



Zoning Code Text Changes

Initial Study – Common Sense Exemption

prepared by

City of Bakersfield
1715 Chester Avenue
Bakersfield, California 93301
Contact: Jose Fernandez, Associate Planner

prepared with the assistance of

Rincon Consultants, Inc.
7080 North Whitney Avenue, Suite 101
Fresno, California 93720

January 2024

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RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

rinconconsultants.com

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Acronyms and Abbreviations

AB	Assembly Bill
AQMP	Air Quality Management Plan
BFD	Bakersfield Fire Department
BFE	Base Flood Elevations
BMC	Bakersfield Municipal Code
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAP	Climate Change Action Plan
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Code
CH ₄	Methane
CNEL	Community Noise Equivalent Level
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalent
CRHR	California Register of Historical Resources
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Clean Water Act
CWS	California Water Service
DOC	California Department of Conservation
DOF	Department of Finance
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EPA	US Environmental Protection Agency
EOP	Emergency Operations Plan
FEMA	Federal Emergency Management Agency

Zoning Code Text Changes

FTA	Federal Transit Authority
GET	Golden Empire Transit
GHG	Greenhouse Gas
GWh	Gigawatt Hours
GSP	Groundwater Sustainability Plan
GWP	Global Warming Potential
HFCs	Hydrofluorocarbons
HMP	Hazard Mitigation Plan
IPCC	Intergovernmental Panel on Climate Change
KernCOG	Kern Council of Governments
KRGSA	Kern River Groundwater Sustainability Agency
LRA	Local Responsibility Area
MRP	Municipal Regional Stormwater Permit
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
N ₂ O	Nitrous Oxides
PRC	Public Resources Code
PFCs	Perfluorocarbons
PG&E	Pacific Gas and Electric
PPV	Peak Particle Velocity
RMS	Root Mean Square
ROG	Reactive Organic Gases
RTP	Regional Transportation Plan
SB	Senate Bill
SF ₆	Sulfur Hexafluoride
SFHA	Special Flood Hazard Areas
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMARA	Surface Mining and Reclamation Act
SRA	State Responsibility Area

SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
VFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled

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Initial Study

1. Project Title

City of Bakersfield Zoning Code Text Changes

2. Lead Agency/Project Sponsor Name and Address

City of Bakersfield
1715 Chester Avenue
Bakersfield, California 93301
661-326-3733

3. Contact Person and Phone Number

Jose Fernandez, Associate Planner, 661-326-3778

4. Project Location and Existing Setting

The study area includes the entire City of Bakersfield (hereinafter referred to as “City” or “Bakersfield”). Bakersfield is located in the southern region of the Central Valley and encompasses approximately 151 square miles.

The regional location of Bakersfield is shown in Figure 1 and the city limits are show in Figure 2.

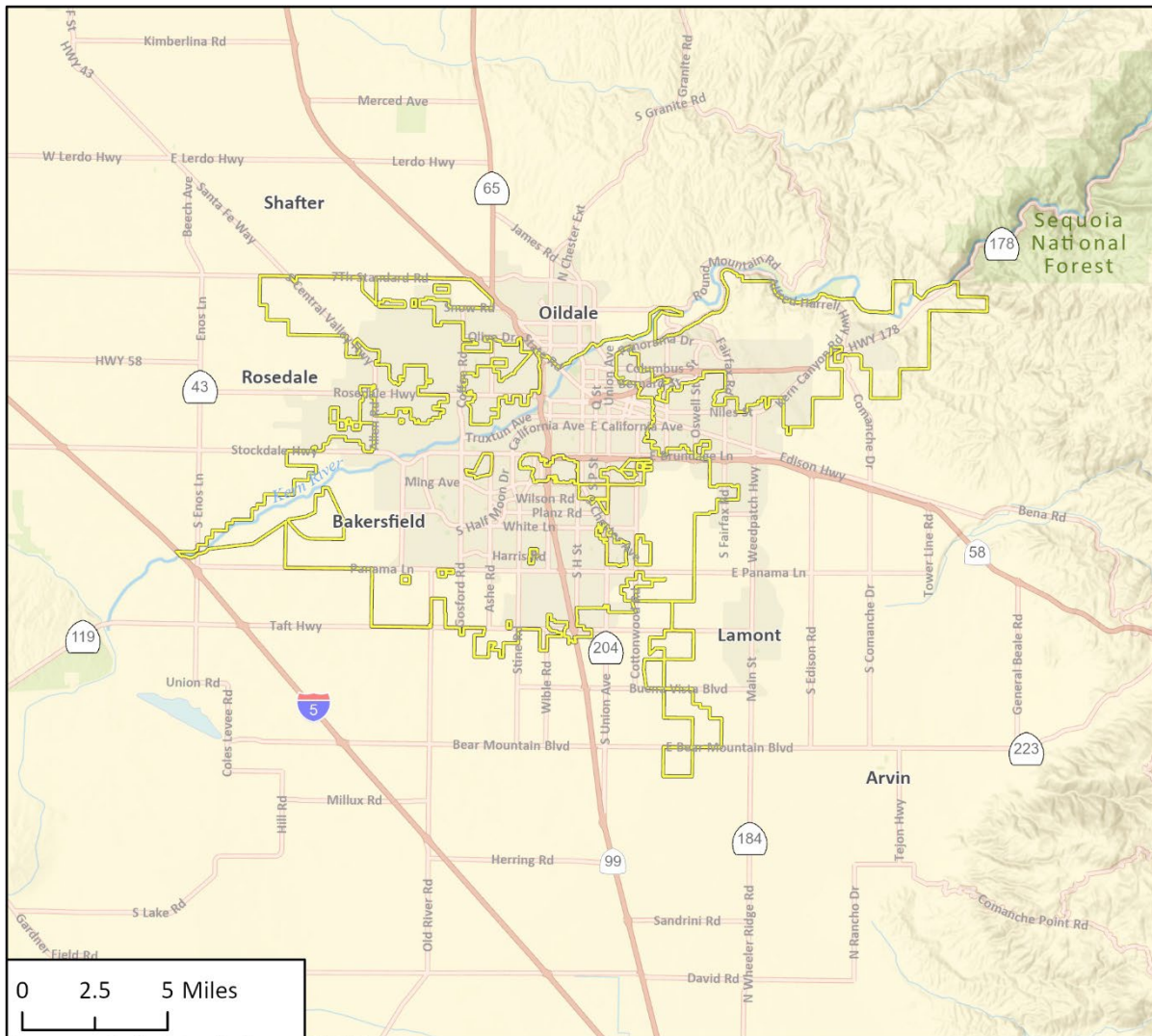
Existing Setting

Bakersfield includes primarily single-family residential uses (approximately 72 percent of Bakersfield) with the remainder occupied by schools, civic buildings, religious institutions, parks and open space, industrial, and commercial uses. Bakersfield contains 61 public parks and other landscaped areas with wooded paths, tennis courts, pickleball courts, sports facilities, children’s playgrounds, and picnic facilities. Bakersfield is largely developed and is within a landlocked setting which has influenced its historic development patterns and affects its potential for new housing and employment.

The housing stock of Bakersfield in 2023 was made up of 99,444 (72.4 percent) single-family detached homes, 3,541 (2.6 percent) single-family attached homes, 14,709 (10.7 percent) multifamily homes with 2 to 4 units, 16,895 (12.3 percent) multifamily homes with 5 or more units, and 2,738 mobile homes (1.9 percent) (DOF 2023).

The Center of the City is mostly urbanized while the peripheral areas surrounding the center include agricultural and open space areas.

Figure 1 Regional Location



★ Project Location

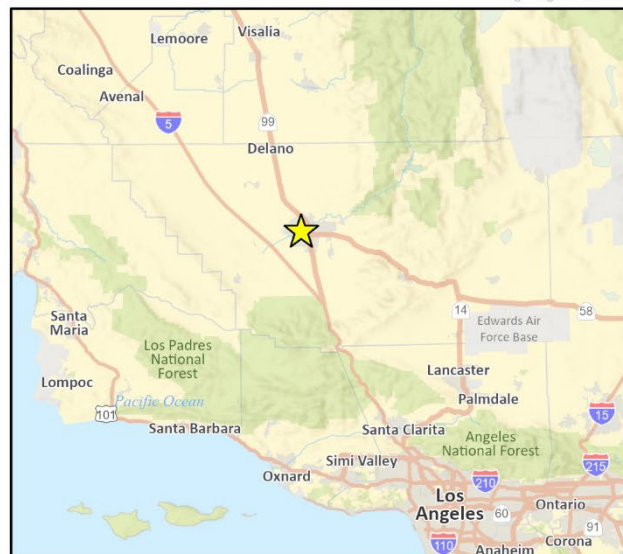
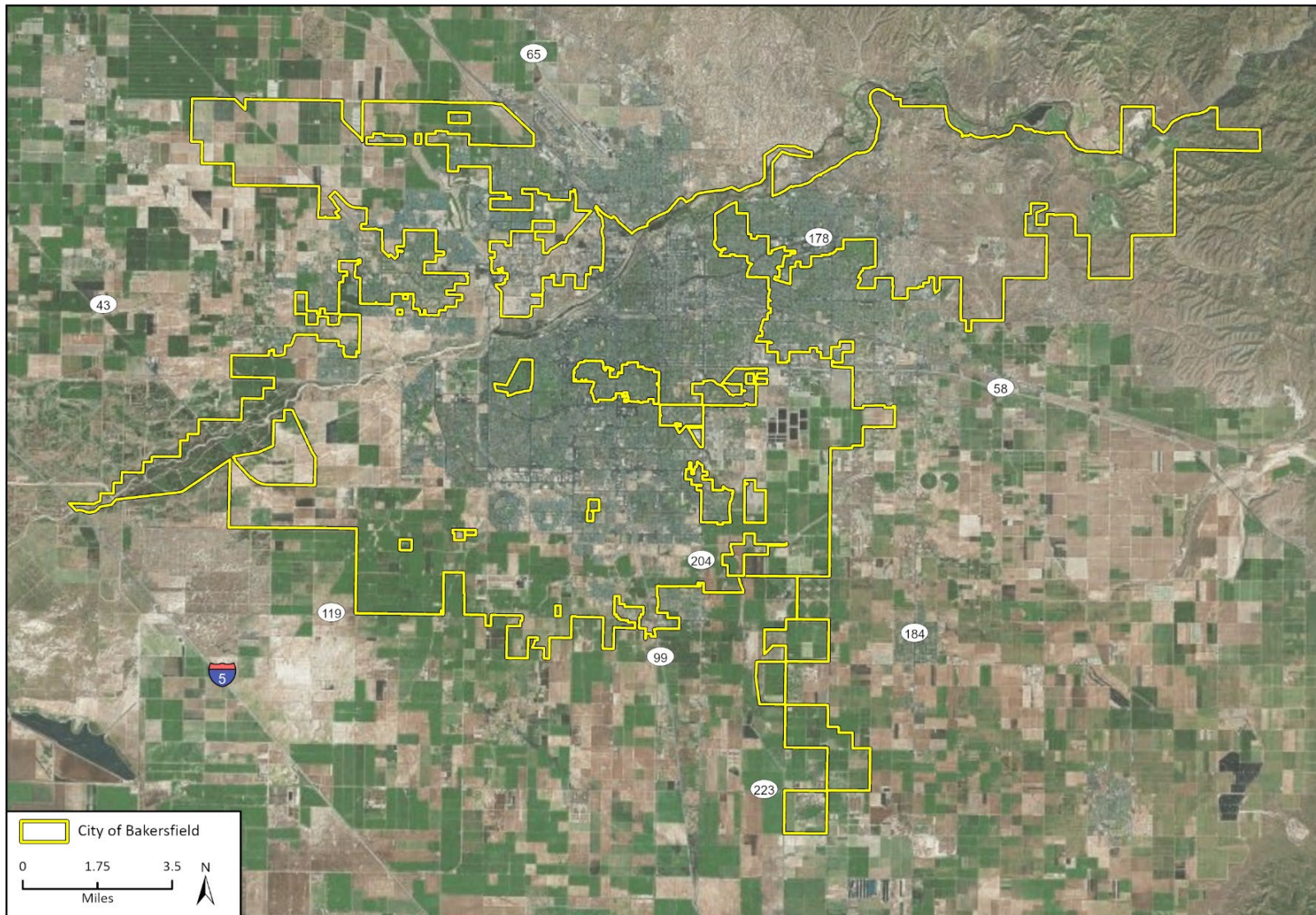


Figure 2 City of Bakersfield Location



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Fig 2 City of Bakersfield Location

Zoning Code Text Changes Description

The proposed project includes text-only changes of the Bakersfield Zoning Code to promote the development of housing in the city and to ensure consistency with State law. These text changes in and of themselves would not result in growth or increased development in Bakersfield. Text changes include:

- New Zoning purpose statements
- Reduced minimum parcel size for the Residential Suburban (R-S) Zone from 24,000 square feet to 22,000 square feet. This zone would still allow for the accommodation of non-domesticated animals.
- Removal of the Estate, One-Family Dwelling (E) Zone.
- Reducing overall setbacks to expand development flexibility for all residential zones.
- New Very-High Density Multi-Unit Dwelling Zone (R-5) and Urban Core (R-6) Zone development standards.
- New tabular format for the land use and permit and development standards tables.
- Examination of permit requirements for the new Mixed-Use Zones
- Use of new terminology including:
 - “Single-unit/multi-unit” instead of “single-family/multi-family”
 - “Community Care Facility” instead of “Residential Care Facility”
 - “Places of Assembly” instead of “Churches”
- Added definitions for “Public and Quasi-Public Uses,” “Low-Barrier Navigation Center,” “New Mixed-Use,” “Mixed-Use, Horizontal,” and “Mixed-Use, Vertical.”
- Inclusion of Multi-Unit Objective Design Standards which are focused on-site development and orientation with some structure requirements.

5. Required Approvals

With recommendations from the Planning Commission, the City Council would need to take the following future discretionary actions:

- Approval of Zoning Code text changes

6. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

On June 22, 2023, the City of Bakersfield contacted California Native American Tribal governments by sending an Assembly Bill (AB) 52 and Senate Bill (SB) 18 notification letter via email to tribes with an affiliation with the project area based on a list provided by the Native American Heritage Commission (NAHC). Under AB 52, Native American tribes have 30 days to respond and request further project information and request formal consultation. Under SB 18, Native American tribes have 90 days to respond to request consultation. The City did not receive a request for formal consultation under AB 52 or SB 18. Therefore, no California Native American Tribes traditionally or culturally affiliated with the project area have requested consultation pursuant to Public Resources Code Section 21080.3.1.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

Based on this initial evaluation, I find that the proposed project will not result in a physical change to the environment that would have a significant effect on the environment and is therefore subject to the common sense exemption pursuant to CEQA Guidelines Section 15061(b)(3).

Signature

Date

Printed Name

Title

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Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Scenic views generally refer to visual access to, or the visibility of, a particular natural or man-made visual resource from a given vantage point or corridor. Focal views focus on a particular object, scene, setting, or feature of visual interest. Panoramic views, or vistas, provide visual access to a large geographic area, for which the field of view can be wide and extend into the distance. Panoramic views are usually associated with vantage points looking out over urban or natural areas that provide a geographic orientation and view not commonly available. Examples of panoramic views might include an urban skyline, a valley, a mountain range, the ocean, or other water bodies.

According to the Metropolitan Bakersfield General Plan, Bakersfield has various viewsheds and visual resources concentrated along the northern border of the city (City of Bakersfield 2002). Specifically, Northeast Bakersfield provides scenic hillside views of Bakersfield, the Kern River, and oilfields (City of Bakersfield 2022). Additionally, according to the Kern River plan, the Kern River,

which flows through the middle of Bakersfield, is a valuable visual resource in the area (Kern County 1985). There are no designated or eligible State scenic highways in the City (Caltrans 2023).

The topography of Bakersfield is generally flat and mostly developed with urban structures and infrastructure. Vegetation is mostly composed of urban landscaping, including nonnative, cultivated trees, shrubs, and grasses. Because of the relatively flat topography and low-lying structures, views of the Sierra Nevada foothills north of the city, Wheeler Ridge in the south, and the Tehachapi foothills in the east can be viewed from many parts of the city, particularly from streets and corridors oriented east-west and north-south. However, atmospheric conditions such as smog or haze, agricultural dust, and dense morning winter fog, sometimes limit long-range visibility to the hills and ridges.

Impact Analysis

a. Would the project have a substantial adverse effect on a scenic vista?

An adverse effect would occur if a proposed plan would block or otherwise damage a scenic vista upon implementation. Generally, the varying topography and development throughout Bakersfield blocks surrounding views.

Because the proposed project involves Zoning Code text changes that do not involve or approve physical development (e.g., construction of housing or infrastructure), it would not result in impacts to scenic vistas. Further, future development requiring discretionary approval accommodated under the proposed project would undergo project-specific development review, including design review pursuant to Bakersfield Municipal Code (BMC) Chapter 17.08 which governs site plan review and includes standards such as building height which would minimize impacts to scenic vistas. Therefore, there would be no impact.

NO IMPACT

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no designated scenic highways or scenic corridors in the city. In addition, because the proposed project does not involve or approve physical development, it would not result in impacts to scenic highways or corridors. Therefore, there would be no impact.

NO IMPACT

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Bakersfield can be categorized as an urban area as it is largely built out with a mix of residential neighborhoods, commercial areas and corridors, and industrial areas, and has a population of more than 100,000 residents (CEQA Statute Section 21071). The proposed project does not include specific projects but puts forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not, in and of itself, conflict with applicable zoning and other regulations governing

scenic quality. Further, future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review to assess consistency with applicable zoning and other regulations governing scenic quality. Development proposals would be subject to the City's Zoning Ordinance and adopted development guidelines in addition to the city's Hillside Development Ordinance (Chapter 17.66 of the BMC). This ordinance protects visual resources concentrated along the city's northern border. There would be no impact.

NO IMPACT

- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

Bakersfield is an urbanized city with commensurate level of light and glare. Future development in Bakersfield would, in large part, occur as infill on already developed parcels or on vacant or underutilized sites within existing neighborhoods. New lighting could occur on buildings for safety and in pedestrian walkways, and light could be emitted from interior sources through windows on upper stories of tall buildings. The main source of glare would likely be from the sun shining on reflective or light-colored building materials and glazing.

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts to light and glare. In addition, future development would be reviewed for consistency with regulations related to light and glare contained in the Chapter 17.71 of the BMC which regulates outdoor lighting and indoor lighting if it is determined by the planning director that the indoor lighting causes a nuisance to neighboring properties. Therefore, there would be no impacts related to light and glare.

NO IMPACT

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2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

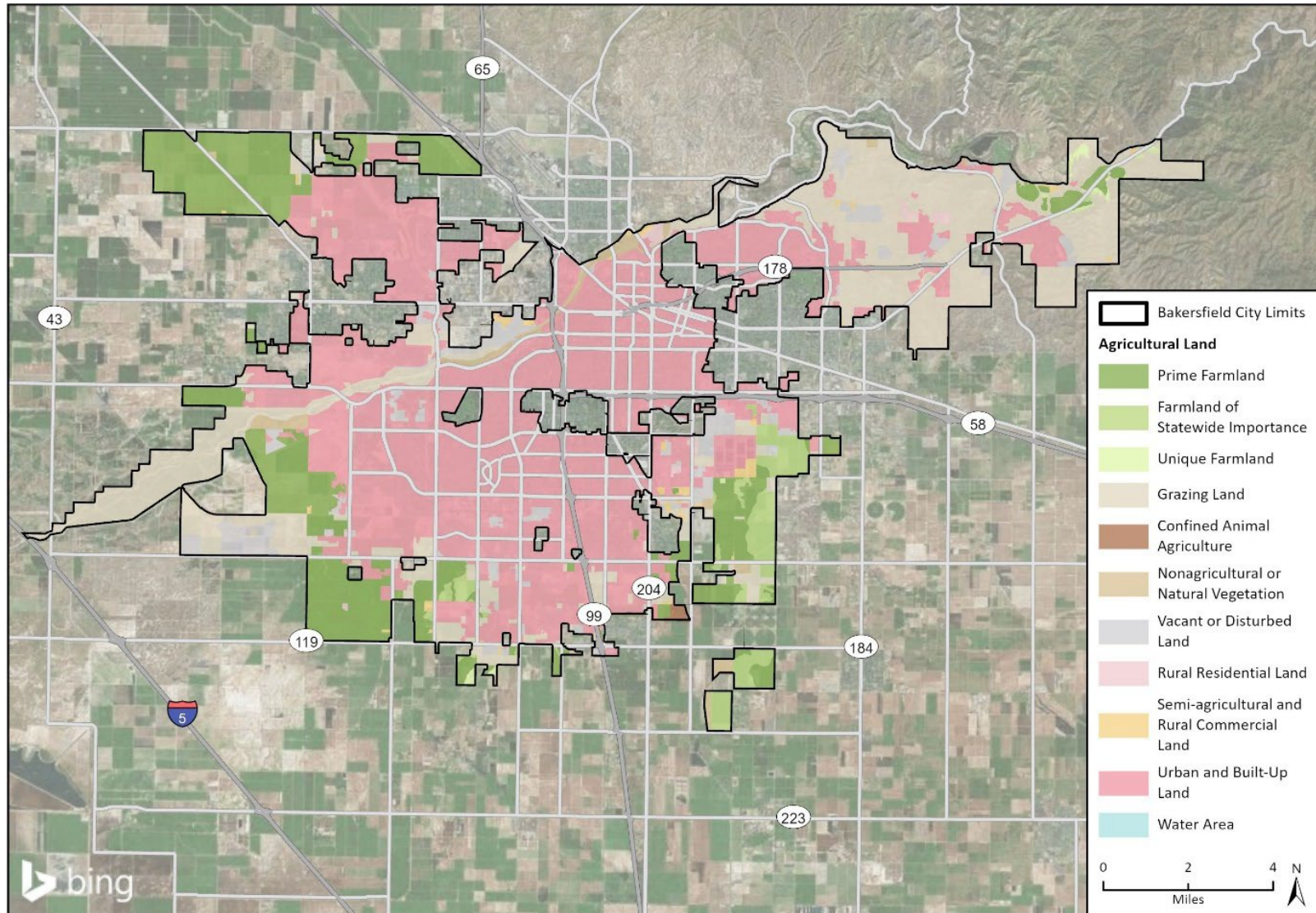
Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Bakersfield contains approximately 81,694 acres of land with a general plan land use designation for agricultural uses (City of Bakersfield 2022). There are 32,334 acres zoned for agricultural uses within Bakersfield. The city also contains an estimated 16,953 acres of land with a general plan designation for open space (City of Bakersfield 2022). As shown in Figure 3, a majority of land in Bakersfield is urban and built-up land. This land is concentrated in the center of the city with areas of prime farmland, unique farmland, and grazing land concentrated along the edges of the city limits (DOC 2022). There is no land under the Williamson Contract within Bakersfield.

Figure 3 Agricultural Land in Bakersfield



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California Department of Conservation (DOC) 2022

Housing Element Figures
Fig X Agricultural Land

Impact Analysis

- a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- b. *Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. There is active farmland on the edges of the city limits, however future development would be required to comply with policies included in the Conservation/Soils and Agriculture Element of the Metropolitan Bakersfield General Plan including Policy 2,3, and 14 which requires the protection of agricultural land and extensive review of projects proposing to urbanize agricultural land to determine how commercial agriculture will continue on site and the appropriateness of the proposal considering features such as soil type and surrounding uses (City of Bakersfield 2002). Additionally, future development that would require discretionary approval would be required to undergo a project specific CEQA process to determine the specific impacts of that project. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), or conflict with existing zoning and existing Williamson Act contracts, and no impact would occur.

NO IMPACT

- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

“Forest land” is defined in PRC Section 12220(g) pursuant to the California Forest Legacy Program Act of 2007 as land that can support 10 percent or more native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. The City’s zoning map indicates that there are no areas within Bakersfield zoned for forestry, timberland, or timberland production (City of Bakersfield 2022). Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, or timberland zoned Timberland Production, and no impact would occur.

NO IMPACT

Zoning Code Text Changes

- e. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

The proposed project does not include specific projects but sets forth goals and policies to encourage new housing development in Bakersfield. Further, there is no land in Bakersfield designated as forest land, or timberland zoned as Timberland Production (City of Bakersfield 2022). Additionally, as discussed above, because the proposed project does not involve specific development, the proposed project would not result in conversion of farmland. Therefore, the proposed project would not result in other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use, and no impact would occur.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Bakersfield is located in the San Joaquin Valley Air Basin (SJVAB). The SJVAB extends to eight counties in the San Joaquin Valley Area. The SJVAB is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is responsible for development of the regional Air Quality Management Plan (AQMP), which is a comprehensive program for compliance with federal and State air quality planning requirements including California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). The most recently adopted AQMP is the 2018 PM_{2.5} Plan for the San Joaquin Valley and the 2022 Ozone Plan for the San Joaquin Valley.

The SJVAB is in non-attainment for the federal standards for ozone and PM_{2.5} and the State standards for ozone and PM_{2.5} (SJVAB 2012). The SJVAB is in non-attainment for the state standards for ozone, PM₁₀, and PM_{2.5}. The SJVAB is designated unclassifiable or in attainment for all other federal and State standards. This analysis conforms to the methodologies recommended in the SJVAPCD's *CEQA Air Quality Guidelines* (2002).

Impact Analysis

a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The proposed project, in and of itself, does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts to air quality. In addition, Policy 1 in the Conservation/ Air Quality Element of the Metropolitan

Bakersfield General Plan requires compliance with SJVACPD control measures for reactive organic gases (ROGs). Policy 2 encourages land use and land use practices that do not contribute significantly to air quality degradation. Policy 3 requires dust abatement measures during grading and construction operations. And Policy 4 requires the City to consider air quality impacts when reviewing discretionary permits for land use proposals. These policies would be applicable to future development. These policies would reduce fugitive dust emissions and ROGs. Future development would also be required to comply with air quality plans such as 2018 PM_{2.5} for the San Joaquin Valley and the 2022 Ozone Plan for the San Joaquin Valley which include regulations set by the SJVACPD and the California Air Resources Board (CARB) to reach attainment for Pm_{2.5} and Ozone in the San Joaquin Valley. Future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review to address potential project level impacts related to air quality. There are no impacts associated with the proposed project.

NO IMPACT

- b. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*
- c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements.

In addition, future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review to address potential impacts. Short-term air quality impacts resulting from construction of future development in Bakersfield, such as dust generated by clearing and grading activities, exhaust emissions from gas- and diesel-powered construction equipment, and vehicular emissions associated with the commuting of construction workers will be subject to SJVACPD rules and protocols. Similarly, operational impacts associated with future development in Bakersfield would be addressed by provisions in the Metropolitan Bakersfield General Plan and other regulations and standards that govern air quality in Bakersfield. Impacts identified for an individual project would be addressed through the project approval process specific to concerns for that project.

Therefore, the adoption of the proposed project would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard or expose sensitive receptors to substantial pollutant concentrations. There are no impacts associated with the proposed project.

NO IMPACT

- d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The occurrence and severity of potential odor impacts depends on a number of factors, including the nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of the receiving location, each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to odors or other potential emissions. In addition, SJVACPD's 2002 CEQA *Air Quality Guidelines* land uses associated with odor complaints as wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The Zoning Code text changes are to encourage residential development and would not facilitate or allow additional industrial or manufacturing beyond what is already allowed under the Zoning Code. Therefore, the proposed project would not create new major sources of odor and would not create objectionable odors to surrounding sensitive land uses. Therefore, there would be no impact.

NO IMPACT

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4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Although Bakersfield is highly urbanized, the city still contains many natural open spaces and distinct ecological communities. Bakersfield includes several designated habitats such as non-native grassland, valley sink scrub, Sierra-Tehachapi saltbrush scrub, valley saltbush scrub, great valley mesquite scrub, and southern cottonwood-willow riparian forest (City of Bakersfield 2022).

“Endangered” species are those considered in imminent danger of extinction due their limited numbers. “Threatened” species refers to those likely to become endangered within the foreseeable future, primarily on a local scale. “Sensitive” species are those that are naturally rare or have been locally depleted or put at risk by human activities. Bakersfield has occurrences of the following special-status species: San Joaquin kit fox, blunt-nosed leopard lizard, tipton kangaroo rat, San Joaquin (Nelson’s) antelope squirrel, Bakersfield cactus, Tulare pseudobahia, California jewelflower, striped adobe lily, and Bakersfield saltbrush (City of Bakersfield 2022).

According to the U.S. Fish and Wildlife Service (USFWS), there is no critical habitat for special-status species within Bakersfield (USFWS 2023).

The Kern River flows through Bakersfield and there are several creeks throughout the city. The Kern River provides habitat for various wildlife. The Kern River Parkway Plan and the Kern River Plan Element includes policies to protect sensitive habitats in and around the Kern River.

Impact Analysis

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- c. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The special status species that may occur within Bakersfield are discussed in the setting section above. There are several wetlands and areas of riparian habitat along the Kern River in Bakersfield. There are no wildlife movement corridors within Bakersfield.

The proposed project does not include specific projects but puts forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts to biological resources.

In addition, future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review to address potential impacts. Short-term impacts resulting from construction would be subject to State and City

regulations. Similarly, operational impacts would be addressed by provisions in the Metropolitan Bakersfield General Plan and other regulations and standards that govern biological resources in Bakersfield and the region. Specifically, Policy 1 of the Conservation/Biological Resources Element aims to direct development away from “sensitive biological resource” areas unless effective mitigation measures can be implemented. Future projects would also be subject to permitting pursuant to the Clean Water Act (CWA) and California Fish and Game Code (CFGF). Requirements commonly required under the CFGF and CWA include measures to protect streams and bodies of water along with riparian habitats.

Impacts identified for an individual project would be addressed through the project approval process specific to concerns for that project. The proposed project would have no impact to candidate, sensitive or special status species, riparian habitat, state or federally protected wetland or wildlife movement or corridors.

NO IMPACT

- e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The proposed project, in and of itself, does not include the development of a specific site, rather it includes Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Bakersfield currently has not implemented a Tree Preservation Ordinance and does not regulate tree removal on private property. However, codes 12.40.060 and 12.40.070 of the BMC forbid the removal or trimming of City owned landscaping material. On-going implementation of Bakersfield municipal code and general plan goals and policies through site-specific design review and use permits would reduce potential impact to protected trees. Therefore, the proposed project would have no impact.

NO IMPACT

- f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Metropolitan Bakersfield Habitat Conservation Plan expired June 1, 2023 (City of Bakersfield 2022). Currently, Bakersfield does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The proposed project, in and of itself, does not propose specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Future development would be required to comply with federal, State, and local regulations. There would be no impact.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

CEQA requires that a lead agency determine whether a project could have a significant effect on historical resources (PRC, Section 21084.1), unique archaeological resources (PRC Section 21083.2 [g]). A historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR) (Section 21084.1), a resource included in a local register of historical resources (Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (Section 15064.5[a][3]).

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the National Register of Historic Places (NRHP) or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion or eligibility for inclusion in the CRHR (CEQA Guidelines Section 15064.5[b][2][A]).

Impact Analysis

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*
- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

The City of Bakersfield maintains an inventory of historic buildings and sites within the city. According to that inventory, there are 63 historic sites within Bakersfield (City of Bakersfield 2022c). Most of these sites are clustered in the center of the city along Truxton Avenue.

The City of Bakersfield does not maintain an inventory of archaeological sites, but it is assumed that archaeological sites are present in Bakersfield and the surrounding areas. Therefore, there is potential to encounter unidentified resources on future development sites.

However, the proposed project does not include specific projects but puts forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not create adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5 or cause a substantial adverse change in the significance of an archaeological resource. In addition, future development would be required to comply with federal, State, and local regulations and policies to preserve historical and archeological resources. Therefore, the adoption of the proposed project would have no impact on historical or archaeological resources.

NO IMPACT

- c. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not disturb human remains, including those interred outside of formal cemeteries. Individual projects are not proposed as part of the proposed project. Development projects are subject to State of California Health and Safety Code Section 7050.5 which states that, if human remains are unearthed, no further disturbance can occur until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to the PRC Section 5097.98. Therefore, the adoption of the proposed project would not disturb human remains and there would be no impacts.

NO IMPACT

6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Most of the electricity generated in California is from natural gas-fired power plants, which provided approximately 50 percent of total electricity generated in 2021. In 2021, California used 277,764 gigawatt hours (GWh) of electricity and produced 70 percent of the electricity it used and imported the rest from outside the state (California Energy Commission [CEC] 2021).

In 2018, Senate Bill 100 accelerated the State’s Renewable Portfolio Standards Program, codified in the Public Utilities Act, by requiring electricity providers to increase procurement from eligible renewable energy and zero-carbon resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045. Pacific Gas and Electric (PG&E) is the electricity provider that serves Bakersfield. Southern California Gas Comp is the natural gas provider for the City. As of 2021, PG&E provided approximately 50 percent of clean energy mostly sourced from wind, geothermal, biomass, solar and small hydroelectric facilities (PG&E 2021).

Impact Analysis

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The proposed project does not involve or approve physical development and therefore would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Future development requiring discretionary approval would be required to undergo project-specific evaluation to quantify specific impacts to energy consumption, which would occur during the permitting process for that project. Individual projects would be required to comply with the BMC Chapter 15.05, which adopts the 2022 California Building Code (CBC), which includes Title 24, Part 6 known as the “California Energy Code.”, as well as Title 24, Part 11 which outlines the “Green Building Standards Code” or “CALGreen.” Future development would also be required to adhere to requirements regarding solar systems pursuant to the most updated Title 24 standards. Adherence to these

requirements would minimize the potential for future development to result in the wasteful or unnecessary consumption of vehicle fuels. Therefore, there would be no impact.

NO IMPACT

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Future development would be subject to the energy conservation requirements of the California Energy Code, the California Green Building Standards Code, and local policies such as the BMC. Therefore, there would be no impact.

NO IMPACT

7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Bakersfield is located within the San Joaquin Valley at the base of the Sierra Nevada. The valley is a north-west trending trough between the Sierra Nevada on the east and the Coast Range mountains on the west (City of Bakersfield 2002).

There are several faults near Bakersfield including the San Andreas Fault (35 miles south), the Garlock Fault (35 miles southeast), the Wheeler Ridge Fault (26 miles southwest), the Pleito Fault (27 miles south), the White Wolf Fault (18 miles southeast), the Premier Fault (11 miles north), the Kern Front Fault (5 miles north), and several areas east of the city marked as unnamed ground breaks of the 1952 Earthquake (DOC 2021).

Bakersfield includes potential seismic hazards such as strong ground shaking, fault rupture, liquefaction, earthquake induced landslides, subsidence, landslides, flooding, and potential inundation from the failure of Lake Isabella dam). Specifically, the area in southwestern Bakersfield near Panama Lane is at the highest risk of earthquake induced liquefaction due to the high water table (City of Bakersfield 2022). This area also has the highest risk of subsidence. Risks of liquefaction and subsidence elsewhere in the city are low. Landslides within the city are most likely to occur in the foothills to the east and northeast of the city and along the Kern River Canyon and floodplain (City of Bakersfield 2002).

Impact Analysis

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

As discussed above under Environmental Setting, the Premier Fault, Kern Front Fault, and unnamed ground breaks of the 1952 earthquake run closest to Bakersfield.

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to surface rupture. Furthermore, future development would be required to comply with policies included in the Safety/Public Safety Element of the Metropolitan Bakersfield General Plan including Policy 10 which prevents development designed for human occupancy within 50 feet of a known active fault and prevents buildings from being placed astride an active fault. Future development would also be required to comply with the CBC which sets guidelines seismic safety in construction. There would be no impact.

NO IMPACT

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Although Bakersfield is not directly in or above a known fault zone, there are several faults that run near the city including the San Andreas Fault, resulting in a potential for strong seismic ground shaking along its alignment.

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to geologic hazards. Future development accommodated under the proposed project would be subject to adopted development guidelines and required to adhere to 2022 California Building Code (Title 24, Part 2) requirements, policies in the Safety/Public Safety Element of the Metropolitan Bakersfield General Plan such as Policy 10 prevents development designed for human occupancy within 50 feet of a known active fault and prevents buildings from being placed astride an active fault. In addition, Policy 11 requires site-specific studies to locate and characterize fault traces within an Alquist Priolo Fault Zone for construction designed for human occupancy. Additionally, future development would be subject to BMC Section 16.44.010 which requires a preliminary soil report and grading plan to reduce impacts related to seismic hazards. Therefore, there would be no impacts related to earthquake faults and seismic ground shaking.

NO IMPACT

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

As discussed in the setting section above, liquefaction risk is highest in southern Bakersfield and landslides are most likely to occur in the foothills east and northeast of the city and along the Kern River Canyon and floodplain.

The proposed project does not propose specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to liquefaction or landslides. Development accommodated under the proposed project would be subject to adopted development guidelines and required to adhere to CBC requirements, policies in the Safety/Public Safety Element of the Metropolitan Bakersfield General Plan, and applicable State and local regulations. BMC Section 16.44.010 which requires a preliminary soil report and grading plan, would be applicable to future development. Additionally, policy 13 of the Safety/Public Safety Element requires the determination of liquefaction potential at sites with high groundwater prior to development and the implementation of mitigation to prevent or reduce damage from liquefaction would be applicable. Therefore, the proposed project would result in no impacts.

NO IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to substantial soil erosion or the loss of topsoil. In addition, future development would be required to comply with CBC, Appendix Section J110, Erosion Control Standards, which ensures appropriate erosion and stormwater pollution control during grading and construction activities. Additionally, future construction activities that occur on more than one acre are required to obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit. NPDES requires the development of a storm water pollution prevention plan (SWPPP), which includes best management practices (BMPs) to reduce erosion and topsoil loss from stormwater runoff. BMPs generally include an effective combination of erosion and sediment controls, which include barriers such as silt fences, hay bales, drain inlet protection, or gravel bags. Impacts identified for an individual project would be addressed through the project approval process specific to concerns for that project. The proposed project would have no impact to substantial soil erosion or the loss of topsoil.

NO IMPACT

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Impacts related to landslides and liquefaction are addressed under *Impacts a.3.* and *a.4.*; therefore, this discussion focuses on impacts related to unstable soils as a result of lateral spreading, subsidence, or collapse. Lateral spreading occurs as a result of liquefaction; accordingly, liquefaction-prone areas would also be susceptible to lateral spreading. Subsidence occurs at great depths below the surface when subsurface pressure is reduced by the withdrawal of fluids (e.g., groundwater, natural gas, or oil) resulting in sinking of the ground. Expansive soils swell with increases in moisture content and shrink with decreases in moisture content. These soils usually contain high clay content. Expansive soils can cause foundations, basement walls and floors to crack, causing substantial structural damage. As such, structural failure due to expansive soils near the ground surface is a potential hazard.

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to lateral spreading, subsidence, or collapse. Further, future development would be required to comply with the CBC's minimum standards for structural design and site development. Therefore, CBC-required incorporation of soil treatment programs (replacement, grouting, compaction, drainage control, etc.) in the excavation and construction plans can achieve an acceptable degree of soil stability to address site-specific soil conditions. In addition, future development would be required to adhere to BMC Section 16.44.010 which requires a preliminary soil report and grading plan to minimize impacts related to unstable soils. Therefore, the proposed project would have no impacts related to unstable soils as a result of lateral spreading, subsidence, or collapse.

NO IMPACT

- d. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Soils that volumetrically increase (swell) or expand when exposed to water and contract when dry (shrink) are considered expansive soils. The potential for soil to shrink and swell depends on the amount and types of clay in the soil. Highly expansive soils can cause structural damage to foundations and roads without proper structural engineering and are less suitable or desirable for development than non-expansive soils because of the necessity for detailed geologic investigations and costlier grading applications.

The proposed project does not propose specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to expansive soils.

In addition, future projects would be required to adhere to State and local requirements, such as the CBC, BMC Section 16.44.010 which requires a preliminary soil report and grading plan, and policy 13 of the Safety/Public Safety Element of the Metropolitan Bakersfield General Plan would require mitigation to be incorporated into foundation design for development in areas of known liquefaction within the city. Additionally, the CBC includes requirements to address soil-related hazards. Typical measures to treat hazardous soil conditions involve removal of soil or fill materials, proper fill selection, and compaction. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils. Therefore, the proposed project would have no impacts related to expansive soils.

NO IMPACT

- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to septic tanks and wastewater disposal. In addition, future development is anticipated to be connected to the municipal waste disposal system. Therefore, the proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater and no impact would occur.

NO IMPACT

- f. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in “soil” but are contained within the geologic deposits or bedrock that underlies the soil layer. There may be paleontological resources within Bakersfield, however, because the proposed project does not involve or approve physical development, the proposed project would not result in impacts to paleontological resources or unique geologic features. In addition, future development requiring

Zoning Code Text Changes

discretionary approval would be subject to development plan review to determine potential concerns related to paleontological resources or unique geologic features based on site-specific locations and development design. Therefore, the adoption of the proposed project would not directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature and no impact would occur.

NO IMPACT

8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). The gases widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, largely determine its atmospheric concentrations. GHGs are emitted by natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are usually by-products of fossil fuel combustion, and CH₄ results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO₂, include fluorinated gases and SF₆ (U.S. EPA 2023). Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as “carbon dioxide equivalent” (CO₂e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO₂ on a molecule per molecule basis (IPCC 2021).

Bakersfield currently does not have a city-wide GHG inventory or adopted Climate Action Plan (CAP), however the City is currently in the process of developing a CAP. In 2008 SJVACPD adopted their Climate Change Action Plan (CCAP) which directed the development of guidance to assist Lead Agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project specific GHG emissions on global climate change. In 2009 SJVACPD adopted guidance which requires individual projects to either implement best management practices (BMPs) or demonstrate a 29 percent reduction in GHG emissions, from business-as-usual for impacts to be considered less than significant (SJVACPD 2012).

Impact Analysis

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to GHG emissions. Further, development proposals for individual projects would be subject to adopted development guidelines, including standards that govern the emissions of GHGs. The City would require individual projects to comply with the latest Title 24 Green Building Code and Building Efficiency Energy Standards, which would reduce energy use from lighting, water-efficient faucets and toilets, and water efficient landscaping and irrigation. Development within Bakersfield would obtain electrical power from PG&E which sources 50 percent of their power from renewable sources. The proposed project would not generate GHG emissions that may have a significant impact on the environment and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Therefore, there would be no impact related to GHGs.

NO IMPACT

9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The Department of Toxic Substances Control (DTSC) regulates hazardous waste in California primarily under the authority of the Resource Conservation and Recovery Act and the California Health and Safety Code. The DTSC also administers the California Hazardous Waste Control Law to regulate hazardous wastes. The Hazardous Waste Control Law lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

The DTSC EnviroStor database contains information on properties in California where hazardous substances have been released or where the potential for a release exists. The California State Water Resources Control Board (SWRCB) GeoTracker database contains information on properties in California for sites that require cleanup, such as leaking underground storage tank (LUST) sites, which may impact, or have potential impacts, to water quality, with emphasis on groundwater.

According to databases of hazardous material sites maintained by the DTSC (EnviroStor) and the SWRCB (GeoTracker), Bakersfield has the following types of hazardous sites that are still active or need further investigation: evaluation, voluntary cleanup, state response, corrective action, and school investigation, and cleanup program sites (DTSC 2023; SWRCB 2023). These sites are dispersed throughout the city.

Emergency Preparedness

As required by State law, Kern County has adopted a Standardized Emergency Management System (SEMS) for managing response to multi-agency and multi-jurisdictional emergencies, and to facilitate communications and coordination among all levels of government and affected agencies. In addition, Kern County has adopted its Emergency Operations Plan (EOP) as of March 2022. The Kern County EOP provides for the coordination of emergency operations for the cities within its jurisdiction, including Bakersfield (Kern County 2022). Kern county also adopted an updated multi-jurisdiction Hazard Mitigation Plan (HMP) in 2020 to reduce the loss of life, personal injury, and property damage that can result from a disaster (Kern County 2020).

Impact Analysis

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to hazardous material transport, use, or disposal. In addition, the use of potentially hazardous materials during construction of future development would be required to comply with federal, State, and local regulations regarding the handling of potentially hazardous materials. Likewise, the transport, use, and storage of hazardous materials during future construction would be required to comply with

applicable federal and State laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and California Code of Regulations Title 22. Future development would also be guided by the Kern County EOP and HMP.

Use of common household hazardous materials, such as cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in regular property and landscaping maintenance, would also be subject to compliance with applicable federal and State laws, listed previously, as well as Policy 7 of the Safety/Public Safety Element of the Metropolitan Bakersfield General Plan which requires compliance with state and federal laws governing hazardous materials and enforces BMC ordinances regulating the manufacturing, sale, disposal or transport of hazardous materials. With adherence to these policies and regulations, there would be no impact.

NO IMPACT

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

The proposed project in and of itself does not include development and therefore would have no impact on existing or proposed schools. As discussed above, the proposed project would not involve the use or transport of large quantities of hazardous materials. Therefore, no impact would occur.

NO IMPACT

- d. *Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

As discussed in the Environmental Setting above, Bakersfield contains hazardous sites that are still active or require further investigation. The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts on hazardous waste sites or create a hazard to the public or environment. In addition, for future development that could occur on hazardous materials sites, in accordance with existing regulations, the City would coordinate with other agencies to address contamination of soil and groundwater from hazardous materials on various sites and require that contamination be cleaned up to the satisfaction of the City and other responsible agencies prior to issuance of permits for new development. Therefore, there would be no impact.

NO IMPACT

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

There are two airports within the Bakersfield Metro Area, Meadows Field Airport and Bakersfield Municipal Airport (City of Bakersfield 2022). Meadows Field serves as a commercial airport for Kern County while the Airpark is a general aviation airport. The proposed project does not involve or approve physical development. Future development in Bakersfield would be required to adhere to the master plans for both airports within Bakersfield. This would ensure that future development would not result in a safety hazard or excessive noise. There would be no impact.

NO IMPACT

- f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to emergency response plans and emergency evacuation plans. Further, implementation of the SEMS, EOP and HMP would provide guidance during unique situations requiring an unusual or extraordinary emergency response. Additionally, as part of standard development procedures, plans would be submitted for review and approval to ensure that future development would have adequate emergency access and escape routes in compliance with existing City regulations. Additionally, the Safety/Public Safety Element of the Metropolitan Bakersfield General Plan includes policies to ensure the enforcement of emergency response plans and require discretionary approval projects to assess impacts on police and fire service facilities. The proposed project would not introduce features or policies that would preclude implementation of or alter these policies or procedures. There would be no impact.

NO IMPACT

- g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

As discussed in Section 20, *Wildfire*, Bakersfield does not lie within a State Responsibility Area (SRA) or very high fire hazard severity zone (VHFHSV) as designated by the California Department of Forestry and Fire Protection (CAL FIRE) (CAL FIRE 2007). The proposed project, in and of itself, does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to loss, injury, or death caused by wildland fires. Further, future development would be required to comply with Policy 9 of the Metropolitan Bakersfield General Plan which restricts the use of fire prone building materials and Policy 2 which requires discretionary projects to assess the impacts to fire services. Additionally, future development would be required to comply with the California Fire Code to ensure development is constructed to safeguard life and property from wildfire hazards. Therefore, there would be no impact.

NO IMPACT

10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Water Supply

Bakersfield is serviced by the Bakersfield District of California Water Service (CWS). The City of Bakersfield receives water sourced from 51 groundwater wells, the Kern River, and treated water purchased from the Kern County Water Agency (CWS 2023). The water sourced from the Kern River is treated with advanced membrane filtration at surface water treatment plants owned by CWS and Kern County Water Agency (City of Bakersfield 2020).

Surface Water

The Kern River flows through Bakersfield. The Kern River watershed covers approximately 3,612 square miles. The State Water Project California Aqueduct flows through the center of the city. Additionally, the Eastside Canal and Caliente Creek are located in east Bakersfield.

Groundwater

Bakersfield is located within the San Joaquin Valley-Kern County Groundwater Basin which is identified as high priority basin (Department of Water Resources [DWR] 2023). Water is supplied to Bakersfield from this subbasin through 51 groundwater wells. The City of Bakersfield is part of the Kern River Groundwater Sustainability Agency (KRGSA). KRGSA adopted their groundwater sustainability plan (GSP) in 2019 and the plan was amended in July 2022.

Water Quality

Water quality in Bakersfield is governed by the Central Valley Regional Water Quality Control Board (CVRWQCB). According to the 2020 Water Quality Report, drinking water in Bakersfield is in compliance with primary and secondary drinking water standards (California Water Service 2020).

Flooding

The Federal Emergency Management Agency (FEMA) establishes base flood elevations (BFE) for 100-year and 500-year flood zones and establishes Special Flood Hazard Areas (SFHA). SFHAs are those areas within 100-year flood zones or areas that will be inundated by a flood event having a one percent chance of being equaled or exceeded in any given year. The 500-year flood zone is defined as the area that could be inundated by the flood which has a 0.2 percent probability of occurring in any given year, or once in 500 years, and is not considered an SFHA. Most areas of Bakersfield are within Flood Zone X which indicates a 0.2-1 percent chance of annual flood hazard.

Dam Inundation

Flooding could potentially result from the failure of Isabella Dam which is located approximately 40 miles northeast of Bakersfield. The dam has the capacity to hold 570,000 acre feet of water and is built near a major earthquake fault (City of Bakersfield 2002). If an earthquake were to cause the dam to fail it has the potential to flood 60 square miles of metropolitan Bakersfield and the surrounding areas of Oildale and Greenacres. The probability of dam failure is extremely low (City of Bakersfield 2002).

Impact Analysis

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts that violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. In addition, future development would be subject to compliance with existing regulations, standards, and guidelines established by the federal, State, and local agencies in addition to the goals and policies in the Metropolitan Bakersfield General Plan and BMC related to water quality. This includes compliance with the requirements of the SWRCB Construction General Permit, which requires preparation and implementation of a SWPPP for projects that disturb one acre or more of land. The SWPPP must include erosion and sediment control BMPs that would meet or exceed measures required by the Construction General Permit, as well as those that control hydrocarbons, trash, debris, and other potential construction-related pollutants. Post-construction stormwater performance standards are also required to specifically address water quality and channel protection events. Implementation of these BMPs would prevent or minimize environmental impacts and ensure that discharges during the construction phase of new development would not cause or contribute to the degradation of water quality in receiving waters.

NO IMPACT

- b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*
- e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not, in and of itself, result in impacts that would substantially decrease groundwater supplies or interfere substantially with groundwater recharge that would impede sustainable groundwater management of the basin, or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. In addition, future development would be required to comply with Provision C.3 of the MRP which promotes infiltration. Implementation of LID measures would increase absorption of stormwater runoff and the potential for groundwater recharge. Future development would not conflict with implementation projects or goals outlined in the GSA to preserve water quality and groundwater supplies in the area. Therefore, there would be no impact.

NO IMPACT

City of Bakersfield
Zoning Code Text Changes

- c(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?*
- c(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- c(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- c(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts that would substantially alter the existing drainage pattern of a site or area, resulting in substantial erosion, flooding, surface runoff, or redirection of flood flows. In addition, future development would be required to comply with BMC Section 14.12.220 which describes prohibited discharges. Additionally, pursuant to BMC Section 8.34.060 future projects would be required to comply with a NPDES permit issued for discharge, as well as BMPs for construction. Operators of a construction site would also be responsible for preparing and implementing a SWPPP that outlines project specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants in stormwater. Therefore, the proposed project would not generate a substantial increase in runoff that would result in substantial erosion, siltation, flooding on- or off-site; or increase polluted runoff. There would be no impact.

Further, future development would be required to comply with existing programs and permits such as the Municipal Regional Stormwater NPDES Permit (No. CA 00883399). Development design would include BMPs to avoid adverse effects associated with stormwater runoff quality. Specifically, future development would be required to implement LID Measures and on-site infiltration, as required under the C.3 provisions of the Municipal Regional Stormwater Permit (MRP). Additionally, future development would be required to comply with policies outlined in the Public Services and Facilities Element of the Metropolitan Bakersfield General Plan and regulations outlined in Chapter 8.35, Stormwater System, of the BMC. Therefore, the proposed project would not violate water quality standards or waste discharge requirements, and there would be no impact.

NO IMPACT

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not, in and of itself, result in impacts regarding flood hazards. In addition, future development would be reviewed for consistency with federal, State, and local requirements to limit flood hazards, including release of pollutants. As discussed in the Environmental Setting above, most of Bakersfield is within Flood Zone X (FEMA 2023). Future development would be required to comply with BMC Section 15.74.120, which contains standards for construction in flood zones, including using building materials and techniques and ensures that flood-resistant design occurs per the most restrictive provisions available. The Kern County Multi-jurisdictional Hazard Mitigation Plan, which covers Bakersfield and sets guidelines to reduce risk and preventing loss from natural hazard events, including floods and mitigation strategies. Therefore, the proposed project would not result in impacts related to the release of pollutants due to project inundation.

NO IMPACT

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11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Bakersfield has a mix of residential, industrial, commercial, and agricultural/open space within the city. Agriculture and open space are primarily concentrated around the edges of the city, while industrial, commercial, and residential uses are dispersed throughout the center of the city (City of Bakersfield 2022).

Impact Analysis

a. *Would the project physically divide an established community?*

The proposed project consists of Zoning Code changes that do not involve or approve physical development. Therefore, it would have no impact on dividing an established community. Further, the proposed project would prioritize the development of new housing on infill and appropriately zoned vacant sites within areas of Bakersfield. Future development facilitated by the proposed project would be located near public transportation, schools, retail, and other services and would not involve the construction of new roads, railroads, or other features that may physically divide established communities in Bakersfield. Consequently, the proposed project would not impact the physical division of an established community. No impact would occur.

NO IMPACT

Zoning Code Text Changes

- b. *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The Zoning Code changes included in the proposed project would serve to encourage new housing throughout Bakersfield and bring the Zoning Code in alignment with state law.

The proposed project would encourage housing development in the city. Future development would be reviewed by the City for consistency with adopted local and State laws, regulations, standards, and policies. Impacts related to conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect would have no impact.

NO IMPACT

12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Bakersfield is in a major oil producing region and there are oil, natural gas, sand, and gravel resources within the city. The city of Bakersfield has 590 oil and gas wells which are spread throughout the city (City of Bakersfield 2022). The city also has sand and gravel extraction areas which are concentrated along the floodplain and alluvial fan of the Kern River. Additionally, there is potential for gemstones and fossils in the foothills of the Sierra Nevada Mountains which are outside of the city (City of Bakersfield 2002).

Impact Analysis

- a. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not, in and of itself, result in impacts to mineral resources. In addition, future development would be required to comply with the Surface Mining and Reclamation Act (SMARA) and with policies included in the Metropolitan Bakersfield General Plan including Policies 4, 5, 9, 10, and 11. These general pan policies require land use decisions to be made recognizing the need for conservation of mineral resources, fossils, and gemstones, protection of signification mineral and petroleum areas, the implementation of CEQA to reduce environmental impacts, and the prohibition of incompatible development in areas of mineral and petroleum extraction and processing. Adherence to these polices would ensure that impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Noise

Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. The unit of measurement used to describe a noise level is the decibel (dB). Decibels are measured on a logarithmic scale that quantifies sound intensity. A doubling of the energy of a noise source, such as a doubling of traffic volume, would increase the noise level by 3 dB; similarly, dividing the energy in half would result in a decrease of 3 dB. Noise sensitive land uses generally include residences, hospitals, schools, churches, libraries, and parks.

Ground-borne Vibration

Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean square (RMS) vibration velocity. The PPV and RMS velocity are normally described in inches per second (in./sec.). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. A PPV of 0.035 is considered barely noticeable while a PPV of 2.00 is considered severe (Caltrans 2020). Vibration sensitive receivers, which are similar to noise-sensitive receivers, include residences and institutional uses, such as hospitals, schools, and churches. However, vibration-sensitive receivers

also include buildings where vibrations may interfere with vibration-sensitive equipment that is affected by vibration levels that may be well below those associated with human annoyance (e.g., recording studios or medical facilities with sensitive equipment).

Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs, and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors has been developed. The noise descriptors used for this analysis is the community noise equivalent level (CNEL).

- The L_{eq} is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period. Typically, L_{eq} is equivalent to a one-hour period, even when measured for shorter durations as the noise level of a 10- to 30-minute period would be the same as the hour if the noise source is relatively steady. L_{max} is the highest Root Mean Squared (RMS) sound pressure level within the sampling period, and L_{min} is the lowest RMS sound pressure level within the measuring period (Crocker 2007).
- The CNEL is a 24-hour equivalent sound level with an additional 5 dBA penalty to noise occurring in the evening hours, between 7:00 p.m. and 10:00 p.m. and an additional 10 dBA penalty to noise occurring during the night, between 10:00 p.m. and 7:00 a.m., to account for the added sensitivity of humans to noise during these hours (Caltrans 2013). Quiet suburban areas typically have a CNEL in the range of 40 to 50 dBA, while areas near arterial streets are in the 50 to 70+ CNEL range (FTA 2018).

Noise Sensitivity

The Metropolitan Bakersfield General Plan identifies residential areas, schools, convalescent and acute care homes, and parks and recreational areas as noise sensitive areas. These uses are dispersed throughout the city. The largest sources of noise within the city are vehicles on state highways and major local streets, aircraft overflight from nearby airports, and local industrial and commercial activity (City of Bakersfield 2022).

Impact Analysis

- a. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- b. *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not, in and of itself, result in generation of a substantial temporary or permanent increase in ambient noise or vibration levels in Bakersfield. In addition, residential uses typically do not generate substantial levels of noise or vibration. Development proposals for individual projects would be subject to adopted development guidelines. Construction and operation of future development would be required to comply with Bakersfield's noise ordinance and policies included in the Noise Element of the Municipal Bakersfield General Plan. The Bakersfield noise ordinance specifically prohibits construction

activities before 6 a.m. and after 9 p.m. Monday through Friday, and before 8 a.m. and after 9 p.m. on Saturdays and Sundays. Therefore, future construction activities would not generate noise or vibration during regular sleep hours. Future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review. No impact would occur.

NO IMPACT

- c. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts involving airport safety. Furthermore, future development would be required to comply with regulations and policies included in the airport land use plans for Meadows Field Airport and Bakersfield Municipal Airpark which are both within Bakersfield. With adherence to these policies no impact would occur.

NO IMPACT

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14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Table 1 provides the 2023 estimates of population and housing for Bakersfield. Bakersfield has an estimated 2023 population of 408,373 and 137,327 housing units, with an average household size of 3.06 people (California Department of Finance [DOF] 2023).

Table 1 Current Population and Housing Stock for Bakersfield

	City of Bakersfield	Kern County
Population (#of people)	408,373	907,476
Average Household Size (persons/household)	3.06	3.07
Total Housing Units (# of units)	137,327	308,365
Vacant Housing Units	5,134 (3.7%)	20,660 (6.7%)

Source: DOF 2023

Kern COG’s Regional Growth Forecasts for 2020 through 2050 is the most recent regional long-range plan and regional growth forecast for Kern County (Kern COG 2019). The growth projections for Kern County are shown in Table 2.

Table 2 Kern COG’s Regional Growth Forecasts for Kern County

	2010	2050 (Projected)	Projected Growth (Percent Increase)
Housing (# of units)	252,200	362,100	109,900 (44%)
Employment (# of jobs)	275,000	402,200	127,200 (46%)

Source: Kern COG 2019

Impacts related to population are generally social or economic in nature. Under CEQA, a social or economic change generally is not considered a significant effect on the environment unless the changes are directly linked to a physical change.

Impact Analysis

- a. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Therefore, the project would not induce substantial unplanned growth but rather is intended to accommodate the growth that is anticipated to occur in Bakersfield. The proposed project would not involve the extension of roads or other infrastructure that could indirectly lead to population growth. Rather, the proposed project is intended to accommodate the growth that is anticipated to occur in Bakersfield and bring the Zoning Code into alignment with state law. Thus, the proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly, and there would be no impact.

NO IMPACT

- b. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not displace substantial numbers of existing people or housing. Further, future potential displacement that would occur is required by California Government Code Section 7261(a) to proactively provide relocation assistance advisory services to all persons displaced. Therefore, the adoption of the proposed project would not displace substantial numbers of existing people or housing and no impact would occur.

NO IMPACT

15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1 Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2 Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4 Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5 Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The Bakersfield Fire Department (BFD) provides fire protection and emergency medical services for Bakersfield. There are 14 fire stations throughout the city and 240 sworn, support, and reserve fire personnel (City of Bakersfield 2023).

The Bakersfield Police Department provides police services including patrol, traffic services, investigations, and animal control to Bakersfield. There are three police stations within the city.

The Bakersfield City School District operates 34 elementary schools and ten middle schools. (Bakersfield City School District 2023) The Kern High School district operates 19 high schools, six alternative education schools, and one adult school (Kern High School District 2023).

Impact Analysis

- a.1. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*
- a.2. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*
- a.3. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*
- a.4. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*
- a.5. *Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development but rather is intended to accommodate the growth that is anticipated to occur in Bakersfield, the would not result in impacts related to public facilities and services. In addition, future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review and would be subject to adopted development guidelines, including standards that govern public facilities, services, and adequate fire and public safety protections. Additionally, policies in the Safety/ Public Safety Element of the Metropolitan Bakersfield General Plan such as policy 2 which would require discretionary projects to assess impacts on police and fire services would apply to future development. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities and there would be no impact.

Impacts related to parks are discussed in Section 16, *Recreation*, and impacts related to other public facilities such as water, wastewater, stormwater, and solid waste infrastructure are discussed in Section 10, *Hydrology and Water Quality*, and Section 19, *Utilities and Service Systems*.

NO IMPACT

16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The City of Bakersfield's Recreation and Parks Department maintains 61 parks, four public pools, 13 spray parks, two sports complexes and two skate parks within the city (City of Bakersfield 2002).

Impact Analysis

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to recreational facilities. In addition, development proposals for individual projects would be subject to adopted development guidelines, including standards that govern recreational facilities. Therefore, the proposed project would not increase the use of existing recreational facilities or require the construction or expansion of recreational facilities. Thus, there would be no impact.

NO IMPACT

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17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The City’s General Plan Circulation Element identifies the existing transportation conditions of the City, existing and future roadways, bicycle trails, and pedestrian trails. Route 99 is a north-south facing freeway that runs through Bakersfield, which connects with Route 58, an east-west facing freeway. SR 204 and 178 are also partially within the metropolitan area and carry Bakersfield traffic throughout the area. Transit service in Bakersfield is provided by local buses, intercity buses, AMTRAK and paratransit services. The Local bus operator is Golden Empire Transit (GET). Intercity bus operators include Greyhound, Orange Belt Stages, Airport Bus of Bakersfield and Kern County. Two major railroads provide freight service to Bakersfield: Burlington Northern-Santa Fe and Southern Pacific. The California Highspeed Rail is currently undergoing construction as of 2021, with a planned stop in Downtown Bakersfield (City of Bakersfield 2022). There are roughly 176 miles of bike lanes that exist on various streets within the city (City of Bakersfield 2022). Bakersfield’s Bike Transportation Plan guides the future development of bicycle facilities and programs in the city (City of Bakersfield 2013).

In 2018, CEQA Guidelines Section 15064.3 was finalized to help determine the significance of transportation impacts. Beginning on July 1, 2020, level of service (roadway congestion) is no longer considered an acceptable metric for analyzing transportation impacts under CEQA. Instead, jurisdictions must adopt vehicle miles traveled (VMT) thresholds to analyze impacts related to the number of automobile trips and miles traveled.

Impact Analysis

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to conflicts with a program, plan, ordinance, or policy addressing the circulation system.

Bakersfield's Bicycle Transportation Plan includes plans, policies, and implementation projects to promote bicycling within the city. Future development would not conflict with this plan and would be required to adhere to the policies within it. Additionally, Bakersfield's Pedestrian Access Plan includes recommendations for improvements to the Bakersfield pedestrian environment with an emphasis on connecting pedestrians to transit services (City of Bakersfield 2020). The proposed project would not conflict with this plan.

Furthermore, future development would be required to comply with policies included in the Metropolitan Bakersfield General Plan including policy 34 which requires development review to determine a project's impact on the transportation system, policy 35 which requires new development in incorporated areas to provide transportation facilities such as streets, curbs, and traffic control devices on site, policy 37 which requires new development to pay for necessary transportation improvements in the project vicinity, and policy 39 which requires new development to pay or participate in its pro-rata share of the expansion of transportation facilities it necessitates. Future development would also be required to comply with Policy 9 included in the Bikeways section of the Circulation Element of the Metropolitan Bakersfield General Plan which requires new subdivisions to provide bikes lanes on collector and arterial streets and policy 10 which encourages the construction of subdivisions to include internal bike paths.

Therefore, the proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. There would be no impact.

NO IMPACT

- b. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to VMT. In addition, future development would be required to adhere to federal, State, and local policies and regulations. Therefore, the proposed project would not conflict with conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). There would be no impact.

NO IMPACT

- c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts related to hazards related to a geometric design feature or incompatible use. In addition, future development would be required to adhere to federal, State, and local policies and regulations including those policies included in the Metropolitan Bakersfield General Plan and would be reviewed and required to be consistent with appropriate regulations and design standards in effect at the time, such as adequate sight distance at new driveways between vehicles entering and exiting the driveways and pedestrians on the adjacent sidewalk, as well as motor vehicles and bicycles on the adjacent street, as outlined by Section 17,08.175 of the BMC.

Therefore, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible use, and there would be no impact.

NO IMPACT

- d. *Would the project result in inadequate emergency access?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in inadequate emergency access. In addition, the City maintains the roadway network which would provide access to new development sites in accordance with industry design standards, which ensures that the physical network would be free of obstructions to emergency responders. Emergency access to new development sites would be subject to review by the City of Bakersfield and responsible emergency service agencies, thus ensuring that future projects would be designed to meet all emergency access and design standards.

Additional vehicles associated with new development sites could increase delays for emergency response vehicles during peak commute hours. However, emergency responders maintain response plans which include use of alternate routes, sirens, and other methods to bypass congestion and minimize response times. In addition, California law requires drivers to yield the right-of-way to emergency vehicles and remain stopped until the emergency vehicle passes to ensure the safe and timely passage of emergency vehicles.

Future development requiring discretionary approval accommodated under the proposed project would undergo project-specific developmental review to ensure consistency with the City's existing and planned circulation network; and ensure that the construction of new features would not impede emergency access. These review processes would evaluate the design of future projects' emergency access schematics, which would minimize the potential for the creation of inadequate emergency access. Therefore, no impact would occur.

NO IMPACT

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18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				
<p>a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

AB 52 established that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further stated that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

California Government Code Section 65352.3 (adopted in 2004 pursuant to the requirements of SB 18 [SB 18]) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government’s jurisdiction, and are identified, upon request, by the NAHC. As noted in the California Office of Planning and Research’s Tribal Consultation Guidelines (2005), “The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.”

Impact Analysis

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

The City sent notification letters on June 22, 2023 to eleven tribal representatives from nine Native American organizations (Big Pine Paiute Tribe of Owens Valley, Chumash Council of Bakersfield, Kitanemuk & Yowlumne Tejon Indians, Tejon Indian Tribe, Tule River Indian Tribe, Santa Rosa Rancheria, Kawaiisu Tribe, Tubatulabals of Kern Valley, and Kern Valley Indian Council) based on a list of contacts provided by the NAHC. The city did not receive any responses requesting additional consultation under AB 52 or SB 18. The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not have an impact related to tribal cultural resources. Further, development proposals for individual projects would be subject to adopted development guidelines, including standards that govern archaeological resources as described in Section 5, *Cultural Resources*, and disposition of human remains as governed by Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98. Therefore, there would be no impact.

NO IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Bakersfield is serviced by the Bakersfield District of California Water Service (CWS). The City of Bakersfield receives water sourced from 51 groundwater wells, the Kern River, and treated water purchased from the Kern County Water Agency (CWS 2023). The water sourced from the Kern River is treated with advanced membrane filtration at surface water treatment plants owned by CWS and Kern County Water Agency (City of Bakersfield 2020). The Kern Sanitation Authority provides wastewater services to the city of Bakersfield. The city's Public Works Department Solid Waste Division manages all solid waste retrieval and disposal throughout the city. Telecommunications services in Bakersfield are provided by private companies, including AT&T, Verizon, T-Mobile, and

Comcast Cable which provides internet, phone, and television. PG&E provides electricity and natural gas services to Bakersfield.

Impact Analysis

- a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*
- b. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*
- c. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The proposed project does not involve or approve physical development. Individual projects would be individually reviewed to ensure that adequate utility services would be provided to each site. Future development would be concentrated in urban areas that are served by existing utilities infrastructure, including potable water, wastewater, stormwater drainage, electrical power, natural gas, and telecommunications facilities. All development would also be required to comply with all utility service standards set in the BMC and Metropolitan Bakersfield General Plan such as Policy 5 in the Public Services and Facilities Element which requires new development to pay a pro rata share or necessary municipal utility expansions. Impacts identified for an individual project would be addressed through the project approval process.

Water Supply

The precise location and connection would be determined at the time development is proposed. Should new connections or upgrades be required, such upgrades would be subject to subsequent city review and would be subject to fees according to Policy 5 in the Public Services and Facilities Element of the Metropolitan Bakersfield General Plan. Chapter 8 of California Water Service's 2020 Urban Water Management Plan (UWMP) includes a water shortage contingency plan which would be implemented in the case of a water shortage in Bakersfield (CWS 2020). In the case that a water shortage occurs, future development would be required to comply with necessary demand reduction measures outlined in the water shortage contingency plan. The proposed project would not result in inadequate water supply.

Stormwater

Future development would be evaluated to determine adequacy of utility infrastructure as part of the standard City development review process. See also Section 10, *Hydrology and Water Quality*.

Wastewater Generation

Wastewater treatment for future development would be provided by existing infrastructure within Bakersfield. Project development would be required to comply with the regulations to maintain wastewater capacity in Bakersfield. Future development would be evaluated to determine adequacy of utility infrastructure as part of the standard city development review process including approval by the Public Works Department. The proposed project would not result in impacts to wastewater.

Electricity, Natural Gas, and Telecommunications

Future residential development in conformance with the proposed project would be evaluated to determine adequacy of utility infrastructure as part of the standard City development review process. The proposed project would not result in impacts to electricity, natural gas, or telecommunications. No impact would occur.

NO IMPACT

- d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*
- e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The proposed project does not involve or approve physical development. Therefore, the proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Further individual development projects would be required to comply with federal, state, and local management and reduction statutes and regulations. This includes CalRecycle regulations found in Title 14 and Title 27 of the California Code of Regulations. There would be no impact.

NO IMPACT

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20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The Bakersfield Fire Department (BFD) is responsible for protecting life, property, and the environment within the city. The Kern County EOP provides for the coordination of emergency operations for the cities within its jurisdiction, including Bakersfield.

No part of Bakersfield is within a State Responsibility Area (SRA). There are small areas in north and northeastern Bakersfield that are within a Local Responsibility Area (LRA) with moderate and high fire hazard severity zones (CAL FIRE 2007). There are no very high fire hazard severity zones (VHFHSZ) within or adjacent to the city.

In addition, the location of the city and existing environmental factors do not promote a high risk for exposure to pollutant concentrations. Prevailing winds in Bakersfield generally move from west to east across the city (WeatherSpark n.d.).

Impact Analysis

- a. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*
- b. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The city of Bakersfield is not within an SRA or VHFHSZ. Further, the proposed project does not involve or approve physical development and therefore it would not, in and of itself, have an impact on adopted emergency response or evacuation plan or pollutant concentrations from wildfire. Future development would be required to comply with the California Fire Code as adopted in Chapter 15.65 of the BMC, the Kern County EOP, and the Metropolitan Bakersfield General Plan. Compliance with these regulations and policies would ensure that there would be no impact.

NO IMPACT

- c. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Bakersfield is not within or near an SRA or VHFHSZ. The proposed project does not propose specific projects but puts forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Therefore, the proposed project would not have an impact on wildfire safety. In addition, most roads and utility infrastructure required for future development would be existing or would occur in currently developed areas. Therefore, there would be no impact.

NO IMPACT

- d. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Bakersfield is not within or near an SRA or VHFHSZ. Further, the city is generally flat. Therefore, there would be low risk of downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes within the city. The proposed project puts forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements.. Because the proposed project does not involve or approve physical development, the proposed project would not have an impact related to wildfire. Therefore, there would be no impact.

NO IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Does the project:

a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The proposed project, in and of itself, does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not have the potential to substantially degrade the quality of the environment. Adoption of the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on species

identified as a candidate, sensitive, or special status species. In addition, the proposed project would not have a substantial adverse effect on riparian habitat or sensitive natural community.

Through the City's development review process, future development projects would be evaluated for potential direct and indirect impacts on biological and cultural resources. Therefore, the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory and no impacts would occur.

NO IMPACT

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not result in impacts that are individually limited, but cumulatively considerable. In addition, through the City's development review process, future development projects would be evaluated for potential cumulative impacts and for consistency with all applicable policies of the City's General Plan, Zoning Ordinance, and City Code. Through this development review process, potential cumulative impacts to various natural and human-made resources would be evaluated. Adoption of the proposed project would not have impacts that are individually limited or cumulatively considerable. No impact would occur.

NO IMPACT

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The proposed project does not include specific projects but sets forth Zoning Code changes which would encourage new housing in Bakersfield and update the Zoning Code to be consistent with recently enacted State requirements. Because the proposed project does not involve or approve physical development, the proposed project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Through the City's development review process, future residential development projects would be evaluated for potential direct and indirect impacts on human beings. Therefore, the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly and no impacts would occur.

NO IMPACT

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