KERN COUNTY PLANNING COMMISSION

Board of Supervisors

STAFF REPORT

Date: November 10, 2026

FILE: Cancellation #23-08, Map 33
S.D.: #4 - Couch

TITLE: Williamson Act Cancellation of Land Use Restrictions, Land Conservation Act, Agricultural Preserve No. 7 (Zoning Map 33) and Contract Amending Land Use Contract

PROPOSAL: Cancellation of approximately 5.64 acres of a Land Use Contract (Recorded in Book 4370, Page 172) in the A (Exclusive Agriculture) District

APPLICANT: Joseph Vineyards Estates, LLC by Cornerstone Engineering Inc. (PP27003)

PROJECT SIZE: 5.64 acres (gross)

LOCATION: Northwest corner of Hiett Avenue and Perkins Avenue, in the MacFarland area (APN: 060-012-01)

GENERAL PLAN DESIGNATION/ZONE CLASSIFICATION: 8.1 (Intensive Agriculture)

SURROUNDING LAND USE/ZONING: North – Grape Vineyards / A (Exclusive Agriculture); East - Orchards / A (Exclusive Agriculture); South – Agriculture - Almond orchards / A (Exclusive Agriculture) ; West – Grape vineyards / A (Exclusive Agriculture)

PROJECT ANALYSIS: The proposal is a request for a cancellation of a 5.64-acre (gross) portion of a 159.65-acre parcel that is subject to a Williamson Act Land Use Contract, which was recorded on February 25, 1970, in Book 4370, page 172 of Official Records. The applicant submitted Tentative Parcel Map 12460 (copy attached) for processing which, upon recordation, will divide a 159.65-acre (gross) parcel into four (4) parcels ranging in size from 27,073 square feet (net) to 2.27 acres (net), totaling 5.64 acres (gross), and a 154.02-acre (gross) Designated Remainder.

As part of the processing of the Parcel Map, the applicant was required to process a Zone Variance (Zone Variance No. 15, Map 33) to allow the creation of four (4) parcels not meeting the required 20 acres (gross) parcel size requirement in the A (Exclusive Agriculture) District. The Parcel Map and Zone Variance were conditionally approved at a Director's Hearing on December 7, 2023 (Notice of Decision No. 41-23). Conditions of approval for Tentative Parcel Map 12460 and Zone Variance No. 15, Map 33 require the applicant to:

(1) Obtain Board of Supervisors approval of cancellation of the Land Use Contract for Parcels 1 through 4; and

(2) Submit evidence the cancellation fee has been paid.

The request is the applicant's attempt to comply with the adopted conditions of approval for Tentative Parcel Map 12460. California Government Code Section 51282(a) states the Board of Supervisors may grant tentative approval of cancellation of a contract only if one (1) of the following findings is made:

(1) The cancellation is consistent with the purpose of Chapter 7; or

(2) The cancellation is in the public interest.

For the purpose of clarification, Chapter 7 of the Government Code is the California Land Conservation Act of 1965 and is referred to as the Williamson Act. The California Land Conservation Act was enacted to guarantee the future agricultural use of what is considered to be the State's best agricultural land and contains certain provisions of eligibility. In exchange for enrolling property into the Williamson Act, landowners are entitled to a reduction in taxes in order to guarantee the continued use of land for agricultural purposes.

The applicant asserts approval of the cancellation request is consistent with the purpose of Chapter 7 and, therefore, is in accordance with California Government Code Section 51282(a)(l). In order for the Board of Supervisors to approve the cancellation under the referenced provision, the following findings must be made pursuant to California Government Code Section 51282(b):

(1) The cancellation is for land on which a notice of nonrenewal has been served pursuant to Section 51245;

(2) The cancellation is not likely to result in the removal of adjacent lands from agricultural use;

(3) The cancellation is for an alternative use which is consistent with the applicable provisions of the Kern County General Plan;

(4) The cancellation will not result in discontiguous patterns of urban development; and

(5) There is approximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous pattern of urban development than development of proximate noncontracted land.

The applicant offers the following summary of information to support the required findings:

- The applicant submitted Notice of Nonrenewal No. 23-06, and the petition was recorded on March 2, 2026, as Document No. 226022766 (*Finding 1*).

- The 5.64-acre (gross) cancellation portion is currently developed with three (3) existing single-family dwellings, a residential duplex, a shop, and shade structures. Tentative Parcel Map 12460 would separate the residential structures from the ongoing agricultural operation, currently under Williamson Act Land Use Contract. Because the cancellation is limited to the portions of the property already developed with residential uses and would not alter or restrict agricultural operations on the Designated Remainder, the cancellation is not likely to affect adjacent lands nor will it encourage additional contract cancellations or result in the removal of adjacent lands from agricultural use (*Finding 2).*

- The cancellation in conjunction with Tentative Parcel Map 12460, which when recorded, will separate the 5.64-acre (gross) portion of the site developed with single-family residences from the portion that is developed with an existing agriculture use, which will continue to be farmed. The residential uses are listed as a permitted use in the exclusive agricultural provisions of the Kern County General Plan. Additionally, the retention of the remaining acreage under contract is consistent with an implementation policy of the

Resource Designation of the Kern County General Plan that encourages long-term agricultural use. The cancellation will not produce urban development and will not have an impact on the agricultural use of the surrounding land (*Finding 3).*

- The project site is surrounded on the north, west, and south by agricultural use under the A (Exclusive Agriculture) District. Patterns of urban development do not exist near the project parcel, and the cancellation of the 5.64-acre (gross) portion of the existing parcel will not result in discontiguous patterns of urban development, as the parcel will be limited to uses compatible with and authorized within the intensive agricultural zone district and general plan designation (*Finding 4*).

- Residential uses are considered accessory and incidental to typical farming operations. As the dwellings are existing at the present location, proximate noncontracted land would not provide a practical alternative for the proposed separation and continued use of these existing dwellings. Therefore, there is no proximate noncontracted land under applicant ownership that is both available and suitable for the proposed use (*Findings 5*).

Notification and Request for Comments

During the course of processing this request, all applicable County Departments, local and state agencies, all surrounding property owners within 1,000 feet of the project site, and all property owners with land under the constraints of a Williamson Act Contract within one (1) mile of the proposed cancellation site were notified of the proposed request. As of this writing, comments have not been received.

The State of California Department of Conservation, Division of Land Resource Protection was notified of this request pursuant to Government Code Section 51284.1. At the time of writing, a comment letter from the State has not been received.

In the continued processing of the cancellation, the Kern County Assessor's Office has certified that the site's fair market value is calculated at $140,500. If approved, this cancellation will not become effective until the applicant has submitted a fee of $17,562.50 to the Chief Clerk of the Board of Supervisors. This fee will then be forwarded to the State. A copy of the Assessor's correspondence is attached for your Commission's review.

Kern County Public Works Department (Development Review Division, Sewer and Water Division, Floodplain Management Division, and CSA Division) indicated a "no comment" on the project.

California Department of Transportation (Caltrans) indicated the project will have minimal impact to the State Highway System and had "no comment" on the project.

Kern County Superintendent of Schools (KCSOS) states the project will not have significant effects on district facilities, as long as statutory school impact fees are collected as required by law and that no further mitigation measures regarding school facilities are necessary.

Environmental Review

In reviewing the proposal, Staff has also considered the applicable provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. Pursuant to Section 15061(b)(3) of the CEQA Guidelines, a project is exempt from CEQA if the activity is covered by the Common Sense Exemption Rule that CEQA only applies to projects which have

the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Based upon the information contained in the record to date, evaluation of the project does not require the preparation and review of an environmental document.

Planning Commission Hearing – September 24, 2026

The request was considered by the Planning Commission on the September 24, 2026, consent agenda. There being no one wishing to speak on the matter, the item remained on consent with the Planning Commission recommending approval of the project as requested by a vote of 3-0, with Commissioners Oliver and Skidmore absent.

Conclusion

Staff concludes the request sufficiently demonstrates compliance with necessary findings and, therefore, recommends your Board concur with the Planning Commission and approve Cancellation No. 23-08, with approval to become effective upon verification of the payment of the assessment cancellation fee, Chief Clerk of the Board to issue a Tentative Certificate of Cancellation and issue a Certificate of Cancellation subject to payment of assessment cancellation fee and subject to written verification from the Kern County Planning and Natural Resources Department that confirms the applicant is in compliance with all other conditions contained in the Tentative Certificate of Cancellation.

PUBLIC INQUIRY OR CORRESPONDENCE: Kern County Public Works Department (Development Review Division, Sewer and Water Division, Floodplain Management Division, and CSA Division); California Department of Transportation (Caltrans); Kern County Superintendent of Schools (KCSOS)

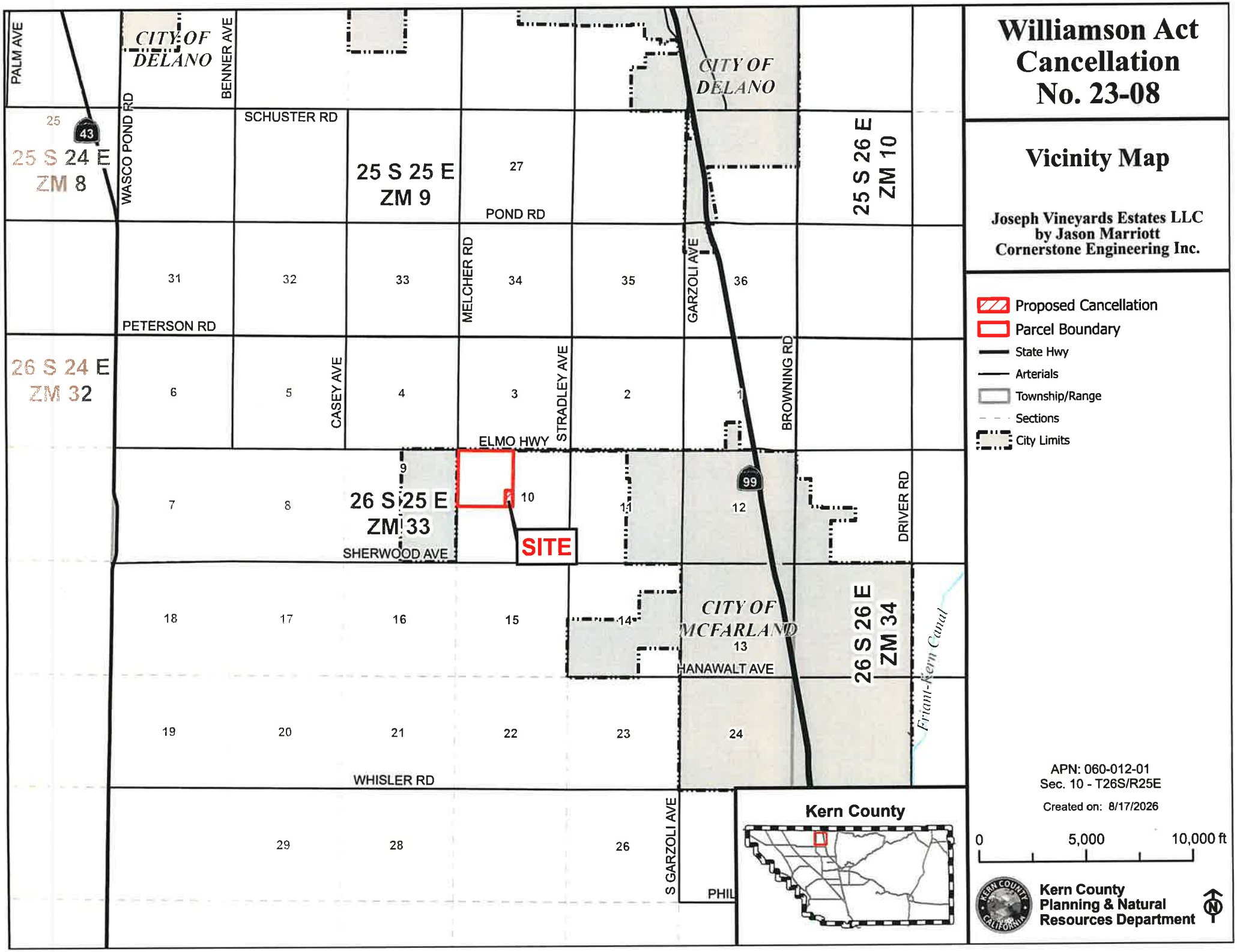
CEQA ACTION: Environmental Review: Common Sense Exemption, Section 15061(b)(3) of the State CEQA Guidelines

PLANNING COMMISSION RECOMMENDATION: Adopt resolution and recommended findings approving cancellation subject to payment of cancellation fee; direct Clerk of Board to issue a Tentative Certificate of Cancellation and issue a Certificate of Cancellation, subject to payment of cancellation fee and subject to written verification from the Kern County Planning and Natural Resources Department that confirms the applicant is in compliance with all other conditions contained in the Tentative Certificate of Cancellation

KB:DG:an

Attachments

Maps



Williamson Act Cancellation No. 23-08

Vicinity Map

Joseph Vineyards Estates LLC
by Jason Marriott
Cornerstone Engineering Inc.

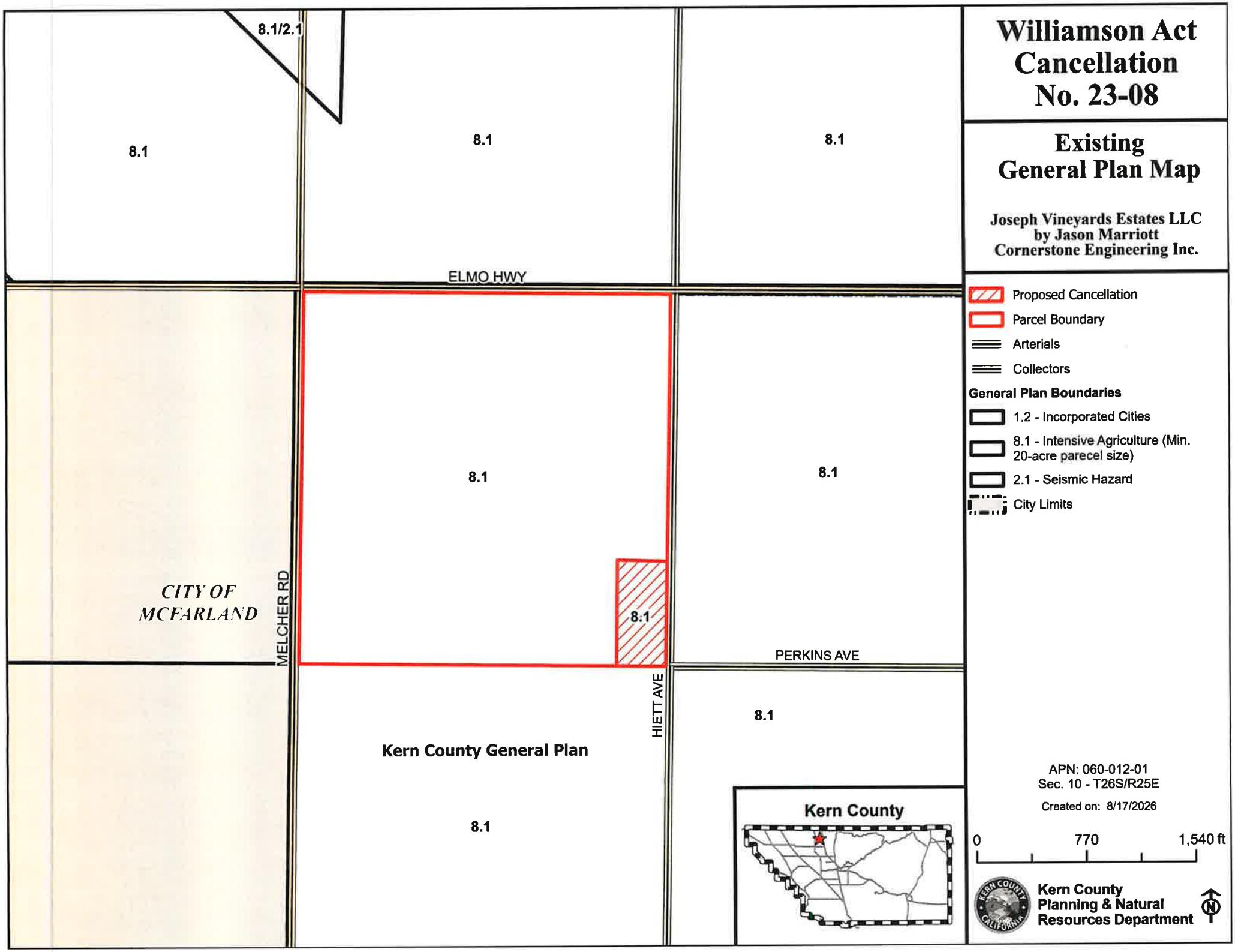
- Proposed Cancellation
- Parcel Boundary
- State Hwy
- Arterials
- Township/Range
- Sections
- City Limits

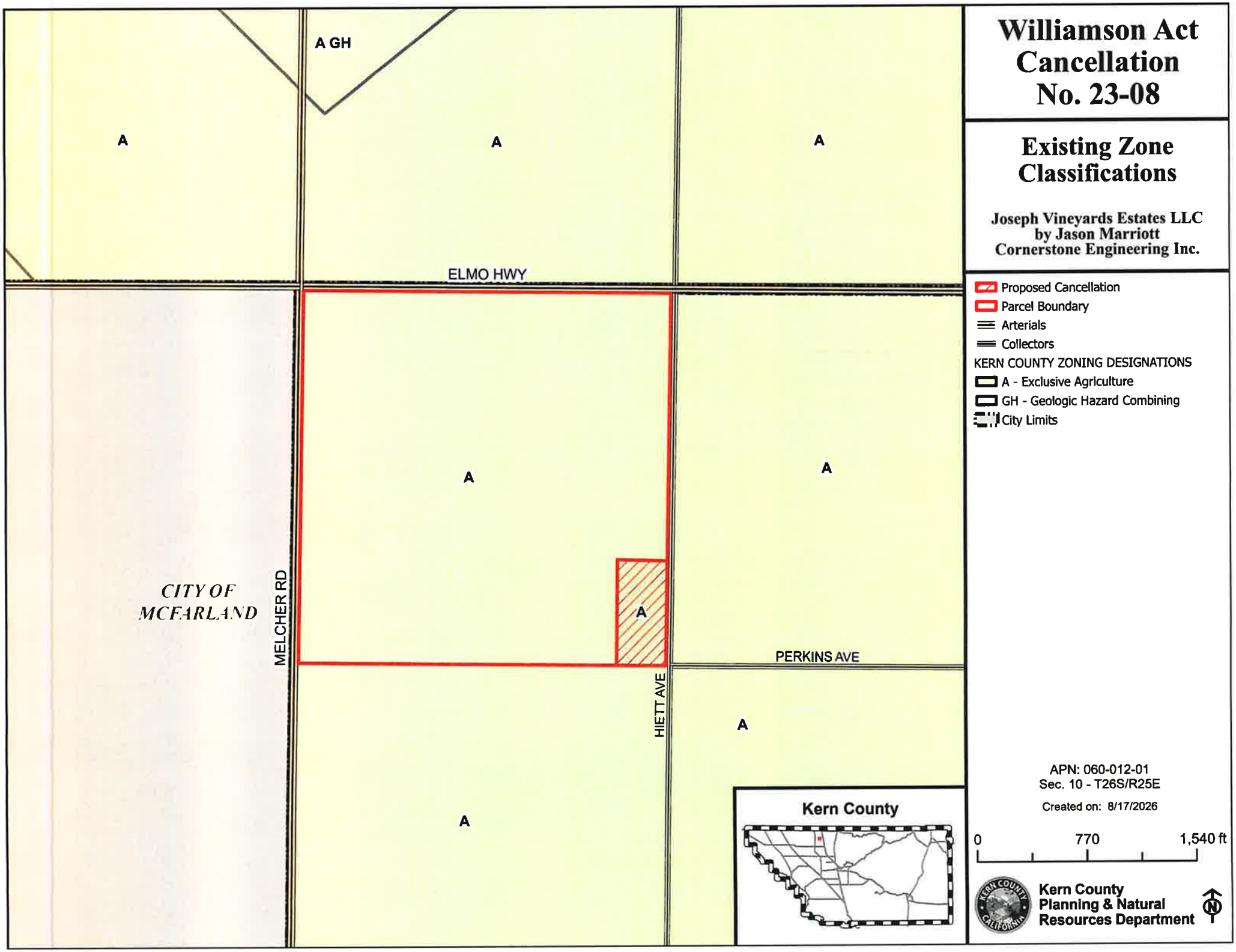
APN: 060-012-01
Sec. 10 - T26S/R25E

Created on: 8/17/2026

0 5,000 10,000 ft

Kern County Planning & Natural Resources Department


8.1/2.1
8.1
8.1
8.1
ELMO HWY
8.1
8.1
8.1
CITY OF MCFARLAND
MELCHER RD
HIETT AVE
PERKINS AVE
Kern County General Plan
8.1
8.1
Kern County
Williamson Act Cancellation No. 23-08
Existing General Plan Map
Joseph Vineyards Estates LLC by Jason Marriott Cornerstone Engineering Inc.
Proposed Cancellation
Parcel Boundary
Arterials
Collectors
General Plan Boundaries
1.2 - Incorporated Cities
8.1 - Intensive Agriculture (Min. 20-acre parecel size)
2.1 - Seismic Hazard
City Limits
APN: 060-012-01
Sec. 10 - T26S/R25E
Created on: 8/17/2026
0
770
1,540 ft
Kern County Planning & Natural Resources Department
N



Williamson Act Cancellation No. 23-08

Existing Zone Classifications

Joseph Vineyards Estates LLC
by Jason Marriott
Cornerstone Engineering Inc.

- Proposed Cancellation
- Parcel Boundary
- Arterials
- Collectors

KERN COUNTY ZONING DESIGNATIONS

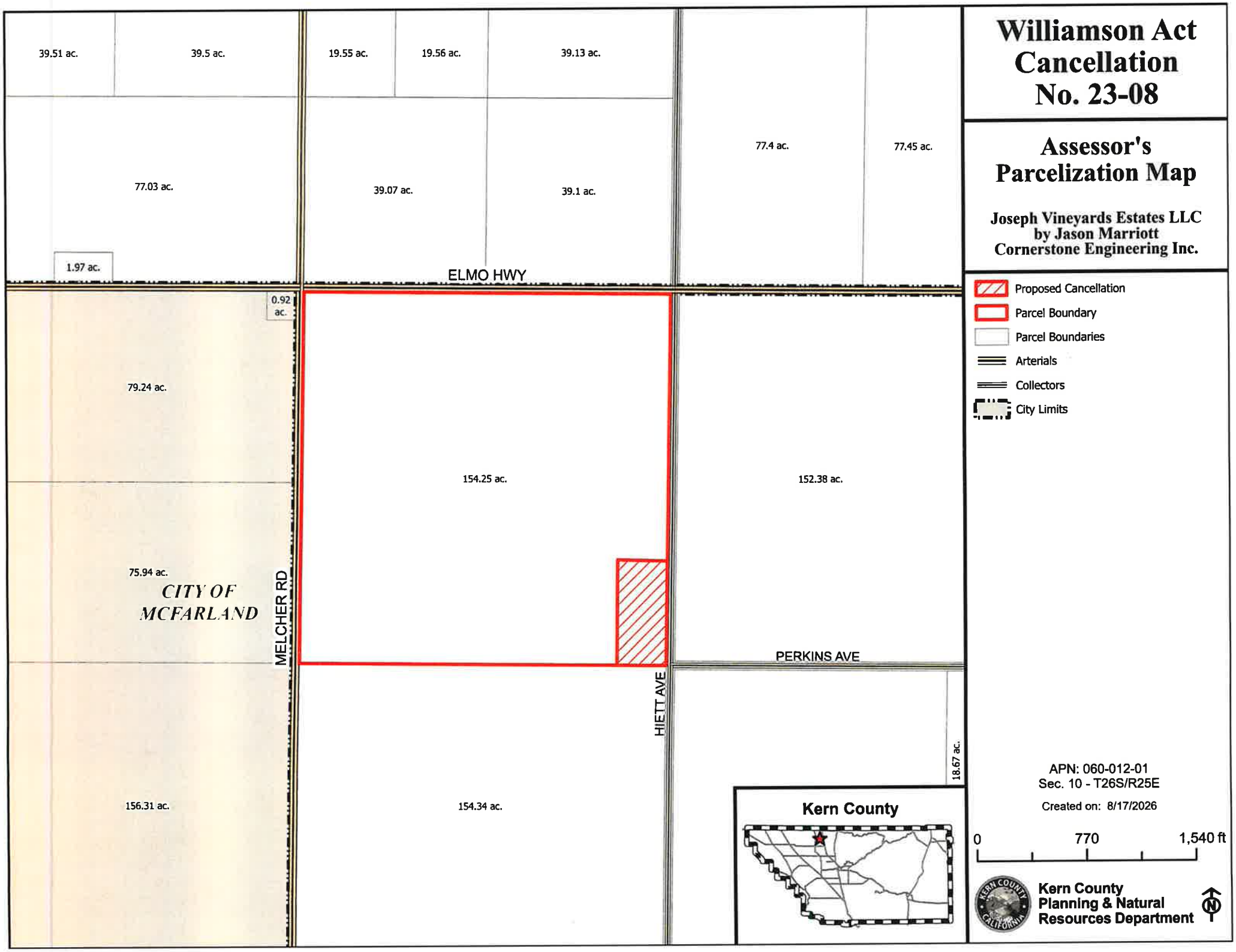
- A - Exclusive Agriculture
- GH - Geologic Hazard Combining
- City Limits

APN: 060-012-01
Sec. 10 - T26S/R25E

Created on: 8/17/2026

0 770 1,540 ft

Kern County
Planning & Natural
Resources Department



Williamson Act Cancellation No. 23-08

Assessor's Parcelization Map

Joseph Vineyards Estates LLC
by Jason Marriott
Cornerstone Engineering Inc.

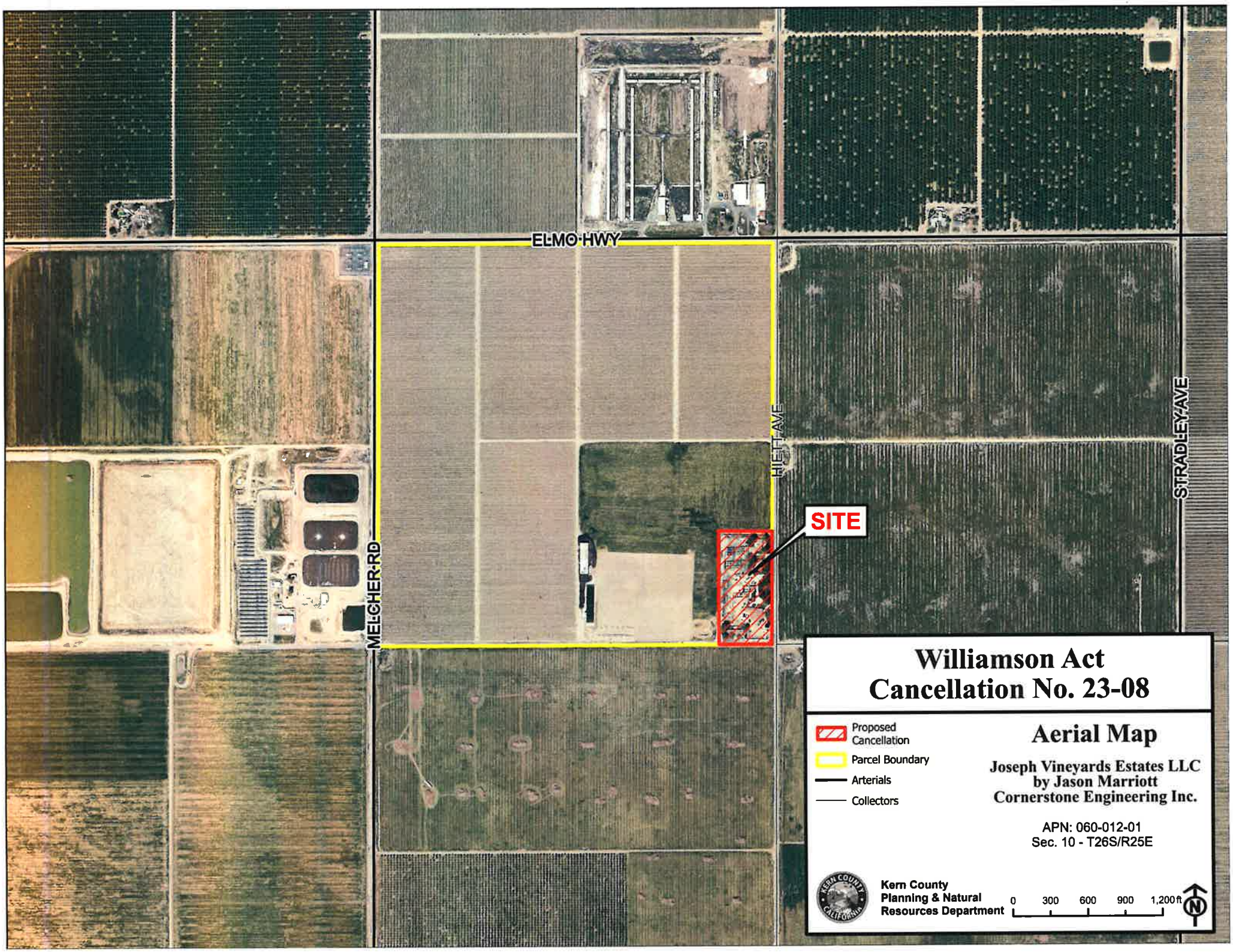
- Proposed Cancellation
- Parcel Boundary
- Parcel Boundaries
- Arterials
- Collectors
- City Limits

APN: 060-012-01
Sec. 10 - T26S/R25E

Created on: 8/17/2026

0 770 1,540 ft

Kern County Planning & Natural Resources Department



Williamson Act Cancellation No. 23-08

Proposed Cancellation
Parcel Boundary
Arterials
Collectors

Aerial Map

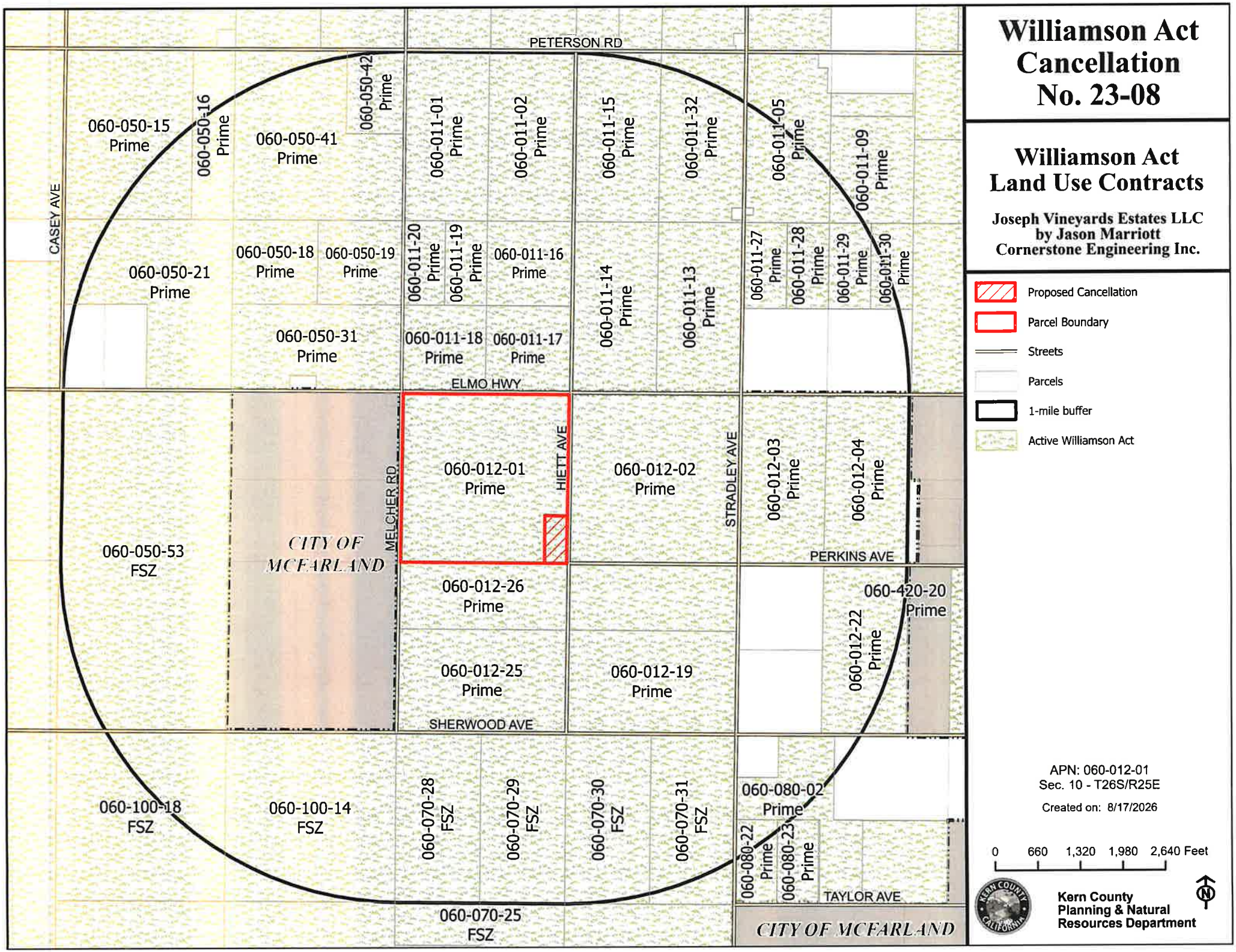
Joseph Vineyards Estates LLC
by Jason Marriott
Cornerstone Engineering Inc.

APN: 060-012-01
Sec. 10 - T26S/R25E

Kern County
Planning & Natural Resources Department

0 300 600 900 1,200 ft

N



Williamson Act Cancellation No. 23-08

Williamson Act Land Use Contracts

Joseph Vineyards Estates LLC
by Jason Marriott
Cornerstone Engineering Inc.

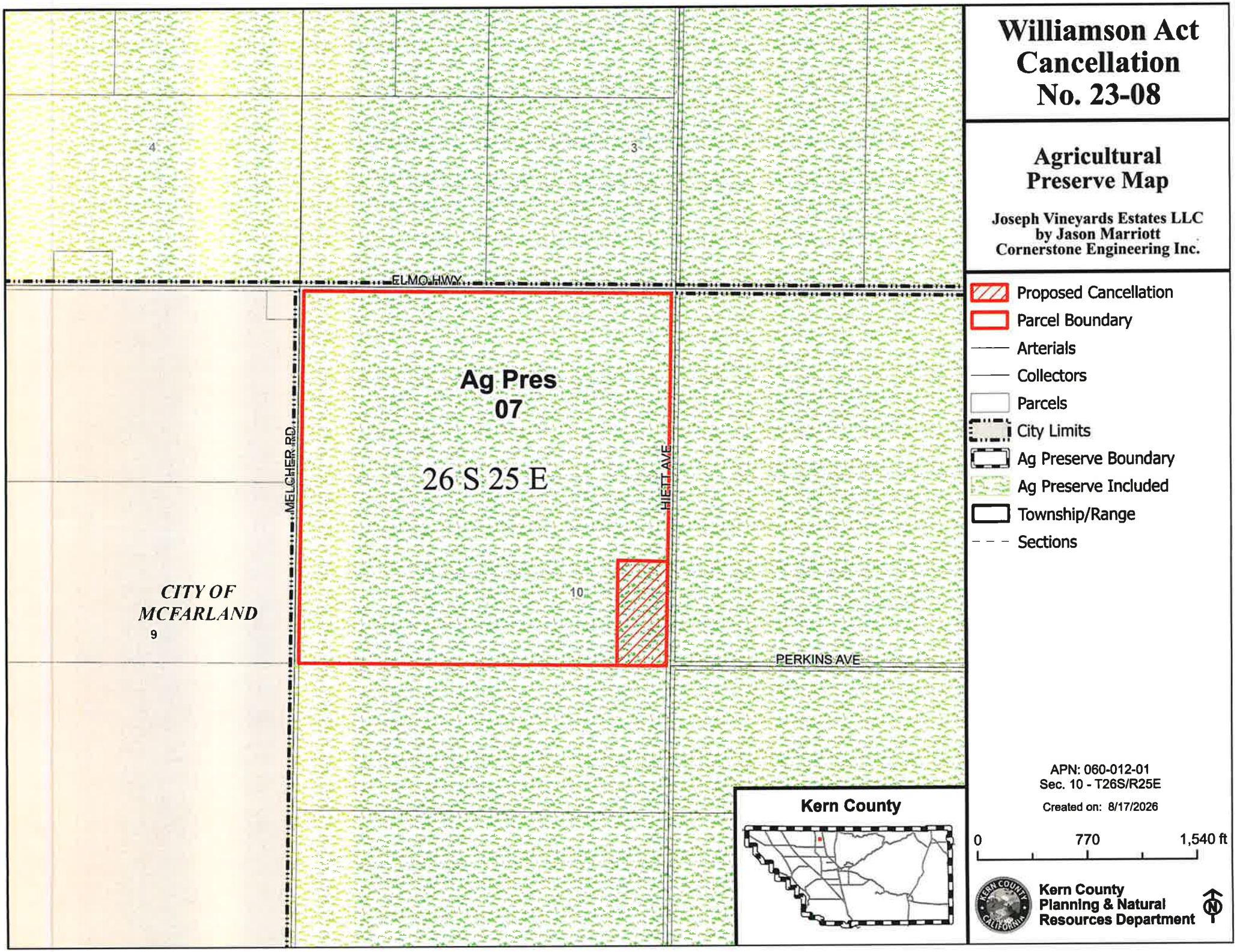
- Proposed Cancellation
- Parcel Boundary
- Streets
- Parcels
- 1-mile buffer
- Active Williamson Act

APN: 060-012-01
Sec. 10 - T26S/R25E

Created on: 8/17/2026

0 660 1,320 1,980 2,640 Feet

Kern County
Planning & Natural
Resources Department


Williamson Act Cancellation No. 23-08
Agricultural Preserve Map
Joseph Vineyards Estates LLC
by Jason Marriott
Cornerstone Engineering Inc.
Proposed Cancellation
Parcel Boundary
Arterials
Collectors
Parcels
City Limits
Ag Preserve Boundary
Ag Preserve Included
Township/Range
Sections
Ag Pres
07
26 S 25 E
ELMO HWY
MELCHER RD
HIETT AVE
PERKINS AVE
CITY OF MCFARLAND
4
3
10
9
Kern County
APN: 060-012-01
Sec. 10 - T26S/R25E
Created on: 8/17/2026
0
770
1,540 ft
Kern County
Planning & Natural
Resources Department

Site Plan

TENTATIVE PARCEL MAP NO. 12460

BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP 26 SOUTH RANGE 25 EAST, M.D.B.&M., IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF

4 PARCELS AND 1 DESIGNATED REMAINDER — 159.65 GROSS ACRES

BASIS OF BEARINGS

THE BEARING OF NORTH 89°54'40" WEST WAS HELD AS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10 T. 26 S., R. 25 E., M.D.B.&M. AS SHOWN ON PARCEL MAP NO. 12460 FILED IN BOOK 75 OF PARCEL MAPS AT PAGE 75 IN THE KERN COUNTY RECORDER'S OFFICE.

VERTICAL DATUM

THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) WAS UTILIZED AS THE VERTICAL DATUM FOR THIS SURVEY.

POINT OF ORIGIN
STATION DESIGNATION: 11 HIGHWAY 33 DIST 7 GPS ADJ
DATE OF ADJ: 1988
ORDER: FIRST
ELEVATION: 282.44

LOCAL BENCHMARK

A 3" DIA. BRASS MONUMENT WITH PUNCH MARK AT THE INTERSECTION OF WELCHER AND HIETT AVENUES AT THE NW CORNER OF SECTION 10 T.26S R.25E

ELEV. = 282.44' (NAVD88)

PROPERTY OWNER/SUBDIVIDER

JOSEPH VINEYARD ESTATES, LLC, A LIMITED LIABILITY COMPANY
2800 ROAD 136
DELANO, CA 93215
(661) 720-7000

LAND SURVEYOR/APPLICANT

CHARLES WHITTEN JR., L.S. 7856
CORNERSTONE ENGINEERING, INC.
5008 YOUNG ST., BAKERSFIELD, CA 93311
(661) 325-0674

NOTES

1. ALL DISTANCES AND DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THE DISTINCTIVE BORDER INDICATES THE BOUNDARY OF LAND SUBDIVIDED BY THIS MAP.

FOUND MONUMENTS

M1 FOUND NORTHWEST CORNER OF SECTION 10 T.26S., R.25E., M.D.B.M. 6" CONCRETE MONUMENT WITH BRASS CAP PER FILED MAP 7 LBK 8 PG 54

M2 FOUND NORTH QUARTER CORNER OF SECTION 10 T.26S., R.25E., M.D.B.M. 6" CONCRETE MONUMENT WITH BRASS CAP PER FILED MAP 7 LBK 8 PG 54

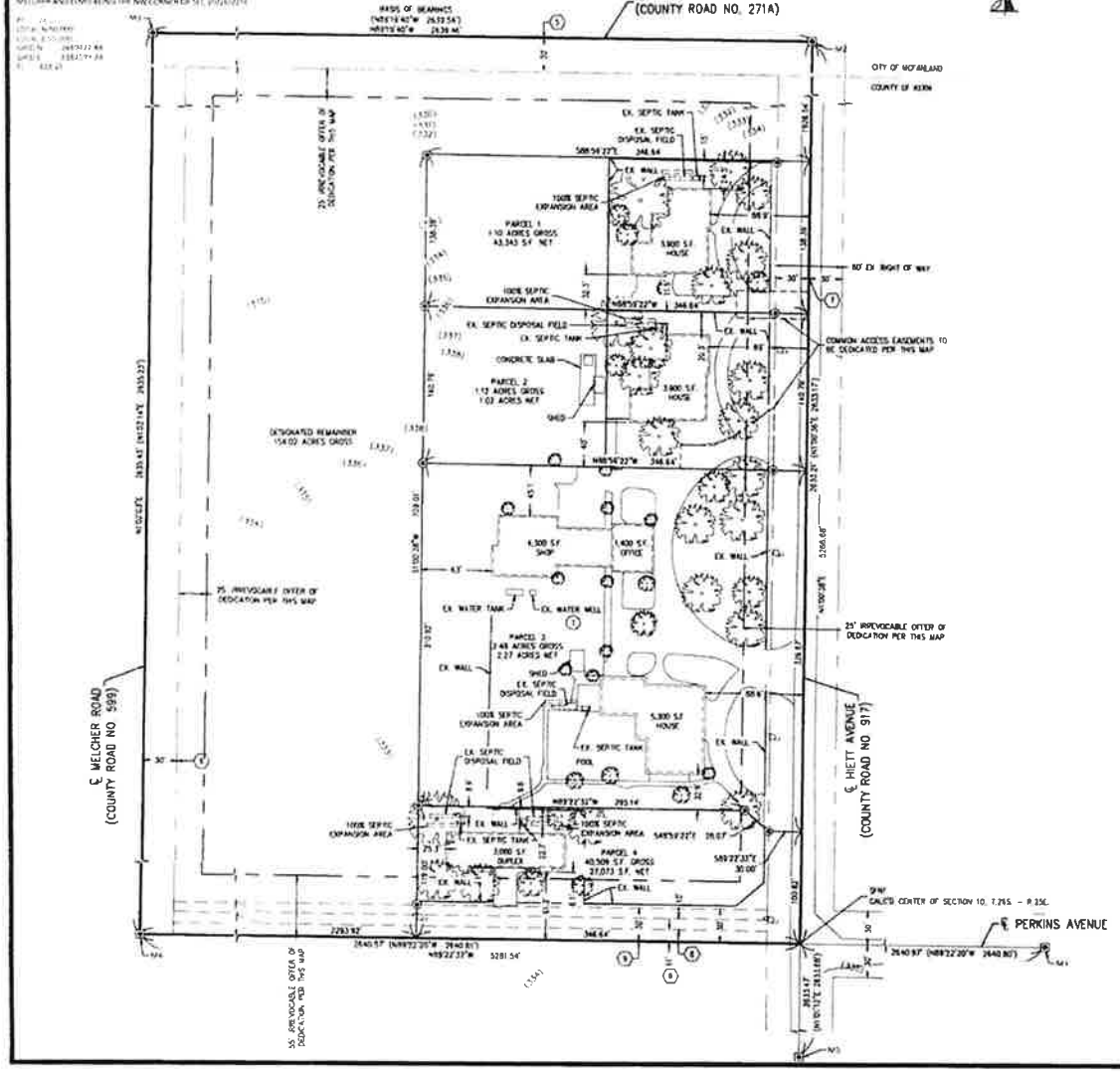
M3 FOUND EAST QUARTER CORNER OF SECTION 10, T.26S., R.25E., M.D.B.M. 2" IRON PIPE 1.9' DOWN PER FILED MAP 7 LBK 8 PG 54

M4 FOUND WEST QUARTER CORNER OF SECTION 10, T.26S., R.25E., M.D.B.M. 2" IRON PIPE 1.9' DOWN PER FILED MAP 7 LBK 8 PG 54

M5 FOUND SOUTH QUARTER CORNER OF SECTION 10, T.26S., R.25E., M.D.B.M. 6" CONCRETE MONUMENT WITH SQUARE BRASS CAP PER FILED MAP 7 LBK 8 PG 54



VICINITY MAP
N.T.S.



LEGEND

(1)	RECORD PER PARCEL MAP 7 LBK 8 PG 54, KERN COUNTY SURVEYOR'S OFFICE
⊗	FOUND MONUMENT AS DESCRIBED HEREON
⊙	SET 1/4" REBAR WITH PLASTIC CAP "LS 7856"
	EXISTING CENTERLINE
	EXISTING RIGHT OF WAY
	EXISTING EASEMENT
	DISTINCTIVE BORDER
(1)	EXISTING WELL SERVES DOMESTIC WATER TO ALL STRUCTURES UPON PARCELS 1-4 EXISTING WATER SYSTEM WILL BE CONVERTED TO A STATE SMALL WATER SYSTEM

EASEMENTS AFFECTING PROPERTY

(5) EASEMENT FOR PUBLIC HIGHWAY PURPOSES IN FAVOR OF THE COUNTY OF KERN, AS ESTABLISHED BY ORDER OF THE BOARD OF SUPERVISORS OF KERN COUNTY MADE ON JANUARY 8, 1909 AND ENTERED IN VOLUME 11 PAGE 191 OF THE MINUTE BOOKS

(6) EASEMENT FOR PUBLIC HIGHWAY PURPOSES IN FAVOR OF THE COUNTY OF KERN, AS ESTABLISHED BY ORDER OF THE BOARD OF SUPERVISORS OF KERN COUNTY MADE ON APRIL 2, 1923, AND ENTERED IN VOLUME 23, PAGE 231 OF THE MINUTE BOOKS

(7) EASEMENT FOR PUBLIC HIGHWAY PURPOSES IN FAVOR OF THE COUNTY OF KERN, AS ESTABLISHED BY ORDER OF THE BOARD OF SUPERVISORS OF KERN COUNTY MADE ON DECEMBER 16, 1935, AND ENTERED IN VOLUME 37, PAGE 121 OF THE MINUTE BOOKS

(8) EASEMENT FOR GAS PIPELINE PURPOSES GRANTED TO SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION, IN DEED RECORDED MAY 28, 1930 IN BOOK 867, PAGE 209 OF OFFICIAL RECORDS

(9) EASEMENT FOR EXISTING SANITARY SEWER LINES AND STORM DRAIN PURPOSES GRANTED TO MCFARLAND SANITATION DISTRICT IN DEED RECORDED SEPTEMBER 17, 1968 IN BOOK 3521 PAGE 209 OFFICIAL RECORDS

(10) COVENANTS AND RESTRICTIONS IMPOSED BY A LAND CONSERVATION CONTRACT RECORDED FEBRUARY 25, 1970 AS DOCUMENT NO 10183, BOOK 4870 PAGE 172 OF OFFICIAL RECORDS, EXECUTED PURSUANT TO SECTION 51200 ET SEQ. CALIFORNIA GOVERNMENT CODE (WILLIAMSON ACT) AUTHORIZING THE ESTABLISHMENT OF AGRICULTURAL PRESERVES. THE USE OF THE LAND WITHIN THE PRESERVE MAY BE RESTRICTED BY THE CONTRACT TO AGRICULTURAL, RECREATION, OPEN SPACE, AND OTHER APPROVED COMPATIBLE USES. (BLANKET IN NATURE AND CANNOT BE PLOTTED)

(18) A SUBSURFACE EASEMENT FOR CARBON DIOXIDE SEQUESTRATION GRANTED TO CARBON TERRAVAULT HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY PER DOCUMENT RECORDED MARCH 9, 2021 AS DOCUMENT NO. 221003048, OFFICIAL RECORDS (BLANKET IN NATURE AND CANNOT BE PLOTTED)

(19) A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE AMOUNT OF $14,500,000.00, RECORDED MARCH 23, 2023 AS DOCUMENT NO. 223033466 OF OFFICIAL RECORDS. (BLANKET IN NATURE AND CANNOT BE PLOTTED)

GENERAL NOTES

1.	ALL IMPROVEMENTS TO CONFORM WITH THE COUNTY OF KERN DEVELOPMENT STANDARDS	
2.	ADDRESS	NW OF INTERSECTION AT PERKINS AVENUE AND HIETT AVENUE, MCFARLAND, CA 93250
3.	ASSESSOR'S PARCEL NUMBER	160-012-01
4.	APPROXIMATE ACREAGE	159.65 GROSS ACRES
5.	NUMBER OF LOTS	4 PARCELS AND 1 DESIGNATED REMAINDER
6.	MINIMUM LOT SIZE	40,500 GROSS SQUARE FEET
7.	EXISTING LAND USE	RESIDENTIAL AND AGRICULTURE
8.	PROPOSED LAND USE	RESIDENTIAL ON PARCELS 1, 2, 3 & 4 AND AGRICULTURE ON DES. REM.
9.	EXISTING GENERAL PLAN DESIGNATION	INTENSIVE AGRICULTURE
10.	PROPOSED GENERAL PLAN DESIGNATION	INTENSIVE AGRICULTURE (NO CHANGE)
11.	EXISTING ZONING	A (EXCLUSIVE AGRICULTURE)
12.	PROPOSED ZONING	A (EXCLUSIVE AGRICULTURE) (NO CHANGE)
13.	SEWER	EXISTING SEPTIC SYSTEM
14.	WATER	EXISTING WATER WELL LOCATED ON PROPOSED PARCEL 1 PRIVATE STATE SMALL WATER COMPANY SERVED BY WELL ON PROPOSED PARCEL 1
15.	DRAINAGE	IN CONFORMANCE WITH THE KERN COUNTY DEVELOPMENT STANDARDS
16.	GAS	SOUTHERN CALIFORNIA GAS COMPANY
17.	ELECTRIC	PACIFIC GAS AND ELECTRIC
18.	TELEPHONE	AT&T
19.	FIRE PROTECTION	IN CONFORMANCE WITH COUNTY OF KERN FIRE DEPARTMENT STANDARDS.

20. THERE ARE EXISTING STRUCTURES WITHIN THE BOUNDARIES OF THIS MAP AS SHOWN HEREON
21. THERE ARE NO OILFIELD WELLS LOCATED WITHIN THE BOUNDARIES OF THIS MAP, PER CALGEM
22. FEMA FLOOD ZONE DESIGNATION
    ZONE DESIGNATION: ZONE A - AREA OF 100 YEAR FLOOD HAZARD
    FLOOD INSURANCE RATE MAP NO. 06029C0725H
    EFFECTIVE SEPTEMBER 26, 2008
23. REQUESTING ZONE VARIANCE FOR RESIDENTIAL STRUCTURES & REDUCED SIDE SETBACK ALONG PERKINS AVENUE
24. NO ADDITIONAL DEVELOPMENT PROPOSED
25. THE PROPERTY IS ENCUMBERED BY AN EXISTING WILLIAMSON ACT LAND USE CONTRACT
26. PROPERTY IS UNDER AG. PRESERVE CONTRACT. PRIME FARM LAND
27. THIS MAP IS NOT AS A PHASED SUBDIVISION
28. TYPE OF SUBDIVISION

GRAPHIC SCALE
50 25 0 25 50
(IN FEET)
1 inch = 50 ft

CORNERSTONE
ENGINEERING
CONSULTANTS • ENGINEERS • LAND SURVEYORS
5008 YOUNG STREET, BAKERSFIELD, CA 93311
TEL (661) 325-0674 FAX (661) 325-0720
www.cornerstoneeng.com

DEVELOPMENT BY:
JOSEPH VINEYARD ESTATES, LLC
A LIMITED LIABILITY COMPANY
2800 ROAD 136
DELANO, CA 93215

TENTATIVE PARCEL MAP 12460

PERKINS & HIETT AVENUE
MCFARLAND, CA 93250

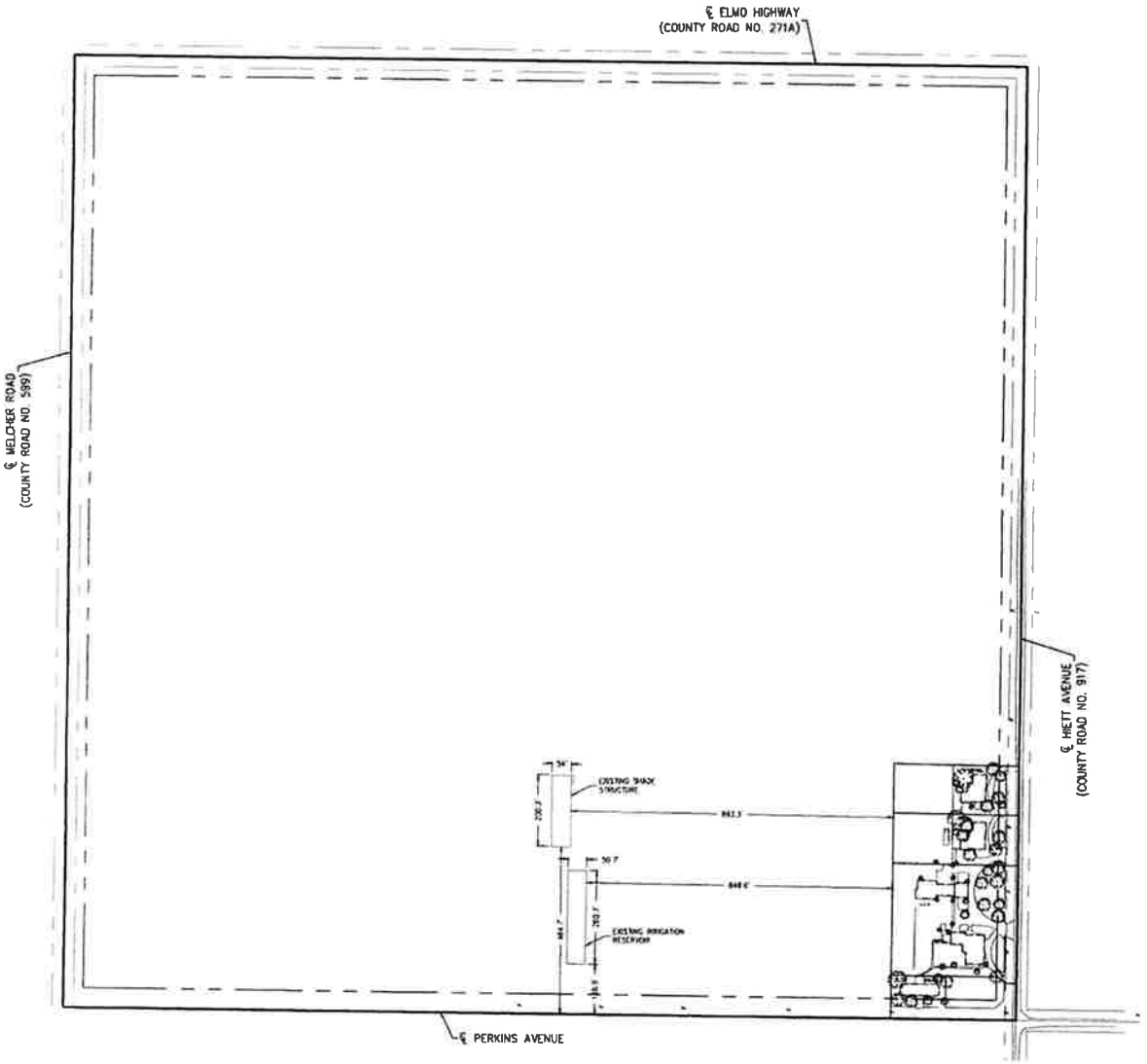
DESIGNED	WAS
CHECKED BY	DCW
DATE	08/30/2023
DRAFTER	RRB
SCALE	AS SHOWN
COMP. NO.	882-01-00_TPM
JOB NO.	882-01-00
SHEET	1 of 2

TPM-1

TENTATIVE PARCEL MAP NO. 12460

BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 26 SOUTH, RANGE 25 EAST, M.D.B.&M., IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT THEREOF

4 PARCELS AND 1 DESIGNATED REMAINDER — 159.65 GROSS ACRES



GRAPHIC SCALE
1 INCH = 150 FEET

DEVELOPMENT BY:
JOSEPH VINEYARD ESTATES, LLC
a LIMITED LIABILITY COMPANY
2800 ROAD 138
DELANO, CA 93215

CORNERSTONE ENGINEERING
CONSULTANTS • ENGINEERS • LAND SURVEYORS
3500 HOAG STREET, BAKERSFIELD CA 93311
TEL (661) 325-8676 FAX (661) 323-0129
www.cornerstoneeng.com

TENTATIVE PARCEL MAP 12460

PERKINS & HIETT AVENUE
MCFARLAND, CA 93250

DESIGNED	MAS
CHECKED BY	DCW
DATE	08/30/2023
DRAFTER	RDB
SCALE	AS SHOWN
COMP. NO.	862-01-00_TPM
JOB NO.	862-01-00
TPM-1	SHEET 2 OF 2

Comments

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Daisy Gaeta, Planner II

September 3, 2026

From: Cesar Ayon, Engineering Manager
Public Works Department/Development

Subject: WAC #23-08, Map 33
Location: Northwest corner of Hiett Avenue and Perkins Avenue, in the McFarland area (APN 060-012-01)

Development Review Division

This Division has reviewed the subject project and has no comment.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Rodd Parke of this Division at (661) 862-8848.

Sewer and Water Division

This Division has reviewed the subject project and has no comment.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

From the information supplied with the Notice of Public Hearing, we have no comments or recommendations regarding the above project.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comment.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

KCSOS
Kern County Superintendent of Schools
Office of John G. Mendiburu, Ed.D. — Advocates For Children

September 4, 2026

Kern County Planning Department
Attn: Daisy Gaeta, Planner II
2700 M Street, Suite 100
Bakersfield, CA 93301

Our File No.: CO26-0133

RE: **DEVELOPER FEES FOR:** WAC No. 23-08; Map No. 33-10
(Northwest corner of Hiett Ave and Perkins Ave.)

Dear Ms. Gaeta,

This office represents the McFarland Unified School District with regard to the imposition of school impact fees and appreciates the opportunity to respond on behalf of the district regarding the proposed project. This letter is limited to addressing the possible effects which the project might have on school facilities created by students attributable to the project. It is not intended to address other possible environmental concerns which might be identified by the district(s) after reviewing it.

It is our determination that the above-mentioned project proposing Williamsons Act Land Use Contract Cancellation for the cancellation of approximately 5.64-acres of a Land Use Contract in the A (Exclusive Agriculture) District will not have significant effects on either of these district's facilities so long as statutory school impact fees are collected as required by law and that no further mitigation measures regarding school facilities are necessary.

Thank you for the opportunity to comment on the project. Should you have any questions, or if we can be of any further assistance in this matter, please contact me at 636-4599, or through e-mail at anwatson@kern.org.

Sincerely,

Andrea Watson, Specialist
School District Facility Services

RECEIVED
SEP 09 2026
Kern County Planning &
Natural Resources Dept.

Cc: Districts

Outlook

KER-46_WAC #23-08, Map #33

From Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>
Date Thu 9/10/2026 11:56 AM
To Daisy Gaeta <dgaeta@kerncounty.com>
Cc Huff, David@DOT <David.Huff@dot.ca.gov>

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or provide information unless you recognize the sender and know the content is safe.

Hello Daisy,

We've reviewed the above-mentioned map and because this will have minimal impact to the State Highway System, we have no comment.

Thank you,

Nicholas Isla
Associate Transportation Planner
Regional and Community Planning Branch
California Department of Transportation
1352 West Olive Avenue
(559) 981-7373

BE WORK ZONE ALERT

Assessor's Letter

KERN COUNTY / Assessor Recorder

Laura Avila
Assistant Assessor – Mike Bennett
Assistant Recorder – Brian Pace

September 15th, 2026

Board of Supervisors
Administration Building
1115 Truxtun Avenue
Bakersfield, California 93301

Re: Cancellation of Land Use Contract
Applicant: Joseph Vineyards Estates, LLC
Assessor's Parcel Number: 060-012-01 (partial, 5.62 acres)
Williamson Act Cancellation: 23-08

Honorable Board:

In accordance with provisions of Section 51283 of the Government Code, the Assessor certifies the fair market value and cancellation fee for the above property or a portion thereof.

CANCELLATION VALUE	CANCELLATION FEE
$140,500	$17,562.50

The Department of Conservation and/or owner may request a formal review from the Assessor of the certified value as specified in Section 51203 of the Government Code. Any request must be made within 45 days of the date of this notice.

Sincerely,

LAURA AVILA
Kern County Assessor-Recorder

Donnie Carr, Senior Appraiser
Agricultural Division

cc: Joseph Vineyards Estates LLC
cc: County Planning Department

Notice of Decision No. 41-23

BEFORE THE HEARING OFFICER

COUNTY OF KERN, STATE OF CALIFORNIA

FILE: (a) ZV #15, Map 33;
(b) ZV #16, Map 33
(c) TPM 12460
Notice of Decision #41-23

NOTICE OF DECISION

In accordance with the provisions of Section 19.102.100 of the Ordinance Code of Kern County, a public hearing was held in the office of the Kern County Planning and Natural Resources Department on **December 21, 2023,** to consider a Zone Variance and Tentative Parcel Map submitted by:

Joseph Vineyard Estates by Cornerstone Engineering Inc. (PP24115)

Between Elmo Highway (City of McFarland) and Perkins Road and between Melcher Road and Hiett Avenue, McFarland area

APN: 060-012-01

Project: (a) A Zone Variance to authorize four (4) parcels ranging from 27,073 square feet (net) to 2.27 acres (net) where 20 acres is required (Section 19.12.050) in the A (Exclusive Agriculture) District; (b) A Zone Variance to authorize a 6-foot side-yard setback where a 10-foot side-yard setback (Section 19.12.070.B) is required in an A (Exclusive Agriculture) District; (c) Tentative Parcel Map 12460 proposing the division of a 159.65-acre (gross) parcel into four (4) parcels ranging in size from 27,073 square feet (net) to 2.27 acres (net) and a 154.02-acre (gross) Designated Remainder; with variance(s) to the Land Division Ordinance, in an A (Exclusive Agriculture) District

At the conclusion of the hearing, during which all persons wishing to be heard were heard and further consideration given to all written evidence, the Zone Variance and Tentative Parcel Map was CONDITIONALLY APPROVED, as set forth on the attachment.

FOR PARCEL MAP/PARCEL MAP WAIVER/LOT LINE ADJUSTMENT: The applicant, or any other interested party, may appeal the action of the Director of the Kern County Planning and Natural Resources Department to the Board of Supervisors. Such appeal shall be in writing on such forms as the Board of Supervisors may, from time to time, approve and shall be filed with the Advisory Agency, accompanied by a fee of Five Hundred Forty Dollars ($540). Any appeal from the decision in this case must be filed by **January 10, 2024, at 5:00 pm** due to the Kner County Planning and Natural Resources Winter Recess dates. If no appeal is received, the action of the Hearing Officer will become final.

For further information, please contact the Planning Operations Section of the Kern County Planning and Natural Resources Department, 2700 "M" Street, Suite 100, Bakersfield, CA 93301. Telephone: (661) 862-8600.

CRAIG M. MURPHY, Hearing Officer

cc

Attachment

(a) ZV #15, Map 33;
(b) ZV #16, Map 33
(c) TPM 12460

Joseph Vineyard Estates by Cornerstone Engineering Inc. (PP24115)

CONDITIONS OF APPROVAL FOR ZONE VARIANCE NO. 15, MAP 33 – REDUCED PARCEL SIZE:

(1) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(2) This permit shall run concurrently with Tentative Parcel Map 12460. Should Tentative Parcel Map 12460 expire or be withdrawn, this permit shall become null and void.

(3) Parcel one (1) of Tentative Parcel Map 12460 shall not be smaller than 43,343 square feet (net) in area.

(4) Parcel two (2) of Tentative Parcel Map 12460 shall not be smaller than 1.02 acres (net) in area.

(5) Parcel three (3) of Tentative Parcel Map 12460 shall not be smaller than 2.27 acres (net) in area.

(6) Parcel four (4) of Tentative Parcel Map 12460 shall not be smaller than 27,073 square feet (net) in area.

(7) With the exception of lot size, all requirements of the A (Exclusive Agriculture) District shall remain applicable.

(8) Noncompliance with the adopted Conditions of Approval may cause permit revocation proceedings in accordance with Section 19.102.050, of the Ordinance Code.

FINDINGS FOR ZONE VARIANCE NO. 15, MAP 33 - REDUCED PARCEL SIZE:

(1) With regard to parcel size, upon staff evaluation, staff believes special circumstances do exist applicable to the subject property, including the location, surroundings, and existing and proposed uses such that the strict application of the applicable requirements of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district throughout the County. The 159.65-acre (gross) parcel is proposed to be divided into four (4) parcels and a designated remainder.

(2) Staff has researched similar lot sizes in the vicinity of the project site and based on two (2) similar approvals for a one-(1-) acre and a 1.47-acre parcel within an approximate two -(2-) mile radius of the project site, the existence of 18 similarly-sized or smaller legal, nonconforming parcels, ranging in size from 13,200 square feet (net) to 2.11 acres (net), within approximately two (2) miles of the project site, and with similar approvals throughout the County within the same zone district and General Plan map

code designation, approval of the Zone Variance would not appear to constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located.

(3) Staff believes approval of the request would not appear to be detrimental to the public, health, safety, or welfare, as implementation would require adherence to all other applicable local, State, and federal regulatory requirements ensured by the recommended conditions of approval.

(4) Under Common Sense Exemption, Section 15061(b)(3) of the State CEQA Guidelines, the Kern County Planning and Natural Resources Department has reviewed the subject project and has found that there is no possibility that the activity in question may have a significant effect on the environment.

cc

Tentative Parcel Map 12460
Project Location: Between Elmo Highway and Perkins Road and between Melcher Road and Hiett Avenue
McFarland Area – S.D. #4

CONDITIONS OF APPROVAL
(December 21, 2023)

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross), except as authorized by Zone Variance No.15, Map 33, which authorizes minimum lot sizes of 43,343 square feet (net) for Parcel 1; 1.02 acres (net) for Parcel 2; 2.27 acres (net) for Parcel 3; and 27,073 square feet (net) for Parcel 4.

(3) Approval or conditional approval shall expire three (3) years (36 months) from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(5) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, the final parcel map shall be based on a field survey in conformity with the Land Surveyor's Act and shall show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Record an irrevocable offer of dedication to the County of Kern of all subject property for Elmo Highway, 45 feet width, per the Kern County Land Division Ordinance and Development Standards.

(h) Record an irrevocable offer of dedication to the County of Kern of all subject property for Melcher Road, 45 feet width, per the Kern County Land Division Ordinance and Development Standards.

(i) Record an irrevocable offer of dedication to the County of Kern of all subject property for Perkins Avenue, 45 feet width, per the Kern County Land Division Ordinance and Development Standards.

(j) Record an irrevocable offer of dedication to the County of Kern of all subject property for Hiett Avenue, 45 feet width, per the Kern County Land Division Ordinance and Development Standards.

(k) Provide a 20-foot by 20-foot right of way corner cutoff at all intersections.

(l) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(m) All fire access roads must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance sections.

(n) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

1. All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(o) Street names approved are: Hiett Avenue, Melcher Road, Elmo Highway and Perkins Avenue.

(p) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division. The applicant shall provide the following:

1. The applicant shall submit a Non-Public Water System application (2-4 connections) to the Kern County Public Health Services Department/Environmental Health Division for review and approval.

(q) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(r) The applicant shall:

1. Obtain Board of Supervisors approval of cancellation of the Land Use Contract for Parcels 1 through 4.

2. Submit evidence that the cancellation fee has been paid.

(s) The applicant's engineer shall provide to the Kern County Planning and Natural Resources Department, a legal description of the designated remainder, and the applicable processing fee, to enable the Advisory Agency to prepare a Conditional Certificate of Compliance.

(t) Subdivider shall dedicate land and/or pay in lieu fees, for park or recreational purposes, as determined by the

1. Kern County General Services Department/Parks and Recreation Department or the appropriate recreation district, as required by Section 18.50.080 of the Kern County Land Division Ordinance.

(u) The Conditional Certificate of Compliance shall be recorded concurrently with the parcel map. All applicable conditions from the parcel map shall be imposed on the designated remainder through the Conditional Certificate of Compliance. Conditions, included as notes on the Conditional Certificate of Compliance, shall be as follows:

1. All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

2. All fire access roads must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance sections.

3. Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

4. The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division. The applicant shall provide the following:

   a. Prior to any proposed change in use, the applicant shall consult with the Kern County Public Health Services Department/Environmental Health Division to determine if the change in use will require a Non-Public Water System (2-4 Connections) or a State Small Water System (5-14 Connections).

   b. Prior to any proposed change in use, the applicant shall consult with the Kern County Public Health Services Department/Environmental Health Division to determine if the change in use will require connection to public sewer. If sewer must be connected to a regional wastewater treatment plant, a letter from the appropriate agency or individual signifying its intent and capability to furnish sewerage facilities shall be submitted to the Kern County Public Health Services Department/Environmental Health Division.

5. Land covered by this parcel map is restricted by a Williamson Act Land Use Contract executed by L.C. Van Houten on February 25, 1970, and recorded in Book 4370, pages 172 to 182, inclusive, of the Kern County Official Records. During the term of this contract, or any renewals thereof, the herein described land shall not be used for any purpose other than agricultural uses and those uses compatible with agricultural uses. No structures shall be erected upon said land except such structures as may be directly related to agricultural uses, pursuant to the terms of the contract.

6. Parks and recreation fees (as required by Section 18.50.080 of the Land Division Ordinance) were not collected at the time of recordation because this map is for agricultural purposes. **Prior to the issuance of any permit for residential use**, the applicable park fee shall be paid, to the Kern County Parks and Recreation Department, for the parcel being developed. However, no fee is due if the permit is issued more than four (4) years after recordation of this map. The amount to be paid shall be calculated by the applicable recreation district.

7. Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the Conditional Certificate of Compliance:**

   Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

8. **The following note(s) shall appear on the Conditional Certificate of Compliance and all grading plans:**

a. If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Division of Geologic Energy Management Division's construction-site well, review engineer in the Inland district office, and file for Division review an amended site plan with well casting diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

b. If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

c. If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

d. If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Services Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

e. During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

f. During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

g. Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

9. **The following note(s) shall appear on the Conditional Certificate of Compliance and all grading and construction plans:**

a. It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his designated representative may for good cause exempt some construction work for a limited time.

b. Before any digging or excavation occurs, please contact Underground Service Alert (USA)/DigAlert by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

c. Prior to grading and development, the application shall comply with the requirements of the applicable utility service provider(s) to ensure safety and prevent conflict with existing utility facilities.

(6) The following requirement(s) shall appear as a note(s) on the final map:

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(c) Prior to any proposed change in use, the applicant shall consult with the Kern County Public Health Services Department/Environmental Health Division to determine if the change in use will require connection to public sewer. If sewer must be connected to a regional wastewater treatment plant, a letter from the appropriate agency or individual signifying its intent and capability to furnish sewerage facilities shall be submitted to the Kern County Public Health Services Department/Environmental Health Division.

(7) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map:**

> Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(8) **The following note(s) shall appear on the final map and all grading plans:**

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Division of Geologic Energy Management Division's construction site well review engineer in the Inland district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(e) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Services Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(f) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(h) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(9) **The following note(s) shall appear on the final map and all grading and construction plans:**

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA)/DigAlert by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

(c) Prior to grading and development, the application shall comply with the requirements of the applicable utility service provider(s) to ensure safety and prevent conflict with existing utility facilities.

APPROVED
DEC 2 1 2023

ADVISORY AGENCY
LORELEI H. OVIATT, AICP, Director
Planning and Natural Resources Department

FINDINGS: TENTATIVE PARCEL MAP 12460

(Sections 65567, 66473.5, & 66474, Government Code)
(Section 18.25.060, Kern County Land Division Ordinance)
(Section 710, et seq., Fish and Game Code)
(Section 21000 et seq., Public Resources Code)

a. The proposed subdivision is consistent with the Land Use, Open Space and Conservation Elements of the Kern County General Plan.
b. The proposed map is consistent with applicable general and specific plans.
c. The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.
d. The site is physically suitable for the type of development proposed.
e. The site is physically suitable for the proposed density of development.
f. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.
g. The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.
h. The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.
i. This parcel is subject to a Williamson Act Agricultural Preserve Land Use Contract, and the Director of the Kern County Planning Department has determined the parcel map may be approved in accordance with Section 18.25.060.F.1, F.2, or F.3.
j. Under Common Sense Exemption, Section 15061(b)(3) of the State CEQA Guidelines, the Kern County Planning and Natural Resources Department has reviewed the subject project and has found that there is no possibility that the activity in question may have a significant effect on the environment.

The above Findings are made and adopted this **21st** day of **December 2023.**

The Tentative Map is approved.

Lorelei H. Oviatt

ADVISORY AGENCY
LORELEI H. OVIATT, AICP, Director
Planning and Natural Resources Department

PLANNING COMMISSION RESOLUTION

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 182-26

APPLICATION FOR CANCELLATION NO. 23-08, MAP 33

PETITION FOR CANCELLATION OF LAND USE RESTRICTIONS;
LAND CONSERVATION ACT (WILLIAMSON ACT)
(GOVERNMENT CODE SECTION 51282)

Northwest corner of Hiett Avenue and Perkins Avenue, in the MacFarland area (APN: 060-012-01)
Joseph Vineyards Estates, LLC by Cornerstone Engineering Inc(PP27003)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Dunbar, seconded by Mr. Brooks, was duly passed and adopted by said Planning Commission at an official meeting hereof this **24th** day of **September, 2026**, by the following vote, to wit:

AYES: ***

NOES: ***

ABSTAINED: ***

ABSENT: ***

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Joseph Vineyards Estates, LLC by Cornerstone Engineering Inc. (PP27003) , has filed a petition for cancellation of contractual land use restrictions contained in a contract recorded on February 25, 1970, Book 4370, Page 172, Official Records, which restrictions were entered into under the Land Conservation Act of 1965 (Williamson Act) on the land herein described, located in Agricultural Preserve No. 23-08 under authority of Government Code Section 51282; and

(b) Said parcel of real property is described as follows:

APN: 060-012-01

Section 10, Township 26 South, Range 25 East M.D.M. & B., County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(c) The parcel of land proposed for cancellation consists of 5.64 acres, located northwest corner of Hiett Avenue and Perkins Avenue, in the MacFarland area (APN: 060-012-01); and

(d) The petitioner asks such cancellation on the grounds or for the purposes following: to divide a 159.65-acre (gross) parcel into four (4) parcels ranging in size from 27,073 square feet (net) to 2.27 acres (net), totaling 5.64 acres (gross), and a 154.02-acre (gross) Designated Remainder; and

(e) The Secretary of this Commission has caused a notice of public hearing on this matter in accordance with law and Section 51284 of the Government Code, including sending a copy to the Director of Conservation for the State of California; and

(f) The Kern County Planning and Natural Resources Department has recommended approval of the cancellation and has determined that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and this Commission concurs with this determination and that, therefore, under the provisions of Section 15061(b)(3) of the State CEQA Guidelines, such activity is not covered by the requirements set forth in the California Environmental Quality Act, and that the State CEQA Guidelines concerning the evaluation of projects and preparation and review of environmental documents do not apply thereto, for which reasons it is proposed to dispense with any environmental impact report in consideration of such matter; and

(g) Pursuant to the provisions of Section 51283 of the Government Code, the County Assessor has determined the full cash value of the parcel of land with respect to which the cancellation is requested, as though it were free of the contractual restriction, and has certified to this Commission that the amount thereof is $140,500, and that the most recently announced County assessment ratio is 100 percent, and that the cancellation penalty fee is 12 1/2 percent of this value, or $17,562.50, and has certified that there are no additional deferred taxes under Government Code Section 51283; and

(h) A hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(i) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) After careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be recommended for **A P P R O V A L**, subject to the payment of the penalty fee, as recommended by Staff, by the Board of Supervisors, for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

(1) The proposed cancellation is consistent with County policies for administration of the Agricultural Preserve Program.

(2) This Commission hereby finds this cancellation request is consistent with the purposes of Chapter 7, as evidenced by adoption of the following findings:

(a) In accordance with Government Code Section 51245, the property owner submitted Notice of Nonrenewal No. 23-06, and the petition was recorded on March 2, 2026 as Document No. 226022766.

(b) The cancellation is only for the separation of a proposed 5.64-acre (gross) parcels presently developed with residential uses and accessory structures. Implementation will not affect adjacent lands nor will it encourage additional contract removals as adjoining lands will remain in agricultural use.

(c) The cancellation will separate the substandard parcels from those portions that are developed with an agricultural use. Residential uses are allowed in the A (Exclusive Agriculture) District, and the retention of the remaining acreage under contract is consistent with the applicable provisions of the Kern County General Plan.

(d) The project site is surrounded by agricultural uses all situated within the A (Exclusive Agriculture) District. A pattern of urban development does not exist near the project site, and the future consideration and recordation of a Contract Amending Land Use Contract will ensure the residential density limitation, as established by the Kern County General Plan, is maintained. As such, the cancellation will not result in a discontiguous pattern of urban development.

(e) Based on the facts presented, there is no proximate noncontracted land which is available and suitable for the use proposed on the contracted land or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

(3) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(4) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not be substantial and will not interfere with maintenance of a high-quality environment now or in the future.

(5) It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and, therefore, under the provisions of Section 15061(b)(3) of the State CEQA Guidelines such activity is not covered by the requirements set forth in the California Environmental Quality Act, and the State CEQA Guidelines concerning the evaluation of projects and the preparation and review of environmental documents do not apply thereto, for which reasons an environmental impact report was not required for consideration of such matter; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Joseph Vineyards Estates, LLC (1)
Cornerstone Engineering Inc (1)
LiUNA (1)
File (1)

jw