Table 4.13-4 shows that the areas of largest growth are expected to be in the Health Care and Social Assistance, Private Household Workers, Professional, Scientific and Technical Services, and Wholesale Trade industries with the areas of lowest growth projected to be in Management of Companies and Enterprises and Finance and Insurance. In addition, employment in the Farm industry is expected to decrease by 1.6 percent.

4.13.3 Regulatory Setting

State

California Housing Element Law

The California Housing Element Law, enacted in 1969, is implemented by the California Department of Housing and Community Development (HCD), one of 13 departments within the California Business, Transportation and Housing Agency. The HCD is responsible for reviewing local government housing elements for compliance with State law and providing written comments to the local government. Using the information provided by local government in its housing element, the HCD determines the regional housing need for each county and allocates funding to meet this need to the council of governments for distribution to its jurisdictions. The HCD also oversees distribution of the regional housing need by the council of governments to the local governments to ensure that funds are appropriately allocated.

Local

Kern County General Plan (KCGP)

The policies, goals, and implementation measures in the KCGP for population and housing applicable to the project are provided below. The KCGP contains additional policies, goals, and implementation measures that are more general in nature and not specific to development such as the proposed project. Therefore, they are not listed below, but, as stated in Chapter 2, “Introduction,” all policies, goals, and implementation measures in the KCGP are incorporated by reference.

Chapter 1. Land Use, Open Space, and Conservation Element

1.0 General Provisions

Goals

- **Goal 1.** Ensure that the County can accommodate anticipated future growth and development while maintaining a safe and healthful environment and a prosperous economy by preserving viable natural resources, guiding development away from hazardous areas, and assuring the provision of adequate public services.

Policies

- **Policy 6.** The County shall ensure the fair treatment of people of all races, cultures, incomes and age groups with respect to the development, adoption, implementation and enforcement of land use and environmental programs.

- **Policy 7.** In administering land use and environmental programs, the County shall not deny any individual or group the enjoyment of the use of land due to race, sex, color, religion, ethnicity, national origin, ancestry, lawful occupation or age.
• **Policy 8.** The County shall ensure that new industrial uses and activities are sited to avoid or minimize significant hazards to human health and safety in a manner that avoids over concentrating such uses in proximity to schools and residents.

**Implementation Measures**

• **Implementation Measure A.** The Kern Council of Governments (COG) will monitor population growth and its subsequent development effects to identify the distribution of population increases and the capabilities of governmental and public agencies to provide new development with adequate services and facilities in a fiscally acceptable manner.

1.6 Residential

**Goals**

• **Goal 2.** Ensure the provision of safe and amenable living environments and the promotion of efficient and economical use of land.

• **Goal 3.** Discourage scattered urban density development within Kern County that is not supported by adequate infrastructure.

• **Goal 7.** Minimize land use conflicts between residential and resource, commercial, or industrial land uses.

**Policies**

• **Policy 3.** The owners of individually residentially zoned lots of record will, in any event, retain the right to develop a housing unit structure regardless of the General Plan designation, provided County development ordinance criteria are met.

• **Policy 5.** Discourage premature urban encroachment into areas of intense agriculture areas.

• **Policy 9.** Development in areas without adequate infrastructure or development that places a burden on public services (i.e., fire, sheriff, parks, and libraries) shall be discouraged.

**Implementation Measures**

• **Implementation Measure A.** All General Plan Amendments, zone changes, conditional use permits, discretionary residential developments of five or more dwelling units, and variations from height limits established by zoning for properties which are located in the Airport Influence Areas or near a military airport shall be reviewed by the Planning Department for compatibility with the Kern County Airport Land Use Compatibility Plan.

• **Implementation Measure G.** Discretionary project applicants shall provide documentation of adequate public infrastructure and services which include, but are not limited to:

  1. Fire protection.
  2. Police protection.
  3. Sewage disposal.
  4. Water service including quality and quantity.
  5. Documentation that water conservation measures have been considered.

• **Implementation Measure I.** Discretionary projects located within a Moderate, High, or Extreme Fire Hazard Zone shall abide by building materials and construction requirements set forth by the Kern County Fire Department and Office of Emergency Services.
Kern County General Plan, Housing Element 2008-2013, Adopted 2008

The housing element is a separate element of the KCGP. Each city and county is required by California housing law to develop a housing element, one of the seven general plan elements, in order to qualify for allocation of State regional housing funding. To receive regional housing funds, each city and county must update its General Plan housing element on a regular basis (generally, every five years). The housing element must incorporate policies and identify potential sites that would accommodate the city or county’s share of the regional housing needs. Kern County adopted the current housing element in December 2008. Because the project would not include new housing, the goals and policies of the housing element largely do not apply to the proposed project.

Kern Council of Governments (COG)

A COG acts as an area-wide planning agency. COGs assist local governments with multi-jurisdictional issues such as air quality, transportation, water quality, energy, and housing. The Kern COG serves this purpose for Kern County. The primary function of the Kern COG is to address regional transportation issues, but it also functions as the State-designated Census Data Center Affiliate. The Kern COG and its member agencies include the County of Kern and the 11 incorporated cities within Kern County (KCOG, 2006). The Kern COG facilitates comprehensive planning and intergovernmental coordination.

Under California housing law, the HCD is responsible for estimating the relative share of California’s projected population growth that would occur in each county in the State based on DOF population projections and historical growth trends. Based upon the projected growth in the number of households in Kern County between 2008 and 2013, the HCD calculated the number of additional units that need to be available during that period. In turn, the Kern COG is required by State law to determine the portion of funding for regional housing to be allocated to each jurisdiction within the region.

To do this, the Kern COG developed a Regional Housing Needs Assessment (RHNA) for the period between 2006 and 2013. The plan addresses all housing needs for all income levels in the Kern region. Need is based on available census data, market demand for housing, employment opportunities, the availability of suitable sites, public facilities, commuting patterns, and population projections. Future housing needs refer to the projected amount of housing a community is required to plan for during a specified planning period. The RHNA supports communities in anticipating growth so that they can grow in a way that enhances quality of life; improves access to jobs, transportation, and housing; and avoids adversely affecting the environment. Each of the local governments has an opportunity to comment on the allocations proposed by the Kern COG.

The Kern COG is required to assign regional housing shares to the cities within its region on a similar five-year schedule. The shares of the regional need are allocated before the end of the cycle so that the cities and counties can amend their housing elements by the deadline. The Kern COG has determined the additional housing construction needed by 2013 is 42,640 for the entire county, and 8,586 units for unincorporated areas of the county.

Kern County Zoning Ordinance

The Wind Energy (WE) Combining District (Chapter 19.64) contains development standards and conditions (Section 19.64.140) that would be applicable to the siting and operation of wind turbine
generators (WTGs). None of the provisions of Chapter 19.64 apply to population and housing issues related to the proposed project.

4.13.4 Impacts and Mitigation Measures

Methodology

Population, housing, and employment in the area were evaluated by reviewing the most current data available from the U.S. Census Bureau, the California DOF, the KCGP, the Kern Economic Development Strategy, the 2007 RHNA, and the Kern COG.

Thresholds of Significance

The Kern County CEQA Implementation Document and Kern County Environmental Checklist state that a project would have a significant impact on population and housing if it would:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

As discussed in Appendix A (Notice of Preparation/Initial Study [NOP/IS]), the proposed project was determined to have no impact with regard to the following impact threshold:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

This issue is not discussed further in this EIR.

Project Impacts

Impact 4.13-1: Displace Substantial Numbers of Existing Housing, Necessitating the Construction of Replacement Housing Elsewhere

As of March 2010, there are no permitted residences located within the project site boundary, and four residences are located outside of the project site boundary within a one-mile vicinity. The proposed project would not require the removal or displacement of these structures or their inhabitants. Since no housing would be displaced, the project would not require construction of replacement housing elsewhere. Therefore, the impact would be less than significant.

Mitigation Measures

No mitigation measures are required.

Level of Significance

Impacts would be less than significant.