

CUMMINGS VALLEY PROTECTIVE ASSOCIATION
Quarterly Newsletter No. 1 - December 1990

Membership and Petition Report. As of December 18, 1990 CVPA has 367 paid members from 207 households. We need to continue to increase membership in order to represent the views of a larger number of residents, owners and other concerned parties. We also need a larger pool of members to draw on for attending important hearings and for financial support.

So far 718 people have signed the petition to Ben Austin and 589 have signed the Vix Benz petition. As there is yet no critical deadline for submitting these petitions, we will continue to get signatures to demonstrate that a very large number of people oppose development in Cummings Valley.

Treasurers Report. As of December 5, 1990 we have \$1,953.03 in the bank. There are commitments of about \$540.24 against this amount as follows:

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| Assessors office for computer listings of ownerships | \$150.00 (est.) |
| Tehachapi News for ad. | 121.20 |
| Donation of trees to Cummings Valley School | 156.00 |
| Operating expenses | 113.04 |
| | <u>540.24</u> |
| Total | \$540.24 |
| Uncommitted balance- | \$1,412.79 |

Meeting with Ben Austin. On December 5, 1990 the CVPA board met with Supervisor Ben Austin to express our concerns about Cummings Valley and to find out his position on both general and specific issues. The meeting was cordial, and Mr. Austin expressed his commitment to keeping Cummings Valley rural. He specifically stated that he does not feel that commercial development is appropriate at the intersection of Cummings Valley Road and Bear Valley Road, and added that he did not see any justification for the Kiyoko proposed subdivision on Banducci Road.

On the other hand, he indicated that some kind of development may be appropriate in the Area of Highway 202 but that any commercial development should be east of the Highway.

Mr. Austin questioned that the sloping area west of highway 202 and north of Cummings Valley Road qualifies as an agricultural area even though soil maps show this to have soil characteristics qualifying it as prime farmland.

Mr. Austin pointed out that he must give fair consideration to all proposals on an individual basis. The CVPA Board suggested that we will support him in rejecting proposals that are contrary to preserving the rural nature of the valley.

On the other hand, we are not so naive as to think that there will not be disagreements in the future. A strong CVPA will be necessary for a long time to come.

A summary of the meeting was published in the December 26, 1990 Tehachapi News and we plan also to have it run in the Bakersfield Californian and the Bear Valley Springs Cub.

Guest speaker. Mr. Ted James, director of Kern County Planning and Development Services spoke at the December 5, 1990 regular monthly meeting. He explained how the Planning Department works, talked about population growth and reviewed zoning in our area. He complimented CVPA and the ways in which we are organizing ahead of time to be prepared for problems that will arise in the future. He welcomed our continual interaction with his staff, and said it is helpful to them to have one coordinated viewpoint rather than numerous calls from poorly informed and often irate individuals.

Mr. James answered numerous questions from the audience.

Status of projects or proposals.

- a. Vix/Benz commercial development. The developers cannot submit precise development plans until a springtime biota survey is made and approval of traffic mitigation plans is received from Caltrans and Kern Co. Road Dept.
- b. Pressure for commercialization near the intersection of CVR and BVR. Century 21 Realty advertises commercial potential of properties in this vicinity. As mentioned above, Ben Austin stated that commercial development here is not appropriate. We will contact Century 21 to ask that they stop advertizing commercial potential.
- c. Pre-school proposal. Solveig Thompson, Century 21 salesperson and Gerald Vucich, Century 20 owner, applied for commercial zoning of 1.5 acres on the southwest corner of CVR and BVR for a pre-school facility (little white house). The Planning Department recommended that they, instead, apply for a conditional use permit and leave the zoning agriculture. The applicants have agreed, and CVPA supports this approach. We will be notified of the hearing before the Board of Zoning Adjustments, and plan to have a small delegation present to be sure all goes as it should.
- d. Nursery. Old Towne Nursery owner, James Burns was contacted about his operations at CVR and BVR. He believes his land is zoned agriculture and that growing plants is consistent with this zoning. He considers this a holding area, and since sales receipts are from the facility in Old Town, believes the sales are technically from that location. The Facility at CVR and BVR is just a convenient holding and pickup point.

He has no plans to convert to commercial for at least four or five years. This, coupled with Ben Austin's position on commercial development here, suggests to us that there is no need at present to file any complaint about the nursery.

The following article appeared in the Decemberr 26, 1990. TEHACHAPI NEWS. It bears little resemblance to the news release (on reverse side) issued by the board members of CVPA with full approval of Supervisor Austin. The board, distressed by changes that completely re-slant what was stated in the original release, is attempting to find out who changed it and why.

Wants to keep Cummings Valley rural, Austin relates

Zone change requests will be heard, however

A news release from the Cummings Valley Protective Association says the organization and Supervisor Ben Austin "support a rural Cummings Valley."

But Austin stopped short of telling the valley group at a meeting earlier this month that he will resist zone changes if they're requested.

Instead, Austin told CVPA

representatives that "requests for changes will be heard on a case by case basis," the release said.

"I have a tremendous respect for Cummings Valley and I am committed to ensuring that this valley remains a rural area," Austin is quoted as saying.

The meeting between association members and Austin was ar- See AUSTIN/Page 3

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Austin

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ranged to "discuss their (CVPA) concerns for the future of the Cummings Valley."

The resulting news release from the valley group was coordinated with Austin's office, according to Association president, Chuck McCollough.

The Cummings Valley group has been critical of zoning changes that would permit commercial development at the intersection of Route 202 and Cummings Valley Road.

Following the December conference, however, association members said they were "pleased," and that they "will continue to be a strong force ... to support Supervisor Austin in preserving Cummings Valley as a rural area."

Any accord stemming from the meeting apparently does not include any agreement by Austin that he will work at preserving the agricultural and estate residential zoning of much of the valley.

The release quoted Austin as saying he is "committed to assisting everyone with due process.

This means that everyone has the right to be heard on any issue, including zone change requests."



Ben Austin was sworn in to begin his third term as second district supervisor during a Christmas party here last week. Doing the honors was County Clerk Gale Enstad. Earlier in the month, Austin met with members of the Cummings Valley Protective Association to go over their concerns on the valley's future. While he said he is "committed" to maintaining the valley as a rural area, Austin said zone change requests would be heard "on a case by case basis."

December 12, 1990

for IMMEDIATE RELEASE

CVPA AND SUP. AUSTIN SUPPORT A RURAL CUMMINGS VALLEY

"I have a tremendous respect for Cummings Valley and I am committed to ensuring that this Valley remains a rural area," stated Second District Supervisor Ben Austin.

Cummings Valley Protective Association Board members met with Supervisor Ben Austin recently to discuss their concerns for the future of Cummings Valley. Supervisor Austin also stated that the prison and the sewer plant should have a buffer, and given the agricultural lands surrounding the prison, there is no need to look at the farmland for development.

When asked about the preservation of the current zoning, Supervisor Austin emphasized that as a District Supervisor he is committed to assisting everyone with due process.

"This means that everyone has the right to be heard on any issue, including zone change requests," said Supervisor Austin. "Any requests for changes will be heard on a case by case basis."

Supervisor Austin stated that the population for the Second District is projected to be 200,000 by the year 2000. CVPA President Chuck McCollough asked about any possible commercial development in the Cummings Valley. Supervisor Austin again stated that he remains committed to keeping Cummings Valley rural.

CUMMINGS VALLEY.....Add 1

The CVPA Board members said they were pleased with the outcome of the meeting and stated that the organization will continue to be a strong force in order to support Supervisor Austin in preserving Cummings Valley as a rural area.

The CVPA organization is dedicated to keeping the Valley ⁱⁿ zoned for agriculture and residences, ^{as presently zoned} in preserving its wildlife and flora, and in maintaining the quality of living in the area.

e. Kiyoko (Yoko Kono) subdivision, Banducci Road. Cornerstone Engineering told us this proposal is on hold and will not materialize. Ben Austin indicated he would not approve such a project.

Tree Donation, Cummings Valley Elementary School. At the December 7, 1990 meeting the members present unanimously approved a donation of two 15-gal trees and four 5-gal trees to the school. The cost is estimated at \$156.00. We plan some publicity of the planting of the trees some time in January. Other ideas for working with the school, particularly on environmental awareness are being considered.

Long Range Plan. The CVPA Board has received suggestions both from members and from outside sources that to be effective we must offer constructive alternatives to willy nilly, hodge podge development proposals. One way to do this is to prepare a 20-year plan based on solid data, facts and good planning practices. Such a plan should support the need to preserve virtually all of Cummings Valley as Agricultural open space.

The Board has looked into the possibility of this being done by a graduate student in City and Regional Planning at one of the universities. Cal Poly has expressed interest in this project as a thesis topic. Cal State University, Fresno will also be contacted.

With a student on the project we could give effective guidance and the cost to support the student's work should be modest.

The Board is seeking a knowledgeable and dedicated chairperson to pursue this idea. We hope to get membership approval at the January 4, 1990 meeting to form the Planning Committee.

Agriculture Committee. Les Hansen, ostrich farmer and board member, has accepted chairmanship of the Agriculture Committee (Agcom). He will form a committee to pursue ideas for stimulating agricultural activity in the valley. Such things as coop grain farming on presently idle land may be possible.

A thriving farming industry is a strong argument against other kinds of development.

Mailing of information, petitions and membership applications to nonresident landowners. This mailing has been deferred. It seems less critical to try to get support from owners of vacant properties now that we apparently have substantial agreement of Ben Austin. Also our funds may be better spent on constructive projects as discussed above.

Summary. Except for the Vix-Benz project, things appear to be going well for our valley. The Association has established itself as an effective force for preservation. We must continue to build our strength, and not make the mistake of letting our guard down.

Wishing each and every one a happy 1991!



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