451 and Kern County General Plan Appendix C. This chapter of the Plan includes a discussion of the public service and facility component as required by Kern County General Plan Appendix C. The GTASCP is consistent with or more restrictive than the Kern County General Plan. The Kern County Energy Element is incorporated by reference.

9.23.4 Community Plan Statutory Requirements

A Community Plan is defined in Section 21083.3 of the California Public Resources Code as:

“... a part of the general plan of a city or county which (1) applies to a defined geographic portion of the total area included in the general plan, (2) complies with Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code by including or referencing each of the mandatory elements specified in Section 65302 of the Government Code, and (3) contains specific development policies adopted for the area included in the community plan and identifies measures to implement those policies, so that the policies which will apply to each parcel can be determined.” Community plans are adopted by resolution. Section 65302 of the California Government Code requires that community plans include at least seven elements, including: (1) a land use element; (2) a circulation element; (3) a housing element; (4) a conservation element; (5) an open space element; (6) a noise element; and (7) a safety element. The State of California General Plan Guidelines (Office of Planning and Research, 2003) provide that “a community plan must be internally consistent with the general plan of which it is a part” and that “a community plan need not address all of the issues required by §65302 when the overall general plan satisfies these

requirements.” The GTASCP and Community Plan is consistent with these requirements and is adopted by resolution concurrently with the Specific Plan. The plan includes the policies and provisions for the Specific Plan Area identified in Chapters 2-7 and the appendices of this Specific Plan. The Plan is consistent with or more restrictive than the Kern County General Plan. The Kern County General Plan Energy Element is incorporated by reference. As a result, the GTASCP and Community Plan is also consistent with the Kern County General Plan.

9.34 FINANCING AND MAINTENANCE

Various techniques are available for financing of the improvements associated with future development within the Greater Tehachapi Area Specific and Community Plan. The exact financing method for various improvements and ongoing maintenance is determined on a case-by-case basis, in conjunction with the phasing of infrastructure and new projects as they occur.

9.34.1 Established Financing Mechanisms within the GTASCP

Traffic Impact Fee (TIF) Area: More than two thirds of the Greater Tehachapi Area is covered by the established TIF Area that was adopted by the Board of Supervisors in 2006. Projects within TIF boundaries pay a set fee for development and these fees are placed into a fund which finances regional traffic improvements throughout the TIF area. For projects outside of the TIF boundary and/or projects which necessitate improvements beyond what is listed in the TIF, the Kern County Roads Department will determine a proportionate share for those improvements to be paid by the project proponent. It is noted that the GTASCP area includes a “core” and a “non-core” TIF area. The core area is predominantly located within the limits of the City of Tehachapi and the non-core area is in the non-incorporated area. Core TIF fees are typically slightly higher than non-core fees.

Community Services Districts (CSD): Established Community Services District’s within the GTA are used to help finance infrastructure and public improvements, as well as other services such as trash removal or private trail paving. A Community Services District has, subject to legal restrictions, the power to levy taxes for the purpose of carrying on the operations and paying the obligations of the District. It may also collect fees for its services and use of its facilities. CSD may apply for grants and loans described herein. Inclusion in a CSD typically requires payment of fees for monthly services, new connections and individual hook-ups. These fees help provide funding for future sewer and water infrastructure improvements and maintenance.

Utility Districts: Utility districts, including districts for furnishing potable water, irrigation, electricity, sewer, and solid waste are generally empowered by California law to incur bonded indebtedness according to the revenues received from their operations.

Capital Improvement Plan (CIP): A Countywide Capital Improvement Plan (CIP) was adopted by the Board of Supervisors in May of 2008. The CIP presents the best current understanding of the new public facilities that will be needed to serve Kern County’s projected development through 2030. The CIP is a preliminary indication of the current plans for new facilities. The scope of the

services includes parks, libraries, sheriff (public protection and investigation), fire, animal control, public health, landfill/transfer stations, and general government. Roads and sewer costs and impacts are not part of this program. As a working document, the CIP will need to be reviewed and revised on a regular basis, as the County's needs change. The CIP is not intended to be inclusive of all projects needed to serve the county in the future; rather, it is a 'snapshot' of the County's perceived needs at the time of adoption. Therefore, the planned projects listed in this CIP are included on a conceptual basis and are subject to change.

The objectives of this CIP are as follows:

- To improve the infrastructure in Kern County to satisfy the needs of projected development, consistent with the Countywide Strategic Plan;
- To identify and examine the current and future infrastructure needs so that available resources are used to the County's best advantage;
- To identify existing, planned, or desired facility standards to aid future facility planning efforts;
- To provide a preliminary estimate of the costs and phasing of needed capital improvements.

Definition of CIP Projects: The CIP includes all major capital improvement projects identified thus far for the following nine facility categories:

- Countywide Public Protection Facilities;
- Sheriff Patrol and Investigation Facilities;
- Library Facilities;
- Animal Control Facilities;
- Park Facilities;
- Fire Facilities;
- Waste Management Facilities;
- Public Health Facilities; and
- General Government Facilities.

In general the following types of projects and purchases can be classified as capital improvement projects:

- New construction of facilities and infrastructure;

- Land purchases;
- Purchases of vehicles and major equipment; and
- Purchases of technology infrastructure.

The CIP focuses primarily on conceptual facility plans that will increase capacity and enable the County to maintain service levels as new development occurs. Planned facilities that do not meet these criteria are listed in the appendices of the CIP and include:

- Facility replacements that do not yield a capacity increase;
- Renovation of existing facilities and infrastructure; and
- Closure mitigations for existing facilities.

Presently, project impacts are mitigated through CEQA to pay specified fees to offset their impacts to public infrastructure. However, as a part of the CIP, a Development Impact Fee may be established for all future projects to help streamline the process and ensuring that each projects proportionately off-sets for any potential impact. The Development Impact Fee could range from \$6,000 to \$14,000 per single-family house and would vary for other types of uses. Currently, if there is no fee adopted at the time of issuance of a building permit, than the appropriate findings will have been made by the Board of Supervisors that other methods, not involving developer impact fees, have been determined to address the potential public services shortfall. Additionally, potential funding sources are listed in each CIP data sheet contained within the plan.

9.34.2 Potential Financing Mechanisms within the GTASCP

The passage of Proposition 13 reduced the ability of local governments to finance infrastructure improvements from general fund tax revenues. Thus, the use of financing techniques such as development fees and exactions, as well as the use of assessment districts may be necessary to implement the Plan. Therefore, possible alternative funding sources for the Greater Tehachapi Area community facility improvements may include, but are not limited to establishment of the following:

1. Community Facility Districts (i.e., Mello-Roos);
2. Geologic Hazard Abatement District;
3. Special Assessment Districts;
4. Financing through existing water districts;
5. Public Utility Districts;
6. Landscape and Lighting Districts;
7. Facilities benefit assessments;

8. Conventional subdivision financing;
9. Turn-key construction by project applicants;
10. Land reservation, offers of dedication, fee dedications, and/or easements;
11. Per unit hook-up charges and user charges;
12. Reimbursement agreements;
13. Revenue bonds; and,
14. State and/or federal grants and low-interest loans (infrastructure-financing programs).

9.34.2.1 Description of Other Potential Financial Mechanisms

1. **Recreational Trails Program (RTP):** The RTP provides funds for recreational trails and trails-related projects. It is administered at the federal level by the Federal Highway Administration (FHWA) and at the state level by the California Department of Parks and Recreation (DPR). The “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” defines the program at the federal level per Title 23, United States Code, Section 206. State law further defines the program per California Public Resources Code 5072.8. Motorized projects are administered by the Department's Office of Grants and Local Services, and motorized projects are administered by the Department's Off-Highway Motor Vehicle Recreation Division.

In 2005, Congress reauthorized the RTP nationwide for \$60 million in Federal Fiscal Year (FFY) 2005, \$70 million in FFY 2006, \$75 million in FFY 2007, \$80 million in FFY 2008, and \$85 million in FFY 2009. Seventy percent (70%) of the funds received by California will be available for non-motorized Projects on a Competitive basis to cities, counties, Districts, state agencies, federal agencies and nonprofit organizations with management responsibilities over public lands. At least one-half of the funds for non-motorized trails will be available only to cities, counties, Districts and nonprofit organizations with management responsibilities over public lands. Thirty percent (30%) of the funds will be available for motorized Projects on a Competitive basis to cities, counties, Districts, state agencies, federal agencies and nonprofit organizations with management responsibilities over public lands. Not less than 40 percent (40%) of the total funds received by the State will be allocated to trail Projects that provide for Diversified Trail Use. The Department will be responsible for compliance with this requirement.

Cities, counties, districts, state agencies and nonprofit organizations with management responsibilities over public lands are eligible for the RTP. A nonprofit organization is deemed to have management responsibilities over public lands when a written agreement exists between the nonprofit organization and a public land management agency that identifies the nonprofit organization's responsibilities over public lands to include either planning, development or construction, acquisition, operations, or maintenance of trails or trails related facilities.

Applicants must have adequate tenure to the property to be improved with grant funds, either by

ownership, lease, easement or other similar long-term interest in the property. The length of the tenure must be sufficient to complete the project and to meet the program requirements for ongoing maintenance and operations. For capital expenditure projects (permanent additions or improvements to property), grants of \$100,000 or less require at least ten years of tenure and public recreation operation. Grants greater than \$100,000 require at least 20 years of land tenure and public recreation operation. When an applicant does not have tenure at the time of application, but intends to establish tenure via a lease that will be signed upon grant award, the applicant may choose to follow one of the alternate land tenure processes as specified in the RTP.

The RTP match amount is based on the cost of the total RTP Project. The maximum amount of RTP funds allowed for each project is 88%. The Applicant is responsible for providing a match amount that is a minimum of 12%.

2. Office of Grants and Local Services Local Assistance Park Projects from Various Sources:

In each year's State Budget, there are local assistance park projects from various sources that the Office of Grants and Local Services administers. General Fund, Environmental License Plate Fund, River Protection Sub-account, Bond Funds and other sources are typical of programs that the Office of Grants and Local Services manages using the Procedural Guide for Various Programs.

The budgeted projects usually have three years to be encumbered with a contract and an additional two years to expend the funds, for a total of five years. Eligible applicants include cities, counties, districts, local agencies formed for park purposes, other districts, and federally recognized California Indian tribes.

The program intent is to provide funds on a competitive basis to increase public recreational access, awareness, understanding, enjoyment, protection, and restoration of California's irreplaceable rivers and streams. Eligible projects include the acquisition, development or improvement of recreation areas, open space, parks, and trails in close proximity to rivers and streams. All projects must include a riparian or riverine habitat enhancement element and also provide for public access. The minimum grant amount is \$20,000, and the maximum is \$400,000.

An eligible project shall include the acquisition, development or improvement of recreation areas, open space, parks, and trails in close proximity to rivers and streams. In addition, an eligible project shall include a riparian or riverine habitat enhancement element and also provide for public access.

Projects may include, but are not limited to, the following examples (note that each Project must include public access and a riparian or riverine habitat enhancement element):

- a. Acquisition and/or Development of river parkways;
- b. Development, improvement or enhancement of trails, Trailhead or Trailside Facilities along rivers, streams and/or river parkways for walking, cycling and equestrian purposes;

- c. Development of riverfront parks with habitat enhancement;
- d. Construction of new trails connecting to existing river or stream trails;
- e. Acquisition of land to provide public access to rivers, streams, river parkways; and access to other public areas; and
- f. Restoration or enhancement of a significant riparian or riverine habitat while providing for public access. Significant habitat includes, but is not limited to at least one of the following categories:
 - Critical wintering, breeding, or migratory habitat;
 - Rare species or unique habitat;
 - Representative examples of specific species or habitat;
 - Essential habitat linkages;
 - Critical buffer zones;
 - Habitat of species that are experiencing significant declines or threats;
 - Species with a highly restricted distribution within the region or state;
 - Lands that are critical for successfully implementing local, regional, and/or state conservation plans; and
 - Removal of debris from stream channels or erosion control and bank stabilization work.
 - region or state;

3. Community Development: The Kern County Planning and Community Development Department's "Community Development Block Grant (CDBG)" program may be a potential resource to assist in accomplishing some of the communities stated goals. However, one of the following three National Objectives must be met by each funded project or program:

- a. Principally benefit low and moderate income persons;
- b. Aid in the prevention or elimination of slums, blight or blighting influences; and
- c. Meet a community development need of "particular urgency" (per HUD's definition).

In the case of the GTASCP, the principal beneficiaries exceed the income guidelines. It is projected that when the year 2010 socio-economic data is released, it is unlikely that the Plan Area will qualify as low income. However, special studies may be conducted in smaller areas

that show in excess of 51 percent of persons residing in certain portions of the Plan Area may be eligible for certain activities. Examples of CDBG Eligible Activities include the following: Public Facilities, including but not limited to acquisition for, design, construction, reconstruction or rehabilitation of Community/Neighborhood Centers, Senior Centers, Child Day Care Facilities, Centers for the Handicapped, Parks & Recreation Facilities, Branch Fire Stations, Branch Libraries, Shelters and Rehab Centers, Health Facilities, and Public Infrastructure Improvements.

4. **Congestion Mitigation Air Quality (CMAQ):** CMAQ is not of the Transportation Enhancement Act for the 21st Century (Transportation Efficiency Act "TEA"-21), the purpose of which is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for Ozone And Carbon Monoxide (CO). Transportation Enhancement Act-21 also allows CMAQ funding to be expended in Particulate Matter (PM) nonattainment and maintenance areas.

Proposals for CMAQ funding should include a precise description of the project, providing information on the project's size, scope and timetable. Also, an assessment of the proposal's expected emission reductions in accordance with the provisions described below is required. States, Metropolitan Planning Organizations (MPOs such as Kern COG), and transit agencies are encouraged to develop procedures for assessing the emission reduction benefits of CMAQ projects. States are also required to submit annual reports detailing the obligations made under the CMAQ program during the previous fiscal year. Under the CMAQ Program, a 20 percent match (non federal funds) is required, or ten percent match if used on an interstate.

5. **CMAQ - PM-10 Nonattainment and Maintenance Areas:** Nonattainment and maintenance areas for PM-10 are also now explicitly eligible to receive CMAQ funding. States that have PM-10 nonattainment or maintenance areas only (i.e., no ozone or CO nonattainment or maintenance areas) are granted additional flexibility under Transportation Efficiency Act "TEA"-21. Since these areas are not included in the CMAQ apportionment calculation, the State may use its minimum apportionment for projects eligible under the State Transportation Improvement Plan (STIP) or the CMAQ program anywhere in the State. However, such States are encouraged to use their CMAQ funds in the PM10 nonattainment and maintenance areas. Examples of eligible projects and programs in a PM-10 nonattainment or maintenance area include paving dirt roads, diesel bus replacements, and purchase of more effective street-sweeping equipment.

6. **CMAQ - Planning and Project Development Activities:** Project development activities that lead to construction of facilities or new services and programs with air quality benefits, such as preliminary engineering or project planning studies are eligible. This includes studies for the preparation of environmental documents and related transportation/air quality project development activities. In the event that air quality monitoring is necessary to determine the air quality impacts of a proposed project which is eligible for CMAQ funding, the costs of that monitoring are also eligible. As is the case with all CMAQ funded activities, all projects proposed for funding must be included in the MPO Plan and TIP and must meet the metropolitan planning requirements.

7. CMAQ – Bicycle and Pedestrian Facilities and Programs: The following bicycle and pedestrian facilities are eligible: construction of bicycle and pedestrian facilities; non-construction projects related to safe bicycle use (such as maps, brochures and public service announcements); and establishment and funding of State bicycle/pedestrian coordinator positions, as established in the Transportation Efficiency Act "TEA", for promoting and facilitating the increased use of non-motorized modes of transportation. This includes public education, promotional, and safety programs for using such facilities.

8. Environmental Enhancement Mitigation (EEM) Funds As Match For Transportation Programs: It is possible to use the state EEM funds as match, project qualifies under both programs. Each year for ten years, starting in 1991, the EEM program provides \$10 million to fund environmental projects directly or indirectly related to transportation projects. Such projects must provide environmental enhancement and mitigation over and above that otherwise called for under the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA). The tenth year applications will be submitted to the Resources Agency in November 1999.

These two programs may be used for scenic acquisitions, tree planting or roadside bikeways. Transportation enhancement projects matched with EEM have been in Categories 1 (Bicycle and pedestrian facilities), 2 (Acquisition of scenic easements and scenic or historic sites), and 4 (Landscaping and other scenic beautification). The transportation enhancement activities program and the EEM program have timing requirements that often make putting a project together with both funds challenging. The major hurdle is to complete the federal environmental documentation (transportation enhancement activities requirement) before the deadline to start construction with EEM funds. (EEM does not reimburse for environmental documentation.)

EEM projects must receive a vote for allocation of funds for the right of way or construction phases in the year programmed by the Commission, start construction within six months after the allocation vote, and be completed within three years of the programming date.

The Resources Agency receives and ranks EEM applications and submits them to the California Transportation Commission for adoption. Public comment may be made on selections at the California Transportation Commission meeting. Caltrans is responsible for project implementation and reimbursement.

9. Debt Financing Of Infrastructure Improvements: Statutory authority empowers many types of public entities to issue municipal bonds. The major issuers of California debt for infrastructure financing at the local level include cities and counties, special districts, utility districts, Mello-Roos Community Facilities Districts, non-profit corporations, joint powers authorities and redevelopment agencies. The following may be of special interest and applicable to the GTASCP: Kern County, Special Districts, Utility Districts, Mello-Roos Community Facilities District, Non-profit corporations.

10. Special Assessment Districts: A Special Assessment District is a financing tool that allows an existing governing body such as the County to construct desired and authorized public

improvements with the costs and expenses being "spread" against the benefited properties within the boundaries of a designated area (assessment district). Special assessments can be apportioned upon any basis that will reasonably measure benefits. These assessments are typically paid by property owners at the same time property taxes are paid, and the assessments are intended to equal the amount of benefit the assessed property received from a given improvement.

11. Transportation Development Act, Article 3 (TDA-3): TDA-3 funds are a portion of gas tax dollars to be spent on bicycle trails as a means of alternative transportation and sidewalks for pedestrians. In addition, each qualifying jurisdiction may be eligible for funding a bicycle safety program and bicycle racks or lockers. Applications for TDA-3 funds are generally submitted by August 1, each year, and all applications are competitive countywide. Priority is given to bicycle racks, safety programs, and bicycle trails. Successful applications demonstrate good connectivity between neighborhoods, schools and commercial facilities. Sidewalk programs account for about 20 percent of the TDA-3 funding, and include only new sidewalks and handicap features and not replacement of existing facilities.

12. Transportation Enhancement Programs (TEA): The funding for this program is federally administered and a portion of the Federal transportation dollars are to be specifically allocated toward transportation enhancement projects. Each "TEA" cycle tends to be known by various acronyms such as TEA-21, etc.

California receives about \$75 million per year. A local or State funding share is required in each reimbursed phase of work. The TE Program is a reimbursable capital-improvement program. Projects must comply with federal environmental requirements and other federal regulations, including those for considering disadvantaged business enterprises in consultant selection and for paying prevailing wages during construction.

The Kern Council of Governments (Kern COG) will notify the County and all cities within the county when that the Agency is accepting applications for the next version of "TEA". Successful applications have included downtown streetscape enhancement programs, corridor landscaping, transit facilities, bicycle trails, and many other transportation related enhancements.

In general, the Federal share of the costs of transportation projects is 80 percent, with 20 percent local on State match. However, there are a number of exceptions to this rule including byways, recreational and bicycle trails, which are funded up to 95 percent of the project.

13. TEA - Scenic or Historic Highway Programs (including the provision of tourist and welcome centers): TEA-21 may fund tourist and welcome centers, often linked to the scenic and historic highway programs activity. Although linked with scenic and historic highway programs. The eligibility for TEA funding for the provision of tourist and welcome centers applies to both existing and new centers. Funds may be used for the construction of a new facility and/or the restoration of an existing facility. This would include those related construction actions necessary to provide the facility, such as interior fixtures and parking areas, to purchase and install items which support or interpret the scenic or historic highway program or site including brochure racks for interpretive materials or maps or kiosks. These funds cannot be used for statewide

programs, marketing, or promotion not related to the scenic or historic highway program, staffing, operating costs, or maintenance.

The visitor or welcome center should be publicly owned and open to the public. Proposals for privately owned facilities to be used for a welcome or tourist center, and leased to a public entity, should be reviewed by the FHWA division office on a case-by-case basis.

Activities eligible under the National Scenic Byways Program are generally eligible under this program. To be designated as a National Scenic Byway, a road must possess at least one of the six intrinsic qualities described by the Federal Highway Administration (FHWA). The significance of the features contributing to the distinctive characteristics of the corridor's intrinsic qualities must be recognized throughout the multi-state region. To receive an All-American Road designation, a road must possess multiple intrinsic qualities that are nationally significant and contain one-of-a-kind features that do not exist elsewhere. The road or highway must also be considered a "destination unto itself." That is, the road must provide an exceptional traveling experience so recognized by travelers that they would make a drive along the highway a primary reason for their trip.

The one federal regulation that applies to federally designated Scenic Byways is a prohibition on new billboards when the route is part of an Interstate, National Highway System, and former federal-aid primary road. Designated Scenic Byways on other road types can establish billboard control through local, county, or state laws. Generally, the zoning that affects outdoor advertising is controlled by local units of government.

14. United States Department of Agriculture Water & Waste Disposal Loan & Grant (WWD):

The purpose of this program is to develop and repair water, sewer, storm drainage, and solid waste systems. The program works by the USDA-Rural Development Department making loans (sometimes with grants) for water and waste disposal facilities.

Public bodies (e.g., cities or water districts), tribes, and nonprofits (e.g., mutual water companies) can apply for this loan, and eligible areas include unincorporated areas and cities with a population less than 10,000.

The loans can be used for construction & equipment. Eligible projects include water, sewer, solid waste & storm drainage systems -- both new and repair projects -- for domestic & industrial (but not irrigation) users. Typical amounts of assistance vary between \$1 million - \$3 million. The key to success in this program is that loans must be fully secured by revenues or assessments. Grants are only available to the neediest applicants and may pay for up to 75 percent of the project depending on population and income. Applications may be submitted year-round.