

**KERN COUNTY PLANNING
AND NATURAL RESOURCES DEPARTMENT**

**INSTRUCTIONS TO APPLICANT FILING
FOR GENERAL PLAN AMENDMENT
SPECIFIC PLAN ADOPTION OR AMENDMENT**

I. GENERAL INFORMATION

A request for a change in General or Specific Plan map code designation, or a change requested to any adopted Specific Plan or General Plan text or element, is a request to amend the official General Plan of Kern County. As such, a request for change in map code designation must meet certain procedural and legislative requirements in order for an application to be accepted and processed. For additional information pertaining to the processing of General/Specific Plan Amendments or the adoption of a Specific Plan, informational brochures are available upon request.

IMPORTANT - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Prior to issuance of any development or use permit, the County shall make the finding -- based on information provided by the applicant, California Environmental Quality Act (CEQA) documents, and staff analysis -- that adequate public and/or private services and resources are available to serve the proposed project. The applicant and property owner shall assume full responsibility for costs incurred in service extensions and/or improvements that are required as a result of the proposed project. Lack of available public and/or private services or resources shall be grounds for denial of the project or reduction in size, density, or intensity otherwise indicated by this application.

A change in map code designation must comply with the provisions of (CEQA), and findings must be made and/or documents prepared signifying the degree of potential environmental impact of a proposed change in map code designation prior to the commencement of public hearing. The degree of potential environmental impact of a project will be determined by the Department after completing an Initial Study of the proposal. In addition to this application, information, materials, and filing fees may be required in order to conduct the CEQA Initial Study and prepare a CEQA document.

Upon completion of the CEQA document, the Department will prepare a staff report and recommendation on the change in map code designation. The Kern County Planning Commission will consider the request at a duly noticed and advertised public hearing. The Planning Commission's responsibility is to make a recommendation to the Kern County Board of Supervisors, after which another noticed and advertised public hearing is scheduled before the Board of Supervisors. The action of the Board of Supervisors is final. No item will be scheduled for public hearing before the Planning Commission or Board of Supervisors until the CEQA document is complete.

II. APPLICATION INSTRUCTIONS

Please complete the application in its entirety. **Please type or print all application information.**

1. **Plot Plan.** All applications must include a plot plan. The plot plan must meet the following minimum criteria:

The scale of the drawing and north point

The street address of the property and a vicinity map showing adjacent streets and other landmarks to assist in locating the property, distance and direction from the nearest road intersection, and any other identifying features

The location of all existing uses, structures, fences, signs, landscaping, and improvements

The location of all existing off street parking and loading facilities, including driveways, individual parking and loading zones, points of ingress and egress, median strips, and traffic islands

Any other information which the applicant or the Director of the Planning and Natural Resources Department deems necessary for proper consideration of the application

Note: Plot plans showing the future development of the site are not required but are recommended. Staff recognizes that plot plans may only be conceptual and will be subject to revisions and refinement as part of the development review process.

2. **Filing Fees.** A Preliminary Review flat fee is required. After the preliminary review has been completed, applicants will be notified of what additional fees are required before the application can be formally accepted as complete. The application for a General/Specific Plan Amendment or the preparation of a Specific Plan requires a minimum deposit. For large projects, a higher minimum deposit may be required. A minimum Initial Study preparation deposit is also normally required as most applications will require the preparation of an environmental document to satisfy the requirements of the California Environmental Quality Act. Additionally, both the County Engineering and Survey Services and Environmental Health Services Departments have fees associated with the processing of these applications. The final filing fee determination will be made as part of the preliminary review process. Since these type of applications are processed on a time-and-materials basis, a Cost Recovery Agreement form is also typically required. See the Land Development Services Fee Schedule for fee amounts and further information. <https://kernplanning.com/planning-fees/>

NOTE

Fees submitted are intended to defray the costs involved in preparing the project's documents, staff work and materials, private and public meeting costs, public hearing costs, and costs involved in production of adopted documents and actions. Normally a deposit to be held in trust will be required at the onset of the project development process. Actual total costs will have to be paid by the applicant prior to a public hearing on the matter. Should the amount of the fee retainer exceed actual costs, the unused portion will be refunded. The issuance of a receipt for filing fees signifies the start of the application process. Fees are subject to change without notice.

3. **Legal Description.** Submittal of a complete and accurate legal description is required. It is preferred that a copy be included as an electronic version in the Microsoft Word format.
4. **Other Materials or Data.** Photographs should be submitted of the affected property. The Department may require such other materials, data, or reports as are determined necessary to conduct an appropriate analysis of the project.
5. **Optional Materials.** The applicant may submit statements, letters, or petitions in support of the request. Any other studies, reports, or materials pertaining to the request may also be submitted by the applicant. Applicants are encouraged to submit a detailed written proposal describing the purpose of the General Plan or Specific Plan Amendment, including copies of any market or economic studies which have been performed in support of the request. The written proposal should also discuss the proposed methods of water supply and sewage disposal, anticipated road improvements, and any specific information available to the applicant which will affect the eventual development of the site.
6. **Processing Time.** Processing time is extremely variable for each request. Processing time is dependent upon the degree of complexity of each case, the adequacy of information provided by the applicant, and the type of CEQA document required for the proposal. An estimate of the time required to achieve a hearing date can be given by the Planning and Natural Resources Department after conclusion of the Initial Study. For applications for which a Negative Declaration or mitigated Negative Declaration will be prepared, the average processing time is between seven and eight months. For applications for which an Environmental Impact Report will be prepared, the average processing time is 18 to 20 months.
7. **Questions and Assistance.** The Staff of the Planning and Natural Resources Department is available during regular working hours to answer questions or provide assistance in the preparation of this application.

**APPLICATION FOR
GENERAL PLAN AMENDMENT
SPECIFIC PLAN ADOPTION OR AMENDMENT**

**KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT
2700 "M" Street, Suite 100
Bakersfield, CA 93301
(661) 862-8600**

IMPORTANT

**Before preparing this application, read completely the
"Instructions to Applicant Filing for General/Specific Plan Adoption or Amendment."**

SECTION A - APPLICANT

1. Name of Applicant: _____
Mailing Address _____
City _____ State _____ Zip Code _____
Telephone: _____ Fax: _____ Email _____
 2. Name of Individual Representative (if not same as above):

Mailing Address _____
City _____ State _____ Zip Code _____
Telephone: _____ Fax: _____ Email _____
-
-

SECTION B - PROPERTY OWNER(S)

1. Name of Current Record Property Owner(s) (if not same as above):

Mailing Address _____
City _____ State _____ Zip Code _____
Telephone: _____ Fax: _____ Email _____
 2. Approximate Date Interest in Property Was Acquired: _____

Month/Year
-
-

SECTION C – REQUEST

1. Existing Site Designation: _____
2. Proposed Site Designation: _____
3. Description of Proposed Project for Which Change of Designation Is Sought: _____

4. Description of Private or Public Basic Need Infrastructure Services Available to Site:
Sewage Disposal: _____
Domestic Water: _____
Site Access: _____
Other: _____

SECTION D - SITE LOCATION

1. Street Address of Site (if available): _____

2. Description of Site Location: _____

3. Complete and Accurate Site Legal Description (attach additional pages as needed): _____

4. Assessor's Parcel Number(s): _____
5. Square Footage or Acreage of Site: _____
6. Present Land Use of Project Site: _____

7. Surrounding Land Uses:
North - _____
East - _____
South - _____
West - _____

**SECTION E - BASIS OR EXPLANATION OF NEED FOR PLAN
AMENDMENT**

SECTION F - PROJECT DESCRIPTION

1. Number of floors of construction _____
2. Amount of off-street parking provided _____
3. Attach plans.
4. Proposed scheduling/project phasing _____

5. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected _____

6. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities _____

7. If industrial, indicate type, estimated employment per shift, and loading facilities _____

8. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project _____

9. If the project involves a variance, conditional use, or rezoning application, state this and indicate clearly why the application is required _____

SECTION G - VERIFICATION STATEMENT

The California Legislature has passed a law that requires persons applying for development projects to review a listing of all hazardous waste sites. For a current list of the Hazardous Waste Sites, please go to the California Environmental Protection Agency website at: <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>. If the site of your proposed development project is included on the list of hazardous waste sites, then it shall be so noted. Please note that if your proposed development project site is included on the Cortese list, the preparation of an environmental document will be required in conjunction with the project, per Section 65962.5. A copy of the law requiring this verification is attached for your reference. Please review the list of hazardous waste sites and sign the Verification Statement below.

(Review of list related to hazardous waste sites)

I, _____, as applicant for a development project, have reviewed the lists of projects relating to hazardous wastes pursuant to Section 65962.5 of the California Government Code. The proposed site **(is) (is not)** included on the list. **(CIRCLE ONE)**

List (if applicable)

Date

Signature

SECTION H - APPLICANT CERTIFICATION

I hereby certify to the County of Kern that I, _____, am the applicant for this request and that I have read and understand the instructions to applicant. I understand that this is a request to initiate a request for a change in map code designation only and does not constitute a commitment or opinion of the final resolution of this request. Fees submitted are application filing fees and are nonrefundable. All required attachments are appended to this application, and the attachments and information provided on this application are true and correct.

Signature of Applicant

Date

Signature of Property Owner of Record

Date

SECTION I - INDEMNIFICATION AGREEMENT

In consideration by the County of Kern of a permit for a land use approval project located at

(address or general location)

I/We (identified below) agree to indemnify, defend, and hold harmless the County of Kern and its officers, agents, employees, departments, commissioners and boards ("County" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the Applicant's representations contained within this application, including without limitation any CEQA determination or any related development approvals or conditions, whether imposed by County or not, except for County's sole active negligence or willful misconduct.

This indemnification agreement does not prevent the Applicant or property owner from challenging any decision by County related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

County will promptly notify Applicant and property owner (if different than Applicant) of any such claim, action, or proceeding, falling under this condition within thirty days of actually receiving such claim. County, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend County at the sole cost and expense of the Applicant and/or property owner, jointly and severally, and County is not obligated to use any law firm or attorney chosen by another entity or party.

Applicant/Contact:

Print Name

(If the applicant is not an individual, the corporation name goes under "Print Name", authorized signature below it, and complete below.)

Signature

By: _____
Print Name

Date

Title: _____

IMPORTANT NOTE:

Original signatures of the applicant are required on this form for this application to be considered complete for processing.

OFFICE USE ONLY

GPA/SPA Case No. _____ Zone Map No. _____

Work Order No. _____

Affected Elements:

- | | | |
|----------------------------------|-------------------------|-------------------------------|
| ___ 1. Land Use, Open Space, and | ___ 2. Circulation | ___ 3. Housing Conservation |
| ___ 4. Safety and Seismic Safety | ___ 5. Noise | ___ 6. Scenic Highways |
| ___ 7. Parks and Recreation | ___ 8. Public Buildings | ___ 9. Solid Waste Management |
| ___ 10. Airport Master Plans | ___ 11. Other _____ | |

FILING FEES

A. GPA/SPA Change \$ _____

B. EAF \$ _____

C. _____ \$ _____

D. _____ \$ _____

TOTAL \$ _____

Receipt No. _____

DESIGNATIONS

S.D. No. _____

G.P. Title _____

S.P. Title _____

Floodplain _____

Airport P.A. _____

ACCEPTANCE

By: _____ Date: _____

CEQA EVALUATION

___ This application requires an Environmental Assessment Form (EAF).

___ Categorically Exempt (Section _____).

___ In accordance with Section 15061(b)(3), it can be seen with certainty that this proposal will not have an effect on the environment.

Basis for Finding: _____

65962.5. (a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.
(2) All land designated as hazardous waste property or border zone property pursuant to former Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.

(3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

(4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

(c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

(2) All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

(d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the Department of Resources Recycling and Recovery, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Department of Resources Recycling and Recovery shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental

Protection and shall be available to any person who requests the information.

(e) The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to cover the cost of developing, maintaining, and reproducing and distributing the information.

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943. The statement shall read as follows:

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

Specify any list pursuant to Section 65962.5 of the Government Code:

Regulatory identification number:

Date of list:

Applicant, Date

(g) The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.