

January 22, 2015

Kern County Building and Safety

Dear Kern County,

I recently purchased property in Alpine Forest Park, and have a few questions regarding my property:

1. I was told that in Alpine Forest, my property is zoned Recreational, is there such a thing?

NO. There is no zoning in this area called "Recreational". Many people think that you are allowed to live in your RV or fifth wheel on your property in Kern County under this zoning assumption, it is incorrect.

If you have a building permit for a new single family residence, a stick built structure, in issued status, you are eligible to live in your RV/Fifth wheel for 6 months.

Any extended period would require approval, otherwise staying on your property in recreational vehicles is considered a violation in Kern County.

2. Does it make a difference if I am zoned R-1, E-1, etc.?

NO. R-1 stands for residential and E-1 is estate zoning.

3. I want to grade a pad and an access road on my property, what do I need to do?

A grading permit is required for any movement of dirt in excess of 50 cubic yards. Storm water and retention of drainage is required for all properties in Kern County. The ESPS guide for Storm Water Management and Best Management Practices (BMP's) are required to be included on all grading plans. See kern County Web site for additional information.

A note about Access Roads: If you do not have access per the County Public Access via a county public Road recorded in the County mapping system, your lot may be considered "land locked" and access would have granted and recorded in Kern County via access being granted by all property owners whose land you must cross in order to get to your parcel. Without official access, no building permits are ever granted.

4. If I apply for a grading permit, can I start digging immediately?

No, the plans need to be approved and in issued status prior to digging. There is always a chance that the plans may need revision or additions to meet the current code requirement. Unless your grading plan is "Designer Certified" by a current Licensed Design professional, moving dirt prior to permit issuance is not recommended.

5. Why do I need a building permit to accompany my grading plan?

Depending on what you are doing, the grading, for example, leveling off a location for horses or live stock, or for a riding arena, is not necessary as long as the primary land use on the property is

being met with a single family residence. A grading permit is still required for the grading to be done, however.

When filing for a building permit, customers will often get their grading permit far in advance of the building permit, but then find themselves in a bind when their grading permit expires before the building permit is finalized. Grading cannot be finalized until the structure that is been placed on the graded area is eligible for a final inspection.

Many people grade and clear their lots without the required permits and will have to submit an "AS BUILT GRADING PLAN" drawn and certified by a California Licensed Design Professional and are subject to double fees at the time of permitting.

No lots can allow run off or drainage onto road right of ways and neighboring properties.

6. Can't I just place a part-time motor home/RV only for weekend usage on my property?

NO. THERE IS NO PROVISION IN THE CODE FOR RECREATIONAL USE. That would be considered a violation to the land use ordinance.

7. Although there has never been a permit issued on my vacant land, I was told that if I build structures under 120 square feet, that I am exempt from pulling a building permit. Am I correct?

No structure of any kind can be placed on any property in Kern County without the primary land use being met. Which means that in Alpine Forest, there must first be a single family residence built before anything else, including sheds or garages.

Generally speaking, buildings less than 120 square feet do not require a permit, but check with the local Kern County Building Inspection office as requirements may change.

8. So, outside of agricultural use, or conditional use, I cannot build any structure, even if it is less than 120 square feet without a statement of use building permit?

There are a variety of structures less than 120 square feet that require permits. (See above)

9. Who will be held liable for violations made to the property, the owner or the contractor?

The property owner, regardless of whether they created the violation or not, will be held responsible for all violations or any unpermitted structural, plumbing, electrical, mechanical, or grading changes on the property.

This is a problem for those who purchase parcels with undisclosed violations. Checking with the Kern County Building Dept. prior to purchasing a parcel is always recommended.

If the violation is created by the contractor, the property owner is still liable and all subsequent issues will be between the owner and the contractor.

10. I heard that Alpine is less strict than Bear Valley, is this correct?

All Community Service Districts have their own structural requirements and restrictions. Bear Valley is one of the districts that does not allow for certain types of structures or paint colors in their

community. For all restrictions and requirement for that district, contact the Bear Valley Community Service District.

Note: C - Train containers (large industrial metal storage container or shipping containers)

These containers require permitting with the required hold downs. They are not allowed in residential zones without approval through Planning with a Conditional Use Permit granted by the Planning dept. prior to its required building permit. Commercial, and agricultural zones are the only zones that do not require a CUP prior to the building permit for these containers.

Note: Electrical permits:

If you want to run electrical for lighting for your storage shed that is less than 120 square feet, an Electrical permit is required.

In the event that an unpermitted structure catches fire by way of unpermitted electrical service that has been run to it, you run the high risk of not being able to make a claim on your home owners insurance.

Note: High Fire Hazard structural requirements:

Tehachapi is considered to be a High Fire Hazard Area in Kern County. All patios, decks, free standing shade structures are required to use 6 x 6 nominal lumber for all posts, beams and rafter spans unless all exposed lumber will be covered by a state approved siding such as 5/8 sheet rock and T111, or Stucco.

Please go to the Kern County Website for more information for what and when County Permits are required @: www.kerncounty.com

Go to departments, then click on Building Inspection. This will lead you to information on permitting, and also to download required forms for your permits.

Thank you for your attention to this matter, as I hope to have a clearer picture on what my options are with my property.

Thank you,

Alpine Property Owner