

KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT

INSTRUCTIONS TO APPLICANT FILING FOR CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, MODIFICATION, TEMPORARY EVENT PERMIT AND/OR VARIANCE

In order for the application to be processed, all questions on the application form must be answered and the application must be signed by the applicant. If an incomplete application is filed, it will be returned, which action can cause a delay in processing the case. When environmental processing (if required) has been completed, a date for public hearing will be selected and a staff report, containing a recommendation, will be prepared. A copy of the staff report will be mailed to the applicant a few days prior to the public hearing. The applicant or his representative will be required to attend the public hearing and should be prepared to comment on and answer questions about the application.

MATERIALS AND EXHIBITS REQUIRED

A. Environmental

- ☐ Provide a fully completed Environmental Assessment Form, typed or neatly completed in black ink.
- ☐ Environmental Assessment Form not required at this time.

B. Fees

- ☒ Submit Preliminary Review fees with application.
- ☒ Do not submit the application fees; you will be notified of the fees when the application and the Environmental Assessment Form has been reviewed and completed in conformance with State and local requirements. This step usually takes from a few days to several weeks, depending on the type of application.

C. Application

- ☒ (1) One completed copy of the application form, typed or neatly completed in black ink.
- ☒ (2) Two reproducible copies of a plot plan no larger than 11 inches by 17 inches in size, which shall include, but not necessarily be limited to, the following (if project is a Precise Development Plan see "Instructions for Preparation of a Precise Development (PD) Plan"):
 - ☐ (a) The scale of the drawing and north point.
 - ☐ (b) The location of all existing and proposed uses, structures, fences, signs, landscaping, improvements, and distances between structures and property lines.
 - ☐ (c) The location of all off-street parking and loading facilities, including driveways, individual parking and loading zones, points of ingress and egress, median strips, and traffic islands.
 - ☐ (d) An elevation sketch of all proposed signs, fences, and structures, including dimensions and heights above ground.
- ☐ (3) One copy of floor plans and exterior elevations of all buildings, if applicable. (For mobilehomes, submit brochure, model, year, and photos of all four sides.)
- ☐ (4) Submit photos of project site.

APPLICATION FOR:

_____ **CONDITIONAL USE PERMIT**
_____ **MODIFICATION**
_____ **TEMPORARY EVENT PERMIT**

_____ **PRECISE DEVELOPMENT PLAN**
_____ **VARIANCE**
_____ **OTHER**

KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT

**2700 "M" Street, Suite 100
Bakersfield, California 93301
(661) 862-8600**

Zone Classification: _____

Request: _____

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 – PROJECT DESCRIPTION

Assessor's Parcel No.: _____

Property Location: _____
(street address or general location)

Complete Legal Description of Property: _____

Method of Sewage Disposal _____

Method of Water Supply _____

Describe how site is currently developed _____

Describe how land is being used currently on parcels adjacent to the site:

North - _____

East - _____

South - _____

West - _____

Explain Fully Reason for Request: _____

**SECTION D – VARIANCE APPLICATION ONLY
STATEMENT OF JUSTIFICATION**

Section 65906 of the State Planning Law requires that a VARIANCE from the terms of the Zoning Ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The Ordinance Code of Kern County requires that before a VARIANCE can be granted, the applicant show by statements, plans, and other evidence the following:

- A. That the variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and one in which the subject property is situated.

- B. That special circumstances exist which are applicable to the subject property, including size, shape, topography, location, or surroundings, wherein the strict application of the Zoning Ordinance in question is found to deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zone classification.

NOTE: Additional sheets may be attached if needed.

SECTION E - 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 F – APPLICANT CERTIFICATION

I certify that all statements are correct and that all accompanying documents and maps are accurate.

Signature of Property Owner

Date

Signature of Applicant

Date

SECTION G - 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.

FOR OFFICE USE ONLY

Date Accepted: _____

Received By: _____

FEES

Case # _____

Map # _____ S.D. # _____

Case \$ _____

Floodplain _____

Zoning Ord. Sec. _____

Env'l _____

G.P/S.P. _____

Other _____

Element or Name

_____ Consistent _____ Not Consistent

Reviewed By: _____

Other _____

Work Order # _____

ENVIRONMENTAL DATA

Total \$ _____

General Rule _____ Assessment Form _____

Exempt (Type and Section) _____

Recpt # _____

Reviewed By: _____

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:

(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.