

4.0 ENVIRONMENTAL ANALYSIS

4.1 LAND USE

This Section describes the existing land use designations, plans, and policies within the City of Bakersfield and the Metropolitan Bakersfield area. Additionally, this Section describes the impacts, goals, policies, standards and mitigation measures associated with revisions to land use and the General Plan Update.

ENVIRONMENTAL SETTING

LAND USE RELATIONSHIPS

The Metropolitan Bakersfield Planning area encompasses an area of approximately 408 square miles. This is the boundary for which all goals, policies, and programs in the General Plan are applicable. The City's sphere of influence boundary, defined as a plan for the probable physical boundary and service area of the City, is illustrated in Exhibit 3-3, *Metropolitan Bakersfield General Plan Update*. Portions of the Planning area fall outside the Sphere of Influence boundary, and are included in the General Plan Update based on the relationship that this area bears on the planning and land use concerns of the City of Bakersfield and the County of Kern. In recognition of this relationship, the General Plan Update will serve to assist LAFCO to . . . "carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the County and its communities . . .". (Government Code 56425(a))

The Planning area can be generally characterized as containing a predominance of rural uses including agriculture/open space, mineral/petroleum, and public recreation uses. These rural uses are generally located at the periphery while existing urban uses are located at it's core. The urban areas are defined as areas in which a minimum of 50 percent of all parcels within one-half mile radius are developed for residential uses in excess of three units per net acre and/or commercial uses with a floor area ratio of 0.2.

Table 4.1-1, *Percentage of Existing Land Uses*, outlines an inventory of existing land uses in the year 2000. Based on this inventory, an overwhelming majority (approximately 82 percent) of the Planning area consists of open space uses.¹ Land uses existing in the remaining area include approximately 11.2 percent residential, approximately 2.5 percent commercial, approximately 2.1 percent industrial, and approximately 1.7 percent public.

¹ Open space, parks and recreational facilities, agriculture and mineral petroleum land uses are included in this "open space" category.

**TABLE 4.1-1
PERCENTAGE OF EXISTING LAND USES (1990)**

Land Use Category	% of Total	Sq. Miles
Residential	11.17%	45.80
Commercial	2.50%	10.25
Industrial	2.11%	8.65
Open	82.05%	336.41
Public	1.73%	7.09
Total	99.56%	408

Source: Metropolitan Bakersfield General Plan Update, Land Use Element, January 2002.

The patterns of land use in the Planning area's developed urban and rural undeveloped areas are illustrated on Figure II-1 of the 1990 General Plan, *Existing Urban and Rural Areas*. These development patterns are generally described as follows:

HISTORICAL DEVELOPMENT PATTERNS

URBAN AREAS

Downtown. Downtown Bakersfield is bordered by State Highway 99 on the west, Sumner Street/Golden State Highway/Edison Highway on the north, Union Avenue on the east, and Brundage Lane on the south. The downtown contains City and County Government offices, two large hospitals, medical office buildings, numerous retail shops, and several historic single-family neighborhoods. Historically, the Downtown was located at the center of the City and comprised the largest concentration of business and retail in the City. However, competing shopping malls and commercial districts resulted in growth being focused away from the Downtown. Specific zoning for the downtown commercial core has been adopted that includes incentives to encourage new development as well as expand existing development. Besides the mix of both commercial and residential uses, the Downtown has also become the cultural, entertainment and convention center of the City.

East Bakersfield. East Bakersfield is generally bordered by Union Avenue on the west, Niles Street on the north, Vineland Road on the east, and Brundage Lane on the south. East Bakersfield includes the Baker Street commercial corridor, several pockets of light industry, and mostly single-family neighborhoods with some scattered multi-family residences. Land use incompatibilities have resulted in this area due to the intermixing of commercial and industrial uses adjacent to residential properties without adequate visual and/or noise buffers.

Oildale. Oildale is situated north of the Kern River between State Highway 90 and Manor Street. Oildale represents a blend of oil-related industry and small-lot single-family residential neighborhoods. Local serving and highway commercial land uses are located along the major arterials. Meadows Field Airport is a major land use feature in Oildale.

Urban Southwest. The urban southwest is generally bordered on the north by the Kern River, on the south by Pacheco Road, on the east by State Highway 99, and on the west by Allen Road. The majority of this area has been master planned and developed with suburban type single-family residences and neighborhood commercial areas. There are two major commercial nodes in the Southwest: an office/commercial node along California Avenue and a retail node along Ming Avenue. Industrial uses are concentrated around the McKittrick Branch of the Southern Pacific Railroad tracks. California State University, Bakersfield is located in the urban southwest area. It should be noted that substantial commercial and office potential also exists south and west of the University.

Urban Southeast. The urban southeast is generally bounded by Brundage Lane on the north, Panama Road on the south, Highway 99 on the west, and Cottonwood Drive on the east. The pattern of land use in this area is characterized by linear commercial development, particularly along Ming and Union Avenues, lacking any distinguished focus. This area includes the Valley Plaza Mall (regional shopping center), the Bakersfield Airpark, and the Casa Loma community. Casa Loma is a community with older residential uses which has been designated by the State as an "Enterprise Zone".²

Urban Northwest. The urban northwest is generally bounded by Snow and Hageman Roads on the north, Renfro Road on the west, the Kern River on the south, and Highway 99 on the east. This area includes the communities of Rosedale and Greenacres, and the Fruitvale Oil Field. The Rosedale community consists of large-lot rural residences, local serving commercial, and scattered oil refineries. The Greenacres community also consists of many large-lot rural residences.

Urban Northeast. The urban northeast is generally bordered on the north by Panorama Drive, on the east by Morning Drive, and south by Sumner/Niles Streets. This area includes older single-family neighborhoods, limited local commercial, the Bakersfield College, and the Bakersfield Country Club. The East Hills Mall, a regional shopping center, also exists in this area.

RURAL AREAS

Rural Southeast. Located within the rural southeast is the Lamont community consisting of small-lot residences, a core of retail shops, and various agricultural support industries. Also located in this area are a large sewage treatment site extending from Brundage Lane to Panama Road and extensive agricultural lands.

Rural Southwest. Agriculture is the primary land use located throughout this area. The Pumpkin Center, providing travelers support commercial services, is located in this area adjacent to State Highway 99. Extensive agricultural lands and the City's groundwater recharge facility is also located in the rural southwest.

Rural Northwest. This area is made up predominantly of agricultural uses with scattered rural residential uses.

² The purpose of an Enterprise Zone is to create jobs, stimulate new industrial and commercial development, and encourage private investment.

Rural Northeast. This area, characterized by foothill topography and large-lot housing, features the Rio Bravo Resort, Lake Ming, and the Mesa Marin Raceway.

EXISTING LAND USES

The Land Use Element of the General Plan has six primary land use categories including Residential, Commercial, Industrial, Public Facilities, Open Space, and Resource. Table 3-1, *General Plan Land Use Designations*, details the amount of land designated to each land use category. Table 4.1-2, *Percentage of Land Use Developed/Vacant Within Primary Land Use Categories*, outlines the amount of developed and vacant lands for each land use category. As is evident in Table 3-1, approximately 48 percent of the Planning area is designated as Resource while approximately 29 percent is designated Residential. The remainder of the Planning area is designated as Commercial (approximately three percent), Industrial (approximately seven percent), Public (approximately five percent), and Open Space (approximately seven percent). Overall, less than 50,000 acres are used annually by the City and County for all three of the major types of development (residential, commercial, and industrial).

**TABLE 4.1-2
PERCENTAGE OF DEVELOPED/VACANT LAND USE
WITHIN PRIMARY LAND USE CATEGORIES**

Land Use Category	Developed	Vacant	Total
Residential	12.30	12.37	24.67
Commercial	1.61	1.00	2.61
Industrial	2.77	4.12	6.89
Open*	2.68	57.76	60.44
Public	1.54	3.87	5.41
Total	20.90	79.12	100.02

Source: Metropolitan Bakersfield General Plan Update, Land Use Element, January 2002.
* Open space, parks and recreational facilities, agriculture and mineral petroleum land uses are included in this "open space" category.

The following discussion describes the six primary land use categories as depicted on the Land Use Plan and as outlined in the Land Use Map database (refer to Table 4.1-3, *Land Use Designations*):

a) Residential³

Residential land use designations comprise approximately 29 percent of the Project area's total acreage (refer to Table 3-1, *General Plan Land Use Designations*). An estimated 70,689 acres are designated Residential with only approximately 50 percent having been developed.⁴ The following discussion describes the various Residential land use categories:

³ In the Land Use Plan Map, some areas have been assigned dual designations, such as "LMR/LR" and "SR/LR". The circled designation represents the land use of Kern County. The alternative designation represents the land use should the area become incorporated into the City.

⁴ Based on the Land Use Data Base (April 2, 2002) and Table 4.1-2, *Percentage of Developed/Vacant Land Use Within Primary Land Use Category*.

**TABLE 4.1-3
LAND USE DESIGNATIONS**

Description		Land Use Acres	Percentage
Residential			
RR	Rural Residential	9,175	3.75
ER	Estate Residential	5,148	2.11
UER	Urban Estate Residential	2,128	0.87
SR	Suburban Residential	11,170	4.57
SR/LR	County Jurisdiction	1,122	0.46
LR	Low Density Residential	24,830	10.16
LMR/LR	County Jurisdiction	2,491	1.02
LMR	Low Medium Density Residential	7,721	3.16
LR/PS	County Jurisdiction	42	0.02
HMR	High Medium Density Residential	5,285	2.16
HR	High Density Residential	1,578	0.65
		70,689	28.92
Commercial			
HC	Highway Commercial	526	0.22
GC	General Commercial	5,364	2.19
OC	Office Commercial	629	0.26
MC	Major Commercial	480	0.20
MUC	Mixed Use Major/Office Commercial	320	0.13
		7,318	2.99
Industrial			
LI	Light Industrial	3,285	1.34
SI	Service Industrial	9,686	3.96
HI	Heavy Industrial	3,457	1.41
		16,429	6.72
Public Facilities			
P	Public Facilities	8,842	3.62
PS	Public and Private Schools	1,902	0.78
PT	Public Transportation Corridor	1,495	0.61
P-SW	Public and Private Schools/Parks	335	0.14
		12,615	5.14
Open Space			
OS	Open Space	8,393	3.43
OS-P	Parks and Recreational Facilities	3,414	1.40
OS-S	Slopes Exceeding 30%	4,894	2.00
		16,701	6.83
Resource			
R-IA	Intensive Agriculture	78,962	32.31
R-EA	Extensive Agriculture	15,086	6.17
R-MP	Mineral Petroleum	24,157	9.88
		118,205	48.36
ST FED	State and Federal Lands	657	0.27
		657	0.27
Other	Canals/Private Streets	1,831	0.75
		1,831	0.75
TOTAL ACRES:		244,405	100.00

Source: Land Use Map Database, revised April 2, 2002.

- Rural Residential (RR⁵-minimum 2.5 gross acres/unit): This Residential designation is characterized by widely separated rural housing. Lots ranging between 2.5 and 5.0 acres in size generally have public water and/or sewer service. Those lots 5 acres or more in size generally lack such services.
- Estate Residential (ER-minimum 1 net acre/unit): This designation is characterized by single-family housing with rural service needs.
- Suburban Residential (SR-less than or equal to 4 dwelling units/net acre): Generally non-sewered single-family detached units are within this land use category.
- Low Density Residential (LR-less than or equal to 7.26 dwelling units/net acre): This designation is characterized by single-family detached housing which is typical of tract developments.
- Low Medium Density Residential (LMR-City-greater than 4.0 and less than or equal to 10.0 dwelling units/net acre; County-less than or equal to 10 dwelling units/net acre): This designation is composed largely of attached, single-family townhomes, duplexes, and zero lot line developments. This designation may apply to small multiple-family structures, such as triplexes, and mobilehome parks that require a full array of urban services.
- High Medium Density Residential (HMR-City-greater than 7.26 and less than or equal to 17.42 dwelling units/net acre; County-less than or equal to 17.42 dwelling units/net acre).
- High Density Residential (HR-City-greater than 17.42 and less than or equal to 72.6 dwelling units/net acre; County-less than or equal to 29 dwelling units/net acre): This designation is applicable to large multiple-family structures, such as apartments, apartment hotels, and condominiums. This designation would be used in an urban centers context.

b) Commercial

Commercial land use designations comprise approximately three percent of the Project area's total acreage (refer to Table 3-1). Approximately 62 percent of the approximately 7,318-acre commercially designated area has been developed. The following discussion describes the various Commercial land use categories:

- Highway Commercial (HC- max. 0.4 FAR⁶ 3 stories): This category involves services, amenities and accommodations associated with the traveling public. This category is generally located adjacent to or in close proximity to major highways and may include gas stations, restaurants, motels, and RV parks.

⁵ The Land Use Map designation.

⁶ Floor Area Ratio (FAR) = Gross building area divided by net parcel area.

- General Commercial (GC- max. 1.0 FAR, 4 stories): This designation includes retail and service facilities providing a broad range of goods and services which serve the day-to-day needs of nearby residents.
- Major Commercial (MC- max. 1.0 FAR, 6 stories): This designation involves concentrated large-scale retail operations which provide a broad range of goods and services serving a market area of many square miles.
- Office Commercial (OC- max. 1.0 FAR, 4 stories): Business and professional office uses, and specialty retail are included within this designation.
- Mixed Use Commercial (MUC- max. 3.0 FAR): This designation involves major commercial centers combining professional office, major retail and commercial support services. Also, this designation would be warranted for intensive development characteristic of a commercial center within the City. It also provides the opportunity for integration of medium and high density residential uses in conjunction with commercial activities in order to create an active street life, enhance personal safety by ensuring the presence of people in the streets at different times, and promote the vitality of businesses.

c) Industrial

Industrial land use designations comprise approximately seven percent of the Project area's total acreage (refer to Table 3-1). An estimated 16,429 acres are designated Industrial with only approximately 40 percent having been developed. The following discussion describes the various Industrial land use categories:

- Light Industrial (LI- 1.0 FAR, 6 stories): Unobtrusive industrial activities that can locate in close proximity to residential and commercial uses with a minimum of environmental conflicts are included within this category.
- Service Industrial (SI- 0.4 FAR, 6 stories): Industrial activities which involve outdoor storage or use of heavy equipment are included within this category. Such uses produce significant air or noise pollution and are visually obtrusive.
- Heavy Industrial (HI- 0.4 FAR, 14 stories): This category involves large-scale industrial activity which is usually land intensive and incompatible with other land uses because of potential severe environmental impacts.

d) Resource

Resource land use designations comprise approximately 48 percent of the Project area's total acreage (refer to Table 3-1). An estimated 118,206 acres are designated Resource. Approximately four percent of the area designated Resource combined with the area designated Open Space have been developed. The following discussion describes the various Resource land use categories:

- Intensive Agriculture (R-IA - minimum 20-acre parcel size): Areas devoted to the production of irrigated crops, or having the potential for such use are included within this category.
- Extensive Agriculture (R-EA - minimum 80-acre parcel size for lands under “Williamson Act” contract; 20-acre minimum, lands not under contract): Agricultural uses involving large amounts of land with relatively low value-per-acre yields such as livestock grazing, dryland farming, and woodlands are included within this category.
- Mineral and Petroleum (R-MP - minimum land use designation size - 5-acres): This category involves areas which contain producing, or potentially productive, petroleum fields and mineral deposits. This designation may be used in combination with other designations.

e) Public Facilities

Public Facilities land use designations comprise approximately five percent of the Project area’s total acreage (refer to Table 3-1). Approximately 28 percent of the approximately 12,574-acres designated as Public Facilities have been developed. The following discussion describes the various Public Facilities land use categories:

- Public Facilities (P): This designation includes government buildings, hospitals, public utilities, cemeteries, sewage treatment plants, waste disposal sites and other publicly owned facilities.
- Public and private schools (PS).
- Public Transportation (PT): Existing airports and railroads whose future use is restricted to transportation related uses are included within this category.
- Solid Waste Facility Sites (P-SW): This category includes solid waste disposal sites, transfer stations and related resource recovery activities.

f) Open Space

Open Space land use designations comprise approximately seven percent of the Project area’s total acreage (refer to Table 3-1). An estimated 16,701 acres are designated Open Space. Approximately four percent of the area designated Open Space combined with the area designated Resource has been developed. The following discussion describes the various Open Space land use categories:

- Open Space (OS): This category includes floodplains and Resource Management Areas. Agriculture uses are also permitted within this category.
- Parks (OS-P): This category includes all City and County parks as well as public and private recreation facilities.

- Slopes (OS-S): Areas with greater than or equal to thirty percent slope are included within this category. Slope areas are better defined by an overlay zone or hillside development standards.

EXISTING ZONING

Bakersfield Municipal Code Title 17 is the land use Zoning Ordinance of the City of Bakersfield. According to the Zoning Ordinance, the zoning plan is adopted for the following purpose:

“The zoning plan is adopted to implement the goals and policies of the General Plan of the City which serve to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare, and for the accomplishment thereof is adopted among other purposes, for the following more particularly specified purposes:

- A. To assist in providing a definite plan of development for the City and to guide, control and regulate the future growth of the City in accordance with said plan; and
- B. To protect the established character and the social and economic stability of agricultural, residential, commercial, industrial and other areas within the City, and to assure the orderly and beneficial development of such areas.”

The Zoning Ordinance designates various zones within the incorporated territory of the City. There are a total of 37 classes of zones into which the City is divided. In addition, zoning by Specific Plan is permitted by the Ordinance. For each zone class, the Ordinance outlines the permitted uses, conditional uses, prohibited uses, signage, parking, and various development standards including (but not limited to) building height, setbacks, and lot requirements.

The County of Kern Zoning Ordinance. Title 19 of the Ordinance Code of Kern County was adopted to promote and protect the public health, safety and welfare through the orderly regulation of land uses throughout the unincorporated area of Kern County. The purposes of this Title are to:

- A. Provide the economic and social advantages resulting from an orderly planned use of land resources;
- B. Encourage and guide development consistent with the Kern County General Plan;
- C. Divide Kern County into zoning districts of a number, size and location deemed necessary to carry out the purposes of the County General Plan and this Title;
- D. Regulate the size and use of lots, yards and other open spaces;
- E. Regulate the use, location, height, bulk and size of buildings and structures;
- F. Regulate the intensity of land use;

- G. Regulate the density of population in residential areas;
- H. Establish requirements for off-street parking;
- I. Regulate signs and billboards; and
- J. Provide for the enforcement of the regulations of Chapter 19.02.020.

There are a total of 35 classes of Districts into which the County is divided, including Combining and Interim Districts. It should be noted that not all County Districts and Ordinances are applicable in the Bakersfield Metropolitan area.

APPLICABLE PLANS, POLICIES, AND REGULATIONS

Federal Plans and Policies

Clean Air Act. The Federal Clean Air Act was enacted to protect and enhance air quality and promote the health and welfare of the public. The U.S. Environmental Protection Agency (USEPA) has established ambient air quality standards for certain criteria pollutants, which are generally implemented by state and local agencies.

Clean Water Act (Section 404). Section 404(b) of the Federal Clean Water Act was established to preserve water quality, and discourages the alteration or destruction of wetlands. This act requires that the U.S. Army Corps of Engineers evaluate the impacts of discharge of dredged or fill materials into any water of the U.S. The Army Corps Wetlands Policy requires the implementation of mitigation measures for any impacts to designated wetland areas.

National Pollutant Discharge Elimination System Permit Program. This program requires industrial and municipal dischargers to obtain permits from the appropriate Regional Water Quality Control Board (i.e., the Central Valley Regional Water Quality Control Board). Point source dischargers of pollutants into surface waters are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. Other dischargers, such as those affecting groundwater or from nonpoint sources are required to file a Report of Waste Discharge. For specified situations, some permits may be waived and some discharge activities may be handled through enrollment in an existing general permit. The existing NPDES (Phase I) storm water program requires municipalities serving greater than 100,000 persons to obtain a NPDES storm water permit for construction projects greater than five acres in size. Proposed NPDES storm water regulations (Phase II) expand this existing national program to smaller municipalities with populations of 10,000 persons or more and construction sites that disturb greater than one acre.

Federal Endangered Species Act. The Federal Endangered Species Act (ESA) was passed in 1973 to provide a process for listing species as endangered or threatened, and establishes requirements for the protection of all listed species. The ESA also identifies candidate species, which may qualify for listing but are not formally incorporated. The ESA is administered by the U.S. Fish and Wildlife Service.

State Plans and Policies

California Wetlands Policy. The State Wetlands Policy protects marshlands and other designated wetland areas, and requires mitigation for disturbance of wetland areas. The wetlands policy is administered by the California Department of Fish and Game (CDFG) under Sections 1601 to 1606.

California Endangered Species Act. The California Endangered Species Act (CESA) was enacted in 1984 to protect rare, threatened, and endangered species in California. The CESA is administered by the CDFG.

Regional and Local Plans/Policies

Due to the comprehensive nature of the Land Use Element, land use issues are not addressed in the same detail as they might be in other regional and local physical planning documents, plans, and ordinances that the City and County can adopt. The land use categories described in the Land Use Element of the General Plan Update indicate general categories of allowed uses and development intensities within each land use category. Other documents including the zoning ordinances, specific plans, and redevelopment plans establish more specific regulations and policies influencing development.

In addition to locally adopted plans, ordinances, and regulations, a number of regional plans also influence land use planning in the Metropolitan Bakersfield area. Regional planning agencies such as the Kern Council of Governments (KERN COG) recognize that planning issues extend beyond the boundaries of individual cities.⁷ Efforts to address regional planning issues such as affordable housing, transportation, and air pollution have resulted in the adoption of regional plans that affect the City of Bakersfield and the County of Kern. A discussion of regional and local plans follows.

Regional Plans. Legislation regarding traffic, air pollution, rising housing costs, and other issues affecting the Metropolitan Bakersfield area led KERN COG to prepare comprehensive regional plans to address these concerns. The following three regional plans affect planning in the City of Bakersfield and the County of Kern: the 2000 Regional Transportation Plan (RTP); Congestion Management Program (CMP); and 1991 San Joaquin Valley Air Basin Air Quality Attainment Plan (AQAP). These three plans are intended to work in concert to help reduce traffic congestion and pollutant levels throughout the Metropolitan Bakersfield area.

2000 Regional Transportation Plan. The 2000 Regional Transportation Plan (RTP) includes extensive evaluation of regional transportation issues and the elements required by the Transportation Enhancement Act for the 21st Century (TEA-21).

The RTP establishes a set of regional transportation goals, objectives, policies and actions intended to guide development of the planned multimodal transportation systems in Kern County over the next twenty years. It was developed through a continuing, comprehensive and cooperative planning process, and provides for effective coordination between local, regional, State and Federal agencies.

⁷ The Kern Council of Governments is an association of City and county governments created to address regional transportation issues. It's member agencies include the County of Kern and 11 incorporated cities within Kern County.

Congestion Management Program. In 1996, the CMP was revised and was included as Section 6.0 of the Regional Transportation Regional Plan. The functions of each plan/program are similar and complementary, in that they are both long-range (7-year and 20-year, respectively) policy documents that address transportation issues and propose mitigation programs to meet the multi- and inter-modal transportation objectives of Kern County.

The CMP is prepared to ensure development of a balanced transportation system that relates population growth, traffic growth, and land use decisions to transportation system performance standards and air quality improvements. The CMP is an effort to more directly link land use, air quality, transportation, and the use of advanced transportation technologies as an integral and complementary part of the region's overall development plans and programs. Refer to Section 4.3, Traffic/Circulation, of the EIR for additional information.

1991 Air Quality Attainment Plan. In 1991, the San Joaquin Valley Unified Air Pollution Control District, in accordance with the requirements of the California Clean Air Act, prepared an *Air Quality Attainment Plan* (AQAP) which set forth the District's strategy for attaining the California one-hour ozone standard. The strategy includes numerous measures that require District rulemaking and program development for their implementation. The Plan requires implementation of best available retrofit control technology measures to reduce emissions from existing stationary sources and implementation of transportation control measures (TCMs) to reduce emissions from mobile sources. In addition, to meet Federal Clean Air Act requirements, the District adopted an Ozone Attainment Demonstration Plan (1994) and a PM₁₀ Attainment Demonstration Plan (1997).

Local Plans.

Kern River Plan Element (1985). The Kern River Plan Element is a part of the current City of Bakersfield and Kern County General Plans. Its planning area encompasses 14,250 acres and includes primary and secondary floodways of the Kern River. The Element consists of two basic components: a policy text and a plan map. The policy text presents specific statements that express the intent of the City of Bakersfield and the County of Kern with regard to land uses in the Kern River Planning area. The intent of the Kern River Plan with respect to the primary and secondary floodways of the Kern River is as follows:

- No development or physical improvements for uses in the Primary Floodway which would restrict flows, interfere with groundwater recharge or increase the rise in water surface during high flows of the Kern River, or displace the primary floodway, will be permitted.
- Limited development, with an emphasis on preserving open space within the area of the Secondary Floodway, with recognition of the potential flood hazard that exists therein, may be permitted.

While the Kern River Plan Element is the primary planning policy document for the Kern River area, it is required to be consistent with and supplement the policies of other adopted Elements contained within the City and County General Plans. According to the Kern River Plan, "map interpretation... shall be based solely on the

Kern River Plan Map. This shall be the official plan map for both the City of Bakersfield and the County of Kern, with regard to the Kern River area. Existing General Plan Elements of both the City of Bakersfield and the County of Kern shall be amended in such a fashion as to refer future readers to the Kern River Plan for areas within the jurisdiction of that plan.”

Bakersfield Airpark and Meadows Field Master Plans. The Bakersfield Airpark Master Plan guides the overall and development of the Airpark, a general aviation airport located on Union Avenue north of Planz Road. The primary objective of the Master Plan is to accommodate long-term aviation demand while providing a program to meet the more immediate needs for facility modification and repair. The Plan includes a review and update of the aviation demand forecasts, airport facility requirements, a staged development plan for new and improved facilities, and recommended airport management goals and policies over a 20-year planning period. The Airpark consists of 144 acres of City-owned land. The ultimate buildout of the Master Plan for the Airpark will increase the size of the Airpark to 179 acres by the year 2010.

Meadows Field is a County facility serving passenger and cargo needs. It handles commercial airlines and general aviation at a 1,400-acre facility located on Airport Drive north of Norris Road. Its master plan calls for runway expansion and improvements as well as construction of a new passenger terminal northwest of its existing location.

Specific Plans. California State law (Government Code Section 65450) authorizes cities and counties to prepare Specific Plans for the systematic implementation of a General Plan for all or part of the area covered by a General Plan. Specific Plans are intended to provide more definite specifications of the type of uses to be permitted, development standards (setbacks, heights, landscape, architecture, etc.) and circulation and infrastructure improvements. Specific Plans must contain measures to implement all policies in the General Plan for that area. A specific plan is able to address smaller areas that have unique qualities and require focused planning attention. A specific plan may be designed to implement any element of a general plan.

In accordance with State law, both the City and County have adopted specific plans for properties within the boundaries of Metropolitan Bakersfield area.

Other Approved Plans/Projects

Several other sections of this EIR explicitly address the consistency of the proposed General Plan Update (both the Land Use policies and other policies) with approved plans or projects not described above. For a discussion of the General Plan's compatibility with the Kern Water Bank, County Solid Waste Management Plan, Air Quality Attainment Plan, and Metropolitan Bakersfield Habitat Conservation Plan, refer to Section 4.4, *Air Quality*, Section 4.8 of this EIR, *Hydrology and Drainage*, Section 4.9, *Biological Resources*, and Section 4.11, *Public Services and Utilities*, respectively. Additional Planning programs or approved projects are also discussed in relevant topical sections of this EIR.

Redevelopment Plans. The California State Legislature has enacted laws allowing cities and counties to adopt redevelopment plans intended to revitalize and

rehabilitate blighted areas. Redevelopment plans provide a means for government agencies to encourage private reinvestment in blighted areas through initial government assistance. Redevelopment is intended to eliminate deficiencies and to cause the comprehensive planning, redesign, and reconstruction of specific areas in order to facilitate a higher and better utilization of land. Redevelopment is also intended to increase construction activities and employment opportunities. Additionally, redevelopment is intended to provide economic stimulation through commercial growth and expansion.

The City of Bakersfield has adopted the following redevelopment plans:

- *Southeast Bakersfield Redevelopment Area*. This 4,619-acre Redevelopment Area was established in the southeast area of the City. It includes the City's portion of the existing Southeast Bakersfield Enterprise Zone (refer to discussion below) and extends west to "H" Street and south along the Union Avenue corridor.
- *Old Town Kern – Pioneer Redevelopment Area*. This Redevelopment Area is situated in the Old Town Kern area of the City and is comprised of approximately 1,971 acres. The area includes the Baker Street Business District and extends west to the Kern County Museum area on Chester Avenue.
- *Downtown Redevelopment Area*. The Downtown Redevelopment Area was established in 1972 and expanded in 1974, 1976, and 1979. It encompasses 73 square blocks (approximately 225 acres) and is located in Bakersfield's Central Business District.
- *Enterprise Zone*. In 1986, the City of Bakersfield and County of Kern gained approval from the California Technology, Trade & Commerce Agency to designate a portion of southeast Metropolitan Bakersfield as an Enterprise Zone. The Enterprise Zone designation was designed to stimulate investment and increase employment in the Zone area. The Southeast Metropolitan Bakersfield Enterprise Zone consists of approximately four square miles. The Enterprise Zone offers unique state income tax benefits in addition to other incentives for job-creating businesses.

Development Plans. Development Agreements are authorized by California State law to enable a City/County to enter into a binding contract with a developer in order to assure the City/County as to the type, character, and quality of development and assures the developer that the necessary development permits will be issued regardless of changes in regulations that may occur in the future. A developer of a multi-phased project who has based project financing on conditions negotiated with the City/County at a particular time is assured of not being adversely affected by subsequent changes in regulations that might otherwise effect the project. Additionally, the City/County is enabled to obtain additional contributions and benefits from the developer.

STANDARDS OF SIGNIFICANCE

SIGNIFICANCE CRITERIA

In accordance with CEQA, the effects of a project are evaluated to determine if they will result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. The criteria, or standards, used to determine the significance of impacts may vary depending on the nature of the project. For the purposes of this project, impacts related to land use are considered significant if one or more of the following conditions would result from implementation of the proposed project:

- Physically divide an established community (refer to Section 10.0, *Effects Found Not To Be Significant*);
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and/or
- Conflict with any applicable habitat conservation plan or natural community conservation plan (refer to Section 4.9, *Biological Resources*).

Based on these standards, the effects of the proposed project have been categorized as either a “less than significant impact” or a “potentially significant impact.” If a potentially significant impact cannot be reduced to a less than significant level through application of goals, policies, standards or mitigation, it is categorized as a significant and unavoidable impact.

IMPACTS AND MITIGATION MEASURES

CONSISTENCY WITH RELEVANT PLANS AND POLICIES

- THE GENERAL PLAN UPDATE COULD CONFLICT WITH EXISTING PLANS, POLICIES OR REGULATIONS.**

Level of Significance Before Policies/Mitigation: Less Than Significant Impact.

Impact Analysis: Future development in the Planning area is anticipated to be in accordance with the Land Use Element of the General Plan which contains a map and text describing the Planning area’s future land use pattern. The Land Use Policy Map (available at the City and County offices) presents the distribution of land uses in the Planning area. Total acreages for each of these land use designations are presented in Table 4.1-2, *Percentage of Land Use Within Primary Land Use Categories*. Section 3.0, *Project Description*, further describes the assumptions and characteristics of the Plan. Two basic principles govern the Plan: new development is focused into distinctive centers separated by low land use densities and new development is situated such that it takes advantage of the environmental setting. These principals are defined as the “centers” and “resource” concepts, respectively. Exhibit 4.1-1, *Centers and Resources*, conceptually illustrates these land use principles.

The “centers” concept provides for a land use pattern consisting of several concentrated mixed-use commercial and high density residential centers surrounded

by medium density residential uses. Single-family residential uses are the primary uses located between these mixed-use commercial/residential centers. This concept encourages people to live and work in the same area, thereby, minimizing sprawl and reducing traffic, travel time, infrastructure costs, and air pollution. In addition to promoting the formation of several large concentrated mixed-use centers, the Plan also attempts to consolidate smaller, neighborhood-serving commercial development by prescribing minimum distances between commercial parcels and by discouraging strip commercial development.

The “resources” concept emphasizes the siting of development to reflect the Planning area’s natural and visual resources: its river, canals, and foothills. Also, the “resources” concept uses as a point of departure, the 1985 Kern River Plan Element (as amended) which takes advantage of the recreational potential of the river while respecting the river’s sensitive natural habitats and aesthetic resources. The Plan encourages linkages to unique resources and includes Policies to promote utilization and sensitivity of natural and visual resources.

The General Plan Update’s basic principles governing development in existing urban areas and peripheral areas are as follows:

EXISTING URBAN AREAS

The General Plan Update provides the following basic principles for development of existing urban areas:

- (a) The preservation and conservation of existing residential neighborhoods whose identity is characterized by the quality and maintenance of existing construction, stability, and reputation as a “special” place in the community;
- (b) The infill of vacant parcels at prevailing densities;
- (c) Recycling and intensification of areas which are physically or economically depressed; and
- (d) The provision of open space linkages where feasible to the Kern River and foothill areas.

Strip commercial and sprawling residential land use patterns, which lack consolidation or focus are inconsistent with principles defined in the General Plan Update. In addition, the General Plan Update provides for the preservation of stable, primarily single-family⁸ neighborhoods by allowing for a reduction in the densities from those permitted by the current General Plan.

⁸ “Primarily single-family” is defined as those neighborhoods in which 75 percent or more of the units are of “LR” density (7.26 du/net acre) or less and are in a state of good repair.

Insert Exhibit 4.1-1
Centers and Resources
11 x 17

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PERIPHERAL AREAS

New development on the periphery of urban Bakersfield is intended to be focused at five new mixed use activity centers generally located in the southwest, northwest and northeast (refer to Exhibit 4.1-1, *Centers and Resources*). More specifically, these centers would be located at Rosedale Ranch, the rural northwest, California State University Bakersfield, an area west of Buena Vista Road and an area east of Morning Drive, along SR-178. It is expected that the southwest center would include a mix of professional office and retail uses, moderate density residential, and would filter outwards to lower suburban-type densities. Figure II-3 of the 1990 General Plan illustrates the land uses in policy concept form. However, actual land use designations for the southwest center and the surrounding area would be determined through a more detailed land use and environmental analysis. Focused analysis of this area is considered necessary due to its growth potential and its associated impacts (i.e., impact on prime agricultural lands and potential to impact the Kern River corridor resource). The northwest center would contain retail commercial, light industrial, moderate and high density residential, and would be surrounded by low and estate residential densities. The center in the northeast would include retail commercial, professional office, moderate and high density residential, and would filter outwards to lower densities. The General Plan encourages the following for each center:

- (a) Focus on a major open space amenity, such as a park or water body;
- (b) Link land uses to the Kern River where possible; and
- (c) Exhibit pedestrian sensitivity with appropriate design applied to encourage pedestrian activity.

In addition to these activity centers, peripheral development would be focused in smaller community centers, such as in the Greenfield and Lamont areas, with local-serving commercial services and residential uses.⁹

Generally, the sphere of influence boundaries were utilized to help define the boundaries of planned urban growth. There are three exceptions to this definition of boundaries: the southwest center, Oildale and Lamont. The southwest commercial center itself is situated within the sphere-of-influence area. However, the "lower suburban-type density" residential uses associated with the southwest center extend beyond the western boundary of the present sphere of influence. According to the General Plan, justification for extending beyond the sphere of influence boundary includes the following: (a) rapid growth has already taken place in this direction in recent years and shows no signs of slowing; (b) the area presents an opportunity to capitalize on the Kern River as a visual and aesthetic resource; and (c) the ease with which services may be extended. The second exception to the sphere-of-influence defined boundaries occurs in Oildale. In particular, a major airport terminal including supporting commercial and industrial uses is master planned just north of the existing terminal at Meadows Field, beyond the sphere-of-influence boundaries. Finally, the unincorporated community of Lamont, which supports the surrounding

⁹ These unincorporated communities are recognized as unique agricultural-related communities within the Metropolitan area that are separate and distinct from the City of Bakersfield. The distinctive identities of these communities within the Metropolitan area should be encouraged through subsequent actions that implement the General Plan.

agricultural community, is a residential and commercial urban center within the Metropolitan area.

The General Plan Update for Metropolitan Bakersfield has refined and supplemented policies regarding future development within the Planning area. As described in Section 3.0, *Project Description*, the General Plan Update does not propose any changes to existing density standards and/or floor area ratio (FAR) assumptions, nor does the Plan involve any changes to existing land use designations. Although there are no physical land use changes in the General Plan Update, the Update would produce a beneficial effect by making the General Plan a more effective planning tool to review future projects and to coordinate with other jurisdictions and regulatory agencies on regional planning and environmental matters.

The General Plan Update contains policies and implementing actions that continue to support current procedures followed by the City/County when development applications are reviewed, including the referral of plans to appropriate federal, state, regional, and adjacent jurisdictions and agencies to assure consistency between City/County and other agency regulations and requirements. General Plan Update policies and actions recognize that all communities within the area have an interest in area-wide land use and transportation planning, economic development, environmental protection, and the provision of adequate services and facilities.

Policies and programs in the General Plan Update continue to provide for implementation of and participation in area-wide planning efforts. An analysis of the consistency of the General Plan Update with specific federal, state, regional, and local plans is presented below.

Federal Plans and Policies

Clean Air Act. The General Plan Update is in compliance with policies/regulations of the Clean Air Act. The Conservation/Air Quality Element of the Plan contains goals and policies consistent with the Clean Air Act. These goals and policies are detailed in Section 4.4, *Air Quality*. Goals which have been identified include the following:

- Promote air quality that is compatible with health, well being, and enjoyment of life by controlling point sources and minimizing vehicular trips to reduce air pollutants.
- Continue working toward attainment of Federal, State and local standards as enforced by the San Joaquin Valley Unified Air Pollution Control District.
- Reduce the amount of vehicular emissions in the planning area.

Clean Water Act (Section 404). The General Plan Update contains goals and policies designed to protect water resources (including wetlands) and enhance water quality. These goals and policies are detailed in Section 4.8, *Hydrology and Drainage*, and Section 4.9, *Biological Resources*. Additionally, any future development permitted through implementation of the Plan would be subject to permit requirements of the U.S. Army Corps of Engineers. The General Plan Update is in compliance with the Clean Water Act.

National Pollutant Discharge Elimination System Permit Program. The General Plan Update provides goals and policies designed to protect water quality. These goals and policies are detailed in Section 4.8, *Hydrology and Drainage*. Development allowed through implementation of the proposed Plan would be required to implement storm water management practices during and after construction in accordance with the NPDES permit. The General Plan Update is in compliance with the NPDES program.

Federal Endangered Species Act. The General Plan Update provides goals and policies designed to protect plant and animal life in critical wildlife habitat and wetlands. These goals and policies are detailed in Section 4.9, *Biological Resources*. The City of Bakersfield and County of Kern have determined that the appropriate approach to conservation of protected biological resources in the Metropolitan Bakersfield area is through the habitat conservation planning process (i.e., the Metropolitan Bakersfield Habitat Conservation Plan). The City and County obtained permits under Section 10(a)(1)(B) of the United States Endangered Species Act for incidental take of protected species in connection with development projects. Through the ongoing discretionary review process, the City preserves habitat and avoids take of protected species in compliance with the MBHCP. The General Plan Update is consistent with the Federal Endangered Species Act.

State Plans and Policies

California Wetlands Policy. Development pursuant to the General Plan Update with the potential to affect marshlands and designated wetlands would be subject to the requirements of the California Department of Fish and Game streambed alteration agreements. These agreements require the avoidance of wetlands and implementation of mitigation measures for any related wetlands impacts. In addition, the General Plan Update contains goals and policies designed to protect wetlands. These goals and policies are detailed in Section 4.9, *Biological Resources*. The General Plan Update is in compliance with this policy.

California Endangered Species Act. The General Plan Update provides goals and policies designed to protect plant and animal life in critical wildlife habitat and wetlands. These goals and policies are detailed in Section 4.9, *Biological Resources*. The General Plan Update is in compliance with the California Endangered Species Act.

Regional and Local Plans/Policies

Regional Plans

2000 Regional Transportation Plan and Congestion Management Program. These documents are both long-range policy documents that address transportation issues and propose mitigation programs to meet the multi- and inter-modal transportation objectives of Kern County. The General Plan Update proposes to update the City's traffic model based on the Kern Council of Governments (COG) traffic model information. An update to the City's traffic model would reflect Kern COG's current data relative to population growth, traffic growth, and air quality improvements. In this regard, the General Plan Update would be in compliance with 2000 Regional Transportation Plan and Congestion Management Program.

1991 Air Quality Attainment Plan. Refer to Section 4.4, *Air Quality*, for a discussion of the General Plan Update's consistency with the Air Quality Attainment Plan and an outline of the goals and policies relative to air quality.

Local Plans

Kern River Plan Element. The following two implementation programs specifically address compliance with the Kern River Plan Element:

- Open Space Element: Implement Kern River Plan Element policies regarding development sensitivity to the river resource.
- Safety/Flooding Element: Comply with the regulations and guidelines contained in the City/County adopted Kern River Plan Element of the City and County General Plans, and the zoning and floodplain management regulations which implement the Plan.

Additionally, the Land Use, Conservation, Open Space, Safety, and Parks Elements of the General Plan include goals and policies pertaining to Kern River corridor resources. These goals and policies are intended to avoid impacts to Kern River corridor resources and generally involve the following:

- Siting of new development in relation to the River;
- The provision of transportation facilities;
- The provision of open space/ trail links;
- The creation of activity corridors;
- Preservation of natural resources;
- Continued maintenance;
- Management of surface water supplies; and
- Provision of recreation resources.

The General Plan Update is in compliance with the Kern River Plan Element after implementation of the specified programs, goals, and policies regarding Kern River corridor resources.

Bakersfield Airpark and Meadows Field Master Plans. Land uses proposed in the General Plan Update are generally consistent with land use designations proposed in the airport Master Plans. The City and County have adopted the Airport Land Use Compatibility Plan. The General Plan Update has identified an implementation program which requires review of the airport master plans for conformance with the Airport Land Use Compatibility Plan and General Plan. The program requires that the Plans be amended as necessary to make them compatible. Additional implementation programs identified in the General Plan Update require that: each airport prepare and periodically update a plan discussing future expansion, improvements, and operations; and that consideration be given to aviation easements for discretionary projects to provide for orderly development and as a means of preventing new noise and safety impacts. The General Plan has specified a policy to "ensure compatibility between the General Plan, airport master plans and airport land use plans." After compliance with the specified programs and policy, the General Plan Update would be considered consistent with the Bakersfield Airpark and Meadows Field Master Plans.

Specific Plans

It is the intent of the General Plan Update to incorporate those specific plans within the boundaries of the Planning area, by reference, and to make provision for the adoption of future specific plans as may be desired or required.¹⁰

State law requires that specific plans contain measures to implement all the policies in the General Plan for specific plan areas, and include measures to implement policies in optional elements. While approved City and County specific plans are generally provided for on the proposed land use plans, some General Plan designations only approximate specific plan designations. The General Plan Update has included the following policy with respect to compliance with specific plans:

“Allow for flexibility in the specific siting of multi-family residential and commercial uses from the locations generally depicted on the Land Use Map in areas which are undeveloped, used for resource production, or are developed at very low densities through Planned Unit Development, Planned Commercial Developments and Specific Plans, provided that. . . .”

Specific plans are intended to be an amplification of the goals and policies of the General Plan Update and are, therefore, consistent therewith. The Land Use Plan Map for the General Plan Update replicates land use designations of these specific plans schematically. To determine exact land use designations within presently existing, or any subsequently adopted, specific plans, it is necessary to refer to those adopted documents. Thus, the General Plan has anticipated certain inconsistencies between the Land Use Map and specific Plans. A less than significant impact is anticipated in this regard.

Other Approved Plans/Project

Redevelopment Plans

As previously noted, three redevelopment plans exist in the Planning area: the Southeast Bakersfield Redevelopment Area; the Old Town Kern-Pioneer Redevelopment Area; and the Downtown Redevelopment Area. The General Plan Update has included various policies with respect to redevelopment plans. Two of these policies specifically address the Downtown Redevelopment Area providing for the area’s revitalization through California law and exempting the area from the Level of Service Ordinance. The remaining policies generally involve the use of redevelopment authorities and the provision of recreational facilities. The General Plan Update is anticipated to result in a less than significant impact with respect to redevelopment plans.

Goals and Policies in the General Plan Update: The Land Use, Circulation, and Parks Elements contain the following goals and policies:

LU-G-5 Accommodate new development which capitalizes on the Planning area’s natural environmental setting, including the Kern River and the foothills.

¹⁰ Metropolitan Bakersfield General Plan Update, Introduction, January 2002.

- CIR/AP-G-2 Develop, operate, and maintain Meadows Field and Bakersfield Municipal Airpark to meet aviation needs in the metro area.
- OS-G-5 Create 20 major tree-covered corridors that connect to and include the Kern River Parkway, safe bikepaths and GET bus routes.
- OS-G-6 Create greenbelt corridor along the Kern River with increased recreational opportunities.
- SAF/FL-G-3 Maintain adequate flood flow capacity in the Kern River channel to prevent flooding from anticipated 100 year design flood flows.
- LU-P-39 Enhance existing and establish new centers as the principal focus of development and activity in the Planning area, around which other land uses are grouped. Centers should be linked by adequate transportation facilities and may be linked to the Kern River, canals, or other resource amenities. Centers may be differentiated by functional activity, density/intensity, and physical character.
- LU-P-40 Provide for the enhancement and intensification of existing “centers” such as:
- a) Downtown
 - b) California State University, Bakersfield
 - c) Bakersfield Airpark/Casa Loma
 - d) Meadows Field
 - e) Highway 58/Weedpatch Highway
 - f) Lamont
 - g) Greenfield
 - h) McAllister Ranch
 - i) Northwest Bakersfield
 - j) Rosedale Ranch
- LU-P-42 Provide for the revitalization of downtown Bakersfield by the use of redevelopment authorities provided by California law, including the provision of incentives for new private development projects, joint private-public partnerships, and public improvements; accommodating the range of land uses defined for this “Center”.
- LU-P-45 Allow for the development of a center in southwest Bakersfield which is a focal point of activity and includes a mix of professional office and retail uses, moderate density residential, and filters outward to lower suburban-type densities, according to the following principles:
- a) Encourage focus on an open space amenity such as a park or water body;
 - b) Provide opportunity for the development of residential units above ground floor commercial;

- c) Encourage land use link with the Kern River and promote pedestrian activity within center.

LU-P-46 Allow for the development of centers in northwest Bakersfield to serve the Rosedale Community and adjacent rural areas, containing retail commercial, light industrial, moderate and high density residential, and is surrounded by low and estate residential densities, according to the following principles:

- a) Attempt to focus on open space amenities;
- b) Promote pedestrian activity and where feasible attempt to link land uses with the Kern River.

LU-P-68 Capitalize on the Kern River, parks, steep hills, and canals as organizational elements for the Bakersfield area, creating activity corridors around which development and recreational uses can be focused.

LU-P-81 Allow for flexibility in the specific siting of multi-family residential and commercial uses from the locations generally depicted on the Land Use Map in areas which are undeveloped, used for resource production, or are developed at very low densities through Planned Unit Development, Planned Commercial Developments and Specific Plans, provided that:

- a) The overall density and distribution of land uses is maintained;
- b) Multi-family and commercial uses are located in proximity to principal roadways, public transit, employment nodes, commercial services, and recreational uses and within 330 feet of the location depicted on the Land Use Policy Map;
- c) Uses are sited to take advantage of pedestrian greenbelts, recreational amenities, and natural environmental resources;
- d) The availability of infrastructure to the site or adjacent service areas is not adversely impacted.

LU-P-83 Provide for the use of redevelopment authorities in other locations of the metropolitan area which California Redevelopment law has determined as blighted.

LU-P-96 Where possible, utilize land encumbered with electrical transmission line easements to provide open space linkages, the Kern River corridor, trail systems and commercial/employment centers.

CIR/ST-P-38 Exempt the downtown Bakersfield redevelopment area and small infill projects from the Level of Service standard to facilitate infill projects and downtown redevelopment and in recognition of the higher traffic levels inherent to a vital central core.

- CIR/AP-P-2 Ensure compatibility between the general plan, airport master plans and airport land use plans.
- CON/BR-P-2 Preserve areas of riparian vegetation and wildlife habitat within floodways along rivers and streams, in accordance with the Kern River Plan Element and channel maintenance programs designed to maintain flood flow discharge capacity.
- CON/MR-P-6 Continue implementation of the Kern River Channel Maintenance Program for extraction of river sand and gravel.
- CON/WR-P-4 Support programs and policies which assure continuance or augmentation of Kern River surface water supplies.
- OS-P-1 Promote the establishment, maintenance and protection of the Planning areas open space resources, including the following:
- a) Conservation of natural resources (refer to Chapter II-Land Use, Chapter V-Conservation, and Chapter XII Kern River Plan Element).
 - Kern River corridor
 - Management of hillsides
 - b) Managed production of resources
 - Agriculture (refer to Chapter V-Conservation/Soils and Agriculture)
 - Oil production (refer to Chapter V-Conservation/Mineral Resources)
 - c) Outdoor recreation
 - Parks (refer to Chapter XI-Parks)
 - Kern River corridor (refer to Chapter II-Land Use, Chapter V-Conservation, and Chapter XII-Kern River Plan Element)
 - d) Public health and safety
 - Hazard avoidance (refer to Chapter VIII-Safety)
- OS-P-5 Development location and siting should be sensitive to its relationship to the Kern River.
- OS-P-18 Establish open space/trail linkages from the NBOSA to public and quasi public facilities such as CALM, Hart Park, soccer park, Lake Ming and the Kern River Corridor.
- SAF/FL-P-2 Maintain adequate levees along the Kern River channel throughout the Planning area.

- SAF/FL-P-3 Prevent urban development encroachment which would impede flood flows in the Kern River designated floodway.
- SAF/FL-P-4 Remove sand and excessive plant growth from the Kern River channel as required to maintain channel capacity through the planning area.
- PAR-P-6 Provide additional neighborhood and community parks and recreation acreage in areas substantially developed or in the process of redevelopment or improvement, using a combination of public funds, in lieu developers fees, and benefit assessment districts.
- PAR-P-14 Plan for and expend regional recreation opportunity in connection with the development and conservation of appropriate areas along the Kern River.
- PAR-P-15 Designate multiple purpose areas for recreation and park use within the Kern River Plan area and in accordance with the goals and policies in the Kern River Plan Element.
- PAR-P-18 Attempt to provide special recreational programs for seniors on fixed incomes, latch-key children, and the economically disadvantaged.

Mitigation Measures: No mitigation measures beyond the goals, policies and implementation identified in the General Plan Update are proposed.

Level of Significance After Policies/Mitigation: Less Than Significant Impact.

LAND USE COMPATIBILITY

- DEVELOPMENT IN ACCORDANCE WITH THE GENERAL PLAN UPDATE HAS THE POTENTIAL TO RESULT IN LAND USE COMPATIBILITY IMPACTS.**

Level of Significance Before Policies/Mitigation: Less Than Significant Impact.

Impact Analysis: Generally, the intermixing of land uses has the potential to result in land use incompatibilities. Land use compatibility impacts associated with land development are a factor of quality of life issues, including, but not limited to traffic, noise, air quality, risk, and aesthetics (views/physical scale). While these may generally be perceived as subjective issues, the significance criteria detailed in each of the respective issues sections in this EIR provide a basis for assessing land use compatibility impacts.

In addition, policies and mitigation detailed in Sections 4.4, *Air Quality*, 4.5, *Noise*, 4.7, *Soils and Agricultural Resources*, 4.13, *Public Health and Safety*, and 4.14, *Mineral and Energy Resources*, of this EIR protect against the siting hazardous or nuisance land uses and residential or other sensitive land uses in proximity to each other. These policies are listed in their respective Sections of this EIR.

The goals, objectives, policies and standards contained in the Land Use Element encourage architectural and site compatibility in designated areas. Additionally, the Circulation, Conservation, and Open Space Elements of the General Plan Update have identified goal and policies which are conducive to land use compatibility. The identified goals include accommodating new development which is compatible with and complements existing land uses and the establishment of a built environment which achieves a compatible functional and visual relationship among individual buildings and sites. Additionally, as part of their on-going development review process, the two jurisdictions carries out various duties which serve to implement those goals and policies conducive to land use compatibility. In essence, procedures of the respective jurisdictions provide the vehicle by which the concept of compatibility is implemented. These procedures are a part of the development, environmental, and design review processes and generally involve the following:

Development Review

- Development and building improvements requiring a building permit are subject to review according to their adherence with City standards, regulations and policy for issuance of a Development Permit.
- Developments within certain county zone classifications require approval of a Special Development Standards Plot Plan Review which involves a review projects for compliance with urban development standards and to obtain necessary street dedications and improvements.

Environmental Review

- Local guidelines for project processing reflect CEQA Guidelines which require that the environmental effects of a project be taken into account as part of project consideration.

Design Review

- The goals, objectives, policies and standards contained in the Land Use Element encourage architectural and site compatibility in designated areas. Procedures of the respective jurisdictions provide the vehicle by which the concept is implemented.

Code Enforcement

- The City of Bakersfield and County of Kern maintain an on-going program of code enforcement.

Based on these factors, implementation of the proposed General Plan Update would not result in direct impacts regarding land use compatibility within the Plan area.

Goals and Policies in the General Plan Update: The Land Use Element contains the following goals and policies:

- LU-G-3 Accommodate new development which is compatible with and complements existing land uses.

- LU-G-7 Establish a built environment which achieves a compatible functional and visual relationship among individual buildings and sites.
- LU-P-6 Retain existing residential neighborhoods as designated on the Land Use Plan, and allow for the infill of residential land uses which are compatible with the scale and character of the surrounding neighborhood.
- LU-P-13 Require that new multiple family residential projects incorporate design features such as screen walls and height and setback restrictions which foster compatibility with adjacent existing and future single-family residential uses.
- LU-P-17 Ensure that adequate lands are set aside for neighborhood-serving commercial uses adjacent to designated residential areas. Where land has not been set aside, permit neighborhood scale commercial uses in residential areas when compatible with surrounding development.
- LU-P-25 Provide for infill of commercial land uses to be compatible with the scale and character of existing commercial districts and corridors.
- LU-P-26 Encourage adjacent commercial uses to be of compatible height, setback, color and materials.
- LU-P-27 Require that new commercial uses maintain visual compatibility with single-family residences in areas designated for historic preservation.
- CIR/AP-P-2 Ensure compatibility between the general plan, airport master plans and airport land use plans.
- CON/MR-P-7 Promote development of compatible uses adjacent to mineral extraction areas.
- CON/MR-P-8 Allow development of resource extraction sites subject to the conditional use permit procedure in zones where such uses are not permitted by right and where it can be shown that proposed extraction uses are compatible with surrounding uses.
- CON/MR-P-11 Prohibit incompatible development in areas which have a significant potential for harm to public health, safety and welfare due to mineral and petroleum extraction and processing.
- OS-P-9 Encourage depleted resource extraction sites to be restored as alternative open space or developed with uses compatible with those adjacent.

Mitigation Measures: No mitigation measures beyond the goals, policies and implementation identified in the General Plan Update are proposed.

Level of Significance After Policies/Mitigation: Less Than Significant Impact.

UNAVOIDABLE SIGNIFICANT IMPACTS

With implementation of the goals, policies and implementation programs identified in the General Plan Update, land use impacts would be less than significant. The General Plan Update would not result in significant and unavoidable land use impacts.